



COUNCIL MEETING

A meeting of WAVERLEY COUNCIL will be held at Waverley Council Chambers,
Cnr Paul Street and Bondi Road, Bondi Junction at:

6.30PM, TUESDAY 6 DECEMBER 2016

A handwritten signature in black ink, appearing to read 'Peter Brown', with a long horizontal flourish extending to the right.

Peter Brown
General Manager

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AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Mayor 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 and Adoption of Minutes

CM/4.1/16.12 Confirmation of Minutes - Council Meeting - 15 November 20163

CM/4.2/16.12 Adoption of Minutes - Waverley Traffic Committee Meeting - 24 November 201621

5. Mayoral Minute 28

6. Obituaries 29

7. Reports

CM/7.1/16.12 Local Government Awards for Service by Councillors30

CM/7.2/16.12 Sport Improvement Upgrades to Rodney Reserve32

CM/7.3/16.12 Planning Proposal - 96-122 Ebley Street, Bondi Junction51

CM/7.4/16.12 Planning Agreement - 637-639 Old South Head Road, Rose Bay73

CM/7.5/16.12 Campbell Parade Streetscape Upgrade95

CM/7.6/16.12 Connected Corridors for Biodiversity.....200

CM/7.7/16.12 Draft Bondi Junction Evening, Culture and Entertainment Strategy205

CM/7.8/16.12 Waverley Artist Studios intake for February 2017.....210

CM/7.9/16.12 Petition - Increase height of fences fronting 20-32 Carrington Road, Waverley214

CM/7.10/16.12 Petition - Retention of bus stops in Macpherson Street, Waverley216

CM/7.11/16.12	Petition - Retain Pottery Studio in its current location in the Bondi Pavilion.....	218
CM/7.12/16.12	Investment Portfolio Report – October 2016	220
CM/7.13/16.12	Delegations over the 2016/17 Christmas Holiday Period	242
CM/7.14/16.12	Annual Code of Conduct Complaints Reporting	245
CM/7.15/16.12	Council Meeting Dates 2017	252
CM/7.16/16.12	Council Operating Hours over Christmas and New Year 2016/17	255

8. Notices of Motion

CM/8.1/16.12	RESCISSION MOTION - Council Meeting - 15 November 2016 - CM/7.1/16.11 - Bondi Pavilion Consultation and Engagement Report	257
CM/8.2/16.12	RESCISSION MOTION - Council Meeting - 15 November 2016 - CM/7.2/16.11 - Bondi Pavilion Staged Approach	259
CM/8.3/16.12	Bondi Park Picnic Shelters near Children's Playground	263
CM/8.4/16.12	Interim Heritage Order - Aboriginal Indigenous Mural at Chapel by the Sea, 95 Roscoe Street, Bondi Beach	264
CM/8.5/16.12	Supporting the Eastern Region Local Government Aboriginal Torres Strait Islander Forum	265
CM/8.6/16.12	Royal Commission into Aboriginal Deaths in Police and Prison Custody	266

9. Urgent Business..... 267

10. Closed Session 268

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

CM/10.1/16.12	CONFIDENTIAL REPORT - Lease - Mill Hill Kiosk - Mill Hill Community Centre, 31-33 Spring Street, Bondi Junction
CM/10.2/16.12	CONFIDENTIAL REPORT - Lease - Airspace relating to the balcony of the Ravesis Hotel, 118 Campbell Parade, Bondi Beach
CM/10.3/16.12	CONFIDENTIAL REPORT - Lease - Metro Storage - 65 Ebley Street, Bondi Junction

11. Resuming Open Session 270

12. Meeting Closure

CONFIRMATION AND ADOPTION OF MINUTES CM/4.1/16.12



Subject: Confirmation of Minutes - Council Meeting - 15 November 2016

TRIM No.: SF16/406

Author: Al Johnston, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the Minutes of the Council Meeting held on 15 November 2016 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 Council meeting must be submitted to Council for confirmation, in accordance with Section 375 of the Local Government Act 1993.

Attachments:

1. Council Meeting Minutes - 15 November 2016



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 15 NOVEMBER 2016**

Present:

Councillor Sally Betts (Mayor) (Chair)	Hunter Ward
Councillor Tony Kay (Deputy Mayor)	Waverley Ward
Councillor Angela Burrill	Lawson Ward
Councillor Joy Clayton	Bondi Ward
Councillor Andrew Cusack	Lawson Ward
Councillor Leon Goltsman	Hunter Ward
Councillor Miriam Guttman-Jones	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Bill Mouroukas	Waverley Ward
Councillor Ingrid Strewé	Waverley Ward
Councillor John Wakefield	Bondi Ward
Councillor Dominic Wy Kanak	Bondi Ward

Staff in attendance:

Peter Brown	General Manager
Cathy Henderson	Director, Waverley Life
Peter Monks	Director, Waverley Futures
Emily Scott	Director, Waverley Renewal
Jane Worthy	Manager, Internal Ombudsman's Office

At the commencement of proceedings at 6.30PM those present were as listed above, with the exception of Cr Wakefield who arrived at 6.52PM.

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

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr KAY declared a significant non pecuniary interest in Item CM/8.1/16.11 – ABORIGINAL MURAL AT CHAPEL BY THE SEA and informed the meeting that his cousin was one of the artists who painted the mural. Cr Kay advised the meeting that he will leave the chamber for the debate and vote on the item.
- 2.2 Cr KAY declared a less than significant non pecuniary interest in Item CM/9.1/16.11 – CONFIDENTIAL REPORT - WESTCONNEX COMPENSATION CLAIM and informed the meeting that he knows the Valuer mentioned in the report from his adult years in London.
- 2.3 Cr MOUROUKAS declared a pecuniary interest in Item CM/7.12/16.11 WAVERLEY DEVELOPMENT ASSESSMENT PANEL – ADDITIONAL MEMBERS FOR POOL and informed the meeting that he is a party to a development application currently with Council and that will be determined by the Panel. Cr Mouroukas advised the meeting that he will leave the chamber for the debate and vote on the item.
- 2.4 Cr CLAYTON declared a less than significant non pecuniary interest in the items regarding the Bondi Pavilion and informed the meeting that she is a user of the Pavilion.
- 2.5 Cr WY KANAK declared a less than significant non pecuniary interest in the items regarding the Bondi Pavilion and informed the meeting that he is a user of the Pavilion.
- 2.6 Cr WY KANAK declared a less than significant non pecuniary interest in Item CM/8.1/16.11 – ABORIGINAL MURAL AT CHAPEL BY THE SEA and informed the meeting that he has worked with objectors on their submissions.
- 2.7 Cr MOUROUKAS declared a less than significant non pecuniary interest in Item CM/9.1/16.11 – CONFIDENTIAL REPORT - WESTCONNEX COMPENSATION CLAIM and informed the meeting that he knows the Valuer mentioned in the report.

3. Addresses to Council by Members of the Public

- 3.1 N Boaz – CM/7.1/16.11 – Bondi Pavilion Upgrade & Conservation Project – Consultation & Engagement Report.

- 3.2 L Kulakauskas – CM/7.1/16.11 – Bondi Pavilion Upgrade & Conservation Project – Consultation & Engagement Report.
- 3.3 L Kulakauskas – CM/7.2/16.11 – Bondi Pavilion Upgrade & Conservation Project - Staged Approach.
- 3.4 P Winkler – CM/7.2/16.11 – Bondi Pavilion Upgrade & Conservation Project - Staged Approach.
- 3.5 P Paech – CM/7.14/16.11 – Bondi Park Reserve Trust and Crown Lands Legislation.
- 3.6 L Hajnal – CM/8.2/16.11 – Infringing vehicles parked on private property covered by a strata scheme under new legislation.
- 3.7 J Levey – CM/8.4/16.11 – NSW Crown Land Management Bill.
- 3.8 E Morel – CM/8.8/16.11 – Bondi Park and Pavilion Plan of Management - Implementation of Management Structure.

4. Confirmation and Adoption of Minutes

CM/4.1/16.11 Confirmation of Minutes - Council Meeting - 18 October 2016 (SF16/406)

MOTION / DECISION

Mover: Cr Mouroukas
Seconder: Cr Goltsman

That the Minutes of the Council Meeting held on 18 October 2016 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/4.2/16.11 Adoption of Minutes - Waverley Traffic Committee Meeting - 27 October 2016 (SF16/158)

MOTION / DECISION

Mover: Cr Kay
Seconder: Cr Mouroukas

That Part 1 of the Minutes of the Waverley Traffic Committee Meeting held on 27 October 2016 be received and noted, and that the recommendations contained therein be adopted.

5. Mayoral Minute

Nil.

6. Obituaries

Gloria Dawn Cecilia Mortimer-Dunn OAM
Patty Hadley
Uncle Rae Lewis
Shirley Lynette Haines

Council rose for a minute's silence for the souls of people generally who have died in our Local Government Area.

7. Reports

CM/7.1/16.11 Bondi Pavilion Upgrade & Conservation Project - Consultation & Engagement Report (A15/0272)

Subsequent to the meeting a Motion to rescind this resolution was lodged with the General Manager. The Rescission Motion will be considered by Council at its next meeting.

Crs Clayton and Wy Kanak declared less than significant non pecuniary interests in this item and informed the meeting that they are users of the Pavilion.

MOTION

Mover: Cr Betts

Seconder: Cr Goltsman

That Council:

1. Thanks all participants in the Bondi Pavilion Upgrade & Conservation consultation and engagement period which took place in July – September 2016.
2. Notes that the report on the further consultation and engagement will inform future Council decisions about the project.
3. Notes that this is the third consultation undertaken on the Bondi Pavilion, including the Plan of Management.
4. Notes that this report aligns more closely with community sentiment than previous Council reports and the direction of Council.

AMENDMENT

Mover: Cr Wakefield

Seconder: Cr Masselos

That the Motion be adopted subject to the addition of the following clause:

'A report be prepared by officers detailing how the current proposal, including staging and the alternative shelved proposals, fulfils community expectations as represented in the KJA report.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Guttman-Jones, Masselos, Strewé, Wakefield and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

Cr Wy Kanak was not present for the vote on the Substantive Motion.

N Boaz and L Kulakauskas addressed the meeting.

CM/7.2/16.11 Bondi Pavilion Upgrade & Conservation Project - Staged Approach (A15/0272)

Subsequent to the meeting a Motion to rescind this resolution was lodged with the General Manager. The Rescission Motion will be considered by Council at its next meeting.

Crs Clayton and Wy Kanak declared less than significant non pecuniary interests in this item and informed the meeting that they are users of the Pavilion.

MOTION

Mover: Cr Betts
Seconder: Cr Cusack

That Council:

1. Treats Attachments 3 and 4 to this report as confidential as they relate to matters specified in section 10A(2)(c) of the Local Government Act 1993. The attachments contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
2. Agrees to proceed with the staged approach to the Bondi Pavilion Upgrade & Conservation Project in accordance with "Staging Plan – Stage 1 Ground Floor plan" dated February 2016 (page 4, figure 1) including:
 - Construction of new public toilets and amenities
 - Construction of expanded community space/s adjoining the northern courtyard which will include a relocated pottery studio (including a kiln) and space allocated for a music/recording studio
 - Internal colonnades and landscaping of the northern courtyard sufficiently wide to accommodate passenger traffic and a small outdoor seating area
 - Loading dock and relocated improved waste arrangements
 - Heritage works including removal of front façade modern addition
 - Renovation of the northern commercial space facing the beach, with the flexibility of this being a single commercial tenancy or a two tenancy area as shown on the current concept plan.
 - Solar panels and other environmental sustainable design measures
 - Any other necessary works located on the ground floor northern side of the building including providing a footing for the proposed relocated fire stair for improved access to the first floor.
3. Convenes a councillor workshop in the first quarter of 2017 prior to submission of DA documentation to review design progress, internal courtyard landscaping, toilet safety, fire risk assessment and the options for an alternate vehicle access for waste collection with a second councillor workshop to be organised if required.
4. Once the above work is completed the following work to proceed to complete phase one:
 - Original toilet area to be converted to a gallery/exhibition/museum space
 - The internal amphitheatre to be removed and replaced with paving – ensuring that Flickerfest is still able to use the space as an outdoor cinema within the walls of the Pavilion

- Renovation of the heritage façade facing Beach Road to form a grand entrance and pedestrian access to the beach through the courtyard in keeping with the Master Plan.
5. Decisions of any further phases of the project, including the use of the top floor and any relocation of the theatre, will take place after the Council elections, currently scheduled for September 2017.
 6. Notes the incoming Council will be assisted in their decision making by the consultation report, and the forthcoming technical documents including the:
 - a. Business case
 - b. Cultural and Community Impact assessment
 - c. Proposed Fair use Policy
 - d. Proposed theatre programming and hire framework
 - e. A report on appropriate future technology for the Bondi Pavilion music studio facility and
 - f. A report on commercial tenancy spaces and processes
 7. Reissues “Staging Plan – Stage 1 Ground Floor plan” dated February 2016 expanding the stage one area to incorporate the demolition of the amphitheatre and works on the rear entrance.

AMENDMENT

Mover: Cr Clayton

Seconder: Cr Strewe

That the Motion be adopted subject to clause 2, dot point 1, being amended to read as follows:

‘Construction of additional public toilets and amenities, but that officers investigate how best to modify Stage 1 in order to maximise the use of existing services and sewerage (with a view to minimising additional cost), for example through converting the existing male and female central toilet facility to all-female facility, and converting the existing rear Bucket List extension to a male public toilet and amenity facility. This may allow the existing pottery studio to remain in its current location.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

AMENDMENT

Mover: Cr Clayton

Seconder: Cr Wakefield

That the Motion be adopted subject to clause 2, dot point 5, being amended to read as follows:

‘Retain the modern front addition to the Bucket List tenancy.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

AMENDMENT (WITHDRAWN)

Mover: Cr Wakefield

Seconder: Cr Clayton

That the Motion be adopted subject to Council holding a preliminary councillor workshop to address security and other concerns in the current design of the toilet block.

AMENDMENT

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That the Motion be adopted subject to the addition of the following clause:

‘Notes that at the councillor workshop on 8 November 2016, it was indicated that officers did not support the recommendation to stage the redevelopment of the Pavilion’.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

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

Division

For the Motion: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

Against the Motion: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

P Winkler and L Kulakauskas addressed the meeting.

CM/7.3/16.11 Q1 Budget Review - September 2016 (A03/0346)**MOTION / DECISION**

Mover: Cr Betts
Seconder: Cr Kay

That Council adopts the variations to the Operating and Capital budgets in accordance with Attachment 1 and Attachment 2 to this report, with the following amendments:

1. Delete the \$48,000 increase to Art Services and associated \$22,300 Cultural Programs increase.
2. Allocate \$70,300 to the Centralised Reserve, for future allocation to the Bondi Pavilion Upgrade & Conservation Project, to be allocated to equipment for the pottery studio, recording studio and gallery/exhibition space.

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

Division

For the Motion: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

Against the Motion: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

CM/7.4/16.11 Annual Report 2015/16 (A15/0196)**MOTION / UNANIMOUS DECISION**

Mover: Cr Burrill
Seconder: Cr Kay

That Council endorses the Annual Report 2015/16 attached to this report.

Cr Guttman-Jones was not present for the vote on this item.

CM/7.5/16.11 Audited Financial Statements for the year ended 30 June 2016 (A15/0244)**MOTION / DECISION**

Mover: Cr Cusack
Seconder: Cr Burrill

That Council:

1. In accordance with Section 418 of the Local Government Act, Council receive and note the Auditor's Report on the 2015/16 Annual Financial Statements (including General and Special Purpose Financial Statements and Special Schedules)
2. Any public submissions on the 2015/16 Annual Financial Statements (including General and Special Purpose Financial Statements and Special Schedules) be referred to Council's Auditor, Hill Rogers.

Cr Guttman-Jones was not present for the vote on this item.

CM/7.6/16.11 Investment Portfolio Report - September 2016 (A03/2211)**MOTION / UNANIMOUS DECISION**

Mover: Cr Cusack
Seconder: Cr Burrill

That Council:

1. Receives the investment Portfolio Report – September 2016.
2. Notes that all investments have been made in accordance with the requirements of section 625 of the Local Government Act 1993 and directions from the Minister for Local Government, including Ministerial Investment Orders and Council's Investment Policy.

Cr Guttman-Jones was not present for the vote on this item.

CM/7.7/16.11 Planning Agreement for 91-93 Glenayr Ave, Bondi Beach (DA-169/2015)**MOTION / DECISION**

Mover: Cr Kay
Seconder: Cr Goltsman

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 91-93 Glenayr Avenue, Bondi Beach that contributes \$425,151 to Council for public domain upgrades associated with the intersection ("Seven Ways") and park in the immediate vicinity of the development.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

Cr Guttman-Jones was not present for the vote on this item.

Cr Wy Kanak asked that it be recorded in the minutes that he voted against the Motion.

CM/7.8/16.11 Implementation of Smoke Free Zone at Bondi Beach (A04/0512)**MOTION / UNANIMOUS DECISION**

Mover: Cr Betts
Seconder: Cr Goltsman

That Council:

1. Amends the Smoke Free Zone in Bondi Beach, to be on both sides of Hall Street Bondi Beach from the southern side of Glenayr Avenue to Campbell Parade, between 7.00am and 9.00pm, to commence in March 2017.
2. Notes the implementation will require additional and ongoing resources which are recommended for approval in the 2016/17 First Quarter Budget Review.

Cr Guttman-Jones was not present for the vote on this item.

CM/7.9/16.11 Alcohol Free Zone - Bondi Junction (A13/0186)**MOTION / UNANIMOUS DECISION**

Mover: Cr Burrill
Seconder: Cr Clayton

That Council endorse the re-establishment of an Alcohol Free Zone within Bondi Junction as set out in the report.

CM/7.10/16.11 Purchase of Three Resource Recovery Trucks (A16/0333)**MOTION / UNANIMOUS DECISION**

Mover: Cr Goltsman
Seconder: Cr Mouroukas

That Council:

1. Notes that units offered by the combination of Hino/Garwood are suitable for Waverley Council and meet all essential and desirable components of the specifications.
2. Approves the purchase of an additional three (3) Resource Recovery trucks as per the Plant Replacement Schedule 2016-2017.

CM/7.11/16.11 Fleet Wash Facility and Services - Evaluation of Tender (A16/0577)**MOTION / DECISION**

Mover: Cr Goltsman
Seconder: Cr Mouroukas

That Council:

1. Treats the Evaluation of Findings report attached to Council's file as confidential as it contains information of the kind referred to in section 10A(2)(c) of the *Local Government Act 1993*.
2. Enters into a contract under clause 178 of the *Local Government (General) Regulation 2005* with

United Resource Management Environment Pty Ltd for the Fleet Washing Facility and Services for 12 months with an option to extend for an additional 12 months.

Cr Wy Kanak asked that it be recorded in the minutes that he voted against the Motion.

**CM/7.12/16.11 Waverley Development Assessment Panel - Additional Members for Pool
(A13/0229)**

Cr Mouroukas declared a pecuniary interest in this item and informed the meeting that he is a party to a development application currently with Council and that will be determined by the Panel. Cr Mouroukas was not in, or in sight of, the chamber for the debate and vote.

MOTION / DECISION

Mover: Cr Kay
Seconder: Cr Burrill

That:

1. Council approves of an increase to the Waverley Development Assessment Panel membership pool.
2. The following persons be added as members:
 - Michael Staunton – Barrister
 - Annelise Tuor – Professional expert
 - James Phillips - Professional expert
 - David Crofts - Professional expert
 - Charles Hill - Professional expert
 - Matthew Taylor - Professional expert
 - Sandra Robinson – Community representative/expert

Crs Masselos, Strewe and Wy Kanak asked that it be recorded in the minutes that they voted against the Motion.

CM/7.13/16.11 Transition Project Unit update (A16/0054)

MOTION / DECISION

Mover: Cr Kay
Seconder: Cr Goltsman

That Council receives and notes this report.

CM/7.14/16.11 Bondi Park Reserve Trust and Crown Lands Legislation (A03/1909)

MOTION / DECISION

Mover: Cr Betts
Seconder: Cr Kay

That Council:

1. Treats the attachment to this report as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2)(di) of the Local

Government Act 1993. The report contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

2. Notes the information provided in this report, and requests that a Councillor workshop and community information session be held on the new Crown Lands Management Act and the impact on the community, Councils and on Council responsibilities.

P Paech addressed the meeting.

8. Notices of Motion

CM/8.1/16.11 Aboriginal Mural at Chapel by the Sea (DA-428/2016)

Cr Kay declared a significant non pecuniary interest in this item and informed the meeting that his cousin was one of the artists who painted the mural. Cr Kay was not in, or in sight of, the chamber for the debate and vote.

Cr Wy Kanak declared a less than significant non pecuniary interest in this item and informed the meeting that he has worked with objectors on their submissions.

MOTION / DECISION

Mover: Cr Wy Kanak
Seconder: Cr Wakefield

That Council readvertise another Public Notification period for the Development Application affecting the Aboriginal Mural at Chapel by the Sea to allow the community extended time in which to put submissions which would ensure that this piece of important public reconciliation art is kept intact in situ.

THE MOTION WAS PUT AND DECLARED LOST.

Division

For the Motion: Crs Clayton, Guttman-Jones, Masselos, Wakefield and Wy Kanak.

Against the Motion: Crs Betts, Burrill, Cusack, Goltsman, Mouroukas and Strewe.

CM/8.2/16.11 Infringing vehicles parked on private property covered by a strata scheme under new legislation (A16/0667)

MOTION / UNANIMOUS DECISION

Mover: Cr Mouroukas
Seconder: Cr Kay

That Council:

1. Investigates the new provisions of the Strata Schemes Management Act 2015 and the Local Government Act 1993 as they apply to the management of unauthorised parking on private property through a commercial arrangement between a local council and an Owners' Corporation.
2. Identifies the feasibility of whether it should and can provide this service to Owners Corporations, and how the service could operate, considering staff resources and priorities.
3. Identifies how a similar service could operate for Company Title Home Units.
4. Receives a report on the above matters.

L Hajnal addressed the meeting.

**CM/8.3/16.11 Enhancing Ausgrid processes when trees are pruned to meet safety standard
(A16/0670)**

MOTION / UNANIMOUS DECISION

Mover: Cr Kay
Seconder: Cr Cusack

That:

1. Council requests Ausgrid ensure that Council is always fully informed about their tree pruning and lopping maintenance schedule in the Waverley area.
2. Council monitors the scheduled work to determine priorities for assessing the symmetry and aesthetics of street trees after the Ausgrid pruning has been completed, providing feedback to Ausgrid as appropriate.
3. Council advocates for Ausgrid to consult with LGNSW, SSROC, and Greater Sydney councils on changes to Ausgrid's Tree Safety Management Plan, including enhanced pruning specifications, improvement to council and resident notification, and measures to identify Ausgrid contractors who are doing the work.
4. Council requests Ausgrid to distribute information to all Waverley residents covering safety issues, clearances, and trimming techniques for street trees and vegetation on private property as required by and in accordance with Ausgrid's Tree Safety Management Plan.
5. The Mayor writes to the NSW Minister for the Environment and Heritage Mark Speakman and Minister for Local Government Paul Toole. A copy of the letter is to be forwarded to the local state members Gabrielle Upton and Bruce Notley-Smith, and relevant local government agencies.

CM/8.4/16.11 NSW Crown Land Management Bill (A03/1909)

MOTION

Mover: Cr Wy Kanak
Seconder: Cr Wakefield

That Council:

1. Notes that the NSW Government's Crown Land Management Act will have significant impacts on the management of Crown Lands in NSW and on councils in their roles as trustees and as planning authorities.
2. Notes that the Act had no formal consultation processing of the Bill with councils or other stakeholders, and:
3. Notes that the Government has mostly ignored the recommendations of the comprehensive Upper House inquiry into Crown Land management.
4. Notes that the changes will facilitate the privatisation of Crown Land and reduce the protection of biodiversity and heritage values of those lands.

5. Writes to the Deputy Premier; the Minister for Primary Industry and Lands, Niall Blair; and the Premier expressing Council's disappointment with the passage of the Bill.

THE MOTION WAS PUT AND DECLARED LOST.

Division

For the Motion: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

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

J Levey addressed the meeting.

CM/8.5/16.11 Living Walls and Green Infrastructure (A16/0286)

MOTION / DECISION

Mover: Cr Goltsman

Seconder: Cr Mouroukas

That Council officers investigate expanding Council's program for installing green walls and green roofs on Council infrastructure, and a report be prepared for Council's consideration.

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

CM/8.6/16.11 Traffic calming in Barracluff and Rickard Avenues, Bondi (A03/0566)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council:

1. Notes that in 2006 plans were prepared for Barracluff and Rickard Avenues to reduce traffic speed and provide more parking (angle parking and refuges). Based on residents' responses the Waverley Traffic Committee determined to not implement these plans.
2. Notes that in April 2014 the Waverley Traffic Committee concluded that no action be taken on Barracluff Avenue traffic calming due to reported speed counts at the time.
3. Notes that an incident occurred in Barracluff Avenue on 22 October 2016. The Police are investigating the circumstances of the matter to determine its classification.
4. Notes that a speed counter has been installed around mid-block in Barracluff Avenue, near Rickard Avenue, and results will be available in a few weeks.
5. Continues the investigation into traffic calming in Barracluff Avenue subject to speed count results, including a reassessment of the 2006 plans and other traffic calming measures.

CM/8.7/16.11 Alternative options for the upgrade of the Bondi Pavilion - Investigation into process (A15/0272)

THIS MOTION WAS WITHDRAWN BY THE CRS WHO SUBMITTED IT

That Council undertakes an investigation to determine whether the decision to proceed with 1 of the 3 options developed for the Bondi Pavilion upgrade was made in accordance with the relevant delegations.

CM/8.8/16.11 Bondi Park and Pavilion Plan of Management - Implementation of management structure (A15/0272)

Crs Clayton and Wy Kanak declared less than significant non pecuniary interests in this item and informed the meeting that they are users of the Pavilion.

MOTION

Mover: Cr Wakefield
Seconder: Cr Strewé

That the General Manager prepares a report to identify which of the following requirements relating to the Bondi Pavilion management structure as contained in the Bondi Park and Pavilion Plan of Management have been implemented:

From the Plan of Management (page 116):

“Pavilion Management: The proposed improvement works associated with the Pavilion are substantial, ranging from physical refurbishment projects to the less tangible aspects of managing the various events, programs and businesses within the space. The responsibility of caring for the Pavilion and implementing these actions, falls within several Council divisions. To ensure that the Pavilion is well looked after and is able to become the vibrant, attractive and welcoming hub that is envisaged, coordination between key stakeholders within and external to Council is essential. For this purpose, it is recommended that the management of these groups as well as proposed upgrade works, be coordinated by a Project Manager.

In addition to providing a management structure to achieve these desired outcomes, some key planning works will need to be in place prior to any upgrades or refurbishments taking place. These works include:

- 1. Appointment of Project Manager*
- 2. Reform the Bondi Pavilion working group*
- 3. Undertake a feasibility study*
- 4. Develop a business plan*
- 5. Undertake a cost benefit analysis*
- 6. Decide on best mix of community / business enterprises with the Pavilion*
- 7. Engage an architect to review the building structure and layout to provide the appropriate amenities*
- 8. Seek funding through grant applications and partnership projects*
- 9. Plan a detailed sequence of works to upgrade/refurbish the Pavilion and develop a detailed action plan*
- 10. Proceed with upgrade projects.”*

THE MOTION WAS PUT AND DECLARED LOST.

Division

For the Motion: Crs Clayton, Guttman-Jones, Masselos, Strewé, Wakefield and Wy Kanak.

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

E Morel addressed the meeting.

CM/8.9/16.11 NSW Crown Land Management Bill - Community Consultation (A03/1909)**MOTION (LAPSED DUE TO ABSENCE OF SECONDER)** Mover: Cr Wy Kanak

That:

1. Waverley Council undertakes an officers' examination with public community consultation on the impacts of the proposed NSW Crown Land Management Bill to all Waverley crown land management, especially in relation to the Bondi Park and Pavilion Plan of Management, in order to prepare a Public Report.
2. The consultation includes the Aboriginal Land Council network.
3. Council joins Randwick and Woollahra Councils in a similar Crown Land community consultation.

CM/8.10/16.11 Amalgamation - Plebiscites (A16/0054)**MOTION** Mover: Cr Wy Kanak
Seconder: Cr Wakefield

That Council puts to the NSW State Government that amalgamation not proceed without local plebiscites.

THE MOTION WAS PUT AND DECLARED LOST.

Division**For the Motion:** Crs Clayton, Guttman-Jones, Masselos, Strewé, Wakefield and Wy Kanak.**Against the Motion:** Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.**9. Urgent Business****CM/9.1/16.11 CONFIDENTIAL REPORT - Westconnex Compensation Claim (A15/0096)****MOTION / DECISION** Mover: Cr Goltsman
Seconder: Cr Mouroukas

That Council deals with this matter as an item of urgent business.

*Council decided to deal with this item in closed session (see item CM/9.1/16.11 below).***10. Closed Session****CM/10/16.11 Closed Session***Before the motion to close the meeting was put, the Chair provided an opportunity for members of the public to make representations as to whether this part of the meeting should be closed and none were received.***MOTION / DECISION** Mover: Cr Kay
Seconder: Cr Mouroukas

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:

CM/9.1/16.11 CONFIDENTIAL REPORT - Westconnex Compensation Claim

This matter is considered to be confidential in accordance with Section 10A(2)(d)i and (d)ii of the Local Government Act, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND information that would, if disclosed, confer a commercial advantage on a competitor of the council.

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.

At 10.27PM Council moved into Closed Session.

CM/9.1/16.11 CONFIDENTIAL REPORT - Westconnex Compensation Claim (A15/0096)

Cr Kay declared a less than significant non pecuniary interest in this item and informed the meeting that he knows the Valuer mentioned in the report from his adult years in London.

Cr Mouroukas declared a less than significant non pecuniary interest in this item and informed the meeting that he knows the Valuer mentioned in the report.

MOTION / DECISION

Mover: Cr Betts
Seconder: Cr Kay

That Council:

1. Treats this report as confidential as it relates to matters specified in section 10A(2)(d)i and (d)ii of the Local Government Act 1993. The report contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND information that would, if disclosed, confer a commercial advantage on a competitor of the council.
2. Authorise the General Manager to accept the compensation offer by Roads & Maritime Service & WestConnex for part Lot 16 DP 270785, Alexandria Integrated Facility, 67a Bourke Road, Alexandria on the terms and conditions as detailed within this report.
3. Authorise the Mayor and General Manager to finalise all documentation and affix the Council seal where necessary.

Cr Wy Kanak asked that it be recorded in the minutes that he voted against the Motion.

11. Resuming in Open Session**CM/11/16.11 Resuming in Open Session****MOTION / DECISION**

Mover: Cr Mouroukas

Seconder: Cr Goltsman

That Council resumes in Open Session.

At 10.45PM Council resumed in Open Session.

Resolutions from Closed Session made public

In accordance with Clause 253 of the Local Government (General) Regulation 2005, when the meeting resumed in open session the Chair announced 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.

12. Meeting Closure**THE MEETING CLOSED AT 10.46PM.**

.....
SIGNED AND CONFIRMED
MAYOR
6 DECEMBER 2016

CONFIRMATION AND ADOPTION OF MINUTES CM/4.2/16.12



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 24 November 2016

TRIM No.: SF16/158

Author: Al Johnston, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That Part 1 of the Minutes of the Waverley Traffic Committee Meeting held on 24 November 2016 be received and noted, and that the recommendations contained therein be adopted.

Introduction/Background

The Waverley Traffic Committee (WTC) is not a committee of Council. The WTC operates under delegation from the Roads and Maritime Services (RMS), an agency of the NSW Government. It is advisory only and has no decision making powers.

The purpose of the WTC is to make recommendations and provide advice to Council on the technical aspects of proposals to regulate traffic on local roads in Waverley. The recommendations of the WTC must be adopted by Council before they can be implemented.

Part 1 of the minutes of Waverley Traffic Committee meetings must be submitted to Council for adoption in accordance with Section 18 of the Waverley Traffic Committee Charter.

Council has the opportunity to 'save and except' any of the recommendations listed in Part 1 of the minutes for further consideration in accordance with clause 18.1 of the Waverley Traffic Committee Charter.

Attachments:

1. Waverley Traffic Committee Minutes - 24 November 2016

**MINUTES OF THE WAVERLEY TRAFFIC
COMMITTEE MEETING HELD AT WAVERLEY
COUNCIL CHAMBERS, CNR PAUL STREET AND
BONDI ROAD, BONDI JUNCTION ON
THURSDAY, 24 NOVEMBER 2016**



Voting Members Present:

Cr T Kay	Waverley Council (Chair)
Sgt L Barrett	NSW Police – Traffic Services, Eastern Suburbs Local Area Command
Mr M Tita	Roads and Maritime Services – Traffic Management (South)
Mr J Morrison	Representing Gabrielle Upton, MP, Member for Vacluse and Bruce Notley-Smith, MP, Member for Coogee

Also Present:

Cr B Mouroukas	Waverley Council (Deputy Chair)
Mr E Graham	Sydney Buses (Eastern Region)
Mr D Joannides	Waverley Council – Executive Manager, Creating Waverley
Mr G Garnsey	Waverley Council – Manager, Transport and Development
Mr A Johnston	Waverley Council – Governance Officer

At the commencement of proceedings at 10.07AM, those present were as listed above.

Apologies

There were no apologies.

Declarations of Pecuniary and Non-Pecuniary Interests

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

Adoption of previous Minutes by Council - 27 October 2016

The recommendations contained in Part 1 - Matters Proposing That Council Exercise Its Delegated Functions - of the Minutes of the Waverley Traffic Committee meeting held on 27 October 2016 were adopted by Council at its meeting on 15 November 2016.

Schedule of Meeting Dates

Below is the schedule of meeting dates for the Waverley Traffic Committee for 2017 provided for the committee's information.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Council	–	21	21	18	16	20	18	15	19	24	21	5
Traffic	–	2 23	23	27	25	29	27	24	28	26	23	

PART 1 – MATTERS PROPOSING THAT COUNCIL EXERCISE ITS DELEGATED FUNCTIONS

NOTE: *The matters listed under this part of the Agenda propose that Council either does or does not exercise the traffic related functions delegated to it by the RMS. The recommendations made by the Committee under this part of the Agenda will be submitted to Council for adoption.*

TC/C STATE ELECTORATE OF COOGEE**TC/C.01/16.11 Hegarty Lane, Bondi Junction - Tower Crane Installation (A02/0617-07)****COUNCIL OFFICER'S PROPOSAL:**

That:

1. Council approves the temporary closure of Hegarty Lane between Leswell Street and Vernon Street in accordance with the Traffic Control Plan prepared by Alert Traffic Control tabled at the meeting.
2. The closures days be limited to Saturdays and Sundays only.
3. Council delegates authority to the Executive Manager, Creating Waverley to approve the days and times Hegarty Lane can be closed.
4. Upon determining the date and time of the approved closures, businesses, residents affected by the closures including the builder at 344-348 Oxford Street and emergency services be notified of the closures in writing by the applicant not less than seven(7) days prior to implementation.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to the following amendments:

1. In Clause 1, the words "dated 16 November 2016 Version 2" be added after the words "Traffic Control Plan".
2. The following words be added to the end of clause 4:

"with a copy of the notification being provided to Council".

Voting members present for this item: Representative of the Member for Coogee, NSW Police representative, RMS representative and Waverley Council representative (Chair).

TC/C.02/16.11 Thompson Street, Tamarama – 'P Motor Bikes Only' Zone (A02/0637-02)**COUNCIL OFFICER'S PROPOSAL:**

That Council installs 3.5m of 'P Motor Bikes Only' between the driveways to 8 and 10 Thompson Street, Tamarama.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Coogee, NSW Police representative, RMS representative and Waverley Council representative (Chair).

TC/C.03/16.11 Macpherson Street, Bronte - Construction Zone and Temporary Removal of a Refuge Island (A03/2514-04)

COUNCIL OFFICER'S PROPOSAL:

That:

1. Council installs a 'NO PARKING: 7AM-5PM MON-FRI, 8AM-3PM SAT COUNCIL AUTHORISED VEHICLES EXCEPTED' zone outside 113 Macpherson Street, Bronte, for a period of 13 weeks.
2. Approves the temporary removal of the existing refuge island and its associated "NO STOPPING" zones as well as the full time "taxi zone" and "taxi zone: 5am-9am Mon-Fri/No Parking at Other Times" outside 113 Macpherson Street, Bronte.
3. Prior to the installation of the works/construction zone, detailed engineering drawings relating to the removal of the refuge island be submitted to Council for the approval of the Executive Manager, Creating Waverley.
4. Delegates authority to the Executive Manager, Creating Waverley to:
 - (a). Determine the location and length of the 'Works/Construction Zone'
 - (b). Extend the duration of the "Works/Construction Zone" as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to the addition of the following clause:

"An alternative and temporary taxi zone be investigated in consultation with the Taxi Council NSW".

Voting members present for this item: Representative of the Member for Coogee, NSW Police representative, RMS representative and Waverley Council representative (Chair).

TC/V STATE ELECTORATE OF VAUCLUSE

TC/V.01/16.11 Hall Street, Bondi Beach - Installation of Dividing (Barrier) Lines (A03/0042-04)

COUNCIL OFFICER'S PROPOSAL:

That:

1. Council installs BB Lines in Hall Street, Bondi Beach between Campbell Parade and Glenayr Avenue as shown on "Figure 2: Hall Street – Concept Plan- Proposed dividing lines" contained in the report.
2. Detailed drawings of the BB lines be prepared and approved by the Executive Manager, Creating Waverley prior to installation.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Vaucluse, NSW Police representative, RMS representative and Waverley Council representative (Chair).

**TC/V.02/16.11 Campbell Parade, North Bondi - Proposed Change to Parking Restrictions
(A02/0637-02)****COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Approves the existing '½P 9.00am-4.00pm Mon- Fri' parking restrictions in Campbell Parade, both sides, between Hastings Parade and Brighton Boulevard be altered to '½P 9.00am-4.00pm'.
2. The existing "Loading Zone : 9am-4pm Mon-Fri" on the eastern side of Campbell Parade immediately south of Hastings Parade be amended with the addition of "1/2P 9am-4pm Sat- Sun"
3. Notifies the residents and business operators of the street of the Council's decision prior to installing the signs.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

The Committee noted that the existing bus zones in Campbell Parade will not be affected by the changes to parking restrictions.

Voting members present for this item: Representative of the Member for Vacluse, NSW Police representative, RMS representative and Waverley Council representative (Chair).

TC/V.03/16.11 Glenayr Avenue, Bondi Beach - "P Motor Bikes Only" Zone (A02/0637-02)**COUNCIL OFFICER'S PROPOSAL:**

That Council install 5 m of 'P Motor Bikes Only' parking on the eastern side of Glenayr Avenue, in the section between Hall Street and Curlewis Street, immediately north of the "No Stopping" zone across the driveway to Ausgrid Substation No.339.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Vacluse, NSW Police representative, RMS representative and Waverley Council representative (Chair).

**TC/V.04/16.11 Wellington Street, Bondi - Traffic Island Extension
DA- 203/2014 (DA-203/2014)****COUNCIL OFFICER'S PROPOSAL:**

That:

1. Council approves the extension of the median island on Wellington Street outside the Mirvac Development site as shown on drawings C-1001 Rev "A" prepared by BG&E and drawing CD-001 Rev: 1 prepared by Parking & Traffic Consultants subject to the median island being installed offset to the west of and adjacent to the road centreline so as to align and be consistent with existing traffic

facilities between the site and Martins Avenue.

2. Amended drawings complying with point 1 above including the addition of full engineering details, cross sections, materials of construction, specifications and how it is proposed to install the median island on the road carriageway being submitted to Council prior to installation.
3. Council raises no objection to the southernmost driveway to the Mirvac site on Wellington Street being provided with a splay on its southern side and the northern side of the northern driveway also being splayed to facilitate vehicular access of the B99 vehicle.
4. Council delegates authority to the Executive Manager, Creating Waverley to approve the amended drawings prior to installation.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to the words "Martins Avenue" in clause 1 being deleted and replaced with Edward Street.

Voting members present for this item: Representative of the Member for Vaucluse, NSW Police representative, RMS representative and Waverley Council representative (Chair).

TC/V.05/16.11 Loombah Road, Dover Heights - 'No Stopping' Zone (A02/0637-02)

COUNCIL OFFICER'S PROPOSAL:

That Council installs 43m of "NO STOPPING: 10pm -6am" between the driveways to properties 18 and 24 Loombah Road, Dover Heights.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Vaucluse, NSW Police representative, RMS representative and Waverley Council representative (Chair).

TC/V.06/16.11 9 Glasgow Avenue, Bondi Beach - Works Zone (A03/2514-04)

COUNCIL OFFICER'S PROPOSAL:

That:

1. Council installs a "No Parking: 7am-5pm Mon-Fri; 8am-3pm Sat - Authorised Council Vehicles Excepted" zone outside No.9 Glasgow Avenue, Bondi Beach commencing on the eastern side of the existing driveway and extending 10m to the west.
2. Council delegates authority to the Executive Manager, Creating Waverley, to:
 - Extend the duration of zone as necessary.
 - Audit and cancel this approval without notice or refund.
3. There be no blockage to through traffic or access to or from adjacent properties other than for short periods of time when manoeuvring vehicles into and out of the zone.

4. There be no removal of or loss of access by the public at any time to parking spaces on the opposite, northern side of Glasgow Avenue without the prior and written approval of Council.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to clause 1 being amended to read as follows:

“Council installs a “No Parking: 7am-5pm Mon-Fri; 8am-3pm Sat - Authorised Council Vehicles Excepted” zone outside No.9 Glasgow Avenue, Bondi Beach for the frontage of the property”.

Voting members present for this item: Representative of the Member for Vaucluse, NSW Police representative, RMS representative and Waverley Council representative (Chair).

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE

Nil.

THE MEETING CLOSED AT 11.07AM

**SIGNED AND CONFIRMED
6 DECEMBER 2016**

MAYOR

MAYORAL MINUTE CM/5/16.12

Subject: Mayoral Minute
Author: Mayor of Waverley, Cr Sally Betts



Mayoral minutes are permissible at Waverley Council meetings under the provisions of the NSW Local Government (General) Regulation 2005 and Council's Code of Meeting Practice. Clause 243 of the Regulation and Section 9.1 of the Code state:

If the mayor is the chairperson at a meeting of Council, the chairperson is, by minute signed by the chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of Council or of which Council has official knowledge.

Such a minute, when put to the meeting, takes precedence over all business on Council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of the minute without the motion being seconded.

A recommendation made in a minute of the chairperson (being the mayor) or in a report made by a Council employee is, so far as adopted by Council, a resolution of Council.

As noted in Council's Code of Meeting Practice mayoral minutes should not be used to introduce, without notice, matters that are routine, not urgent, or need research or a lot of consideration by councillors before coming to a decision. These types of matters would be better placed on the agenda, with the usual period of notice given to the councillors.

OBITUARIES CM/6/16.12

Subject: Obituaries
Author: Peter Brown, General Manager



The Mayor will ask councillors for any obituaries.

Council will rise for a minute's silence as a mark of respect for the deceased and for the souls of people generally who have died in our Local Government area

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REPORT CM/7.1/16.12



Subject: Local Government Awards for Service by Councillors

TRIM No.: SF16/406

Author: Peter Brown, General Manager

Director: Peter Brown, General Manager

RECOMMENDATION:

That Council:

- Notes that Councillors Clayton, Kay, Strewe, Wakefield and Wy Kanak have been awarded a Certificate of Service from Local Government NSW for their dedication and effort in serving the local Waverley Community for 12 years or more of service.
- Notes that the Mayor, Councillor Sally Betts has been awarded an Outstanding Service Award for her dedication and effort in serving the local Waverly Community for over 20 years.
- Notes that the General Manager will present the awards at this meeting.

1. Executive Summary

Six of Waverley's longstanding Councillors have been positively acknowledged by Local Government NSW (LGNSW) with Service Awards.

2. Introduction/Background

LGNSW is the peak organisation that represents the interest of NSW Councils. Each year LGNSW make available a range of awards for Councillors that acknowledge their individual service and dedication to their communities over a long period of time. Six of Waverley's Councillors have been acknowledged by LGNSW with an award for service as above.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council 16 August 2016	CM/7.5/16.08	At the Council Meeting on 16 August 2016 Council resolved, in respect of the 2016 Local Government NSW (LGNSW) Annual Conference, and on the basis that Waverley Council still exists on 16 October 2016: 1. Nominates the Mayor Cr Sally Betts, Deputy Mayor Cr Tony Kay, Councillor Angela Burrill, Councillor Bill Mouroukas and Councillor Leon Goltsman as voting delegates for voting on motions.

		<p>2. Nominates Councillor Andrew Cusack and Councillor Dominic Wy Kanak as reserve voting delegates for voting on motions in this sequence.</p> <p>3. Agrees that, should any of the above Councillors be unable to attend, the Mayor be delegated authority to appoint alternates.</p> <p>4. Agrees that the General Manager attend the Conference.</p> <p>5. Submits an application for any eligible Councillor to receive an award which LGNSW has in place to recognise the contributions of elected members.</p>
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4. Discussion

Serving as an elected Councillor in local Government for at least 3 terms (12 years) requires real effort and dedication. It can quite often feel a relative thankless task and the Councillor allowance provided is minimal. However the reward of advocating for and seeing real improvement to service or effecting positive change on behalf of the local community is often reported as a strong motivator to continuing in the role.

Awards such as these LGNSW awards acknowledge the persistence and ongoing dedication of those that stay in the role for what is a reasonably long period of time.

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: G1c Our leaders advocate on our behalf to promote the area's interests and win resources.

Deliverable: Advocacy for the provision of resources in our local government area.

6. Financial impact statement/Timeframe/Consultation

There is no financial impact.

Timeframe / Consultation – n/a

7. Conclusion

Council is lucky to have people prepared to contribute actively to their community by working in the role of an elected representative over an extended period.

This small acknowledgement of significant service provided by way of these LGNSW Awards, is positive.

8. Attachments:

Nil

**REPORT
CM/7.2/16.12**

Subject: Sport Improvement Upgrades to Rodney Reserve

TRIM No.: A10/0336

Author: Tessa Pentony, Recreation Planner
Scott Field, Executive Manager Safe Waverley

Director: Rachel Jenkin, Acting Director, Waverley Life

RECOMMENDATION:

That Council:

1. Proceeds to community consultation with three design options outlined in this report for an amenity building and associated car parking at Rodney Reserve.
2. Undertakes a comprehensive traffic study as part of the consultation process, to ascertain the impact of the improved sporting facilities on local roads. This report will form part of the consultation process.
3. Defers the Draft Master Plan for Rodney Reserve for consideration as part of a wider Council Master Plan Review process.
4. Notes that the Dover Heights Precinct will be consulted on the design of new cliff line fencing from Diamond Bay Reserve to Hugh Bamford Reserve, which forms part of a separate Capital Works project.

1. Executive Summary

The issue of lack of sports fields within the Waverley Local Government Area (LGA) has been acknowledged for some years. The Recreation Needs Study (2008) recognized that the high demand for playing fields across Waverley is not currently being met by existing facilities. The limited open space available across the LGA allows for only three full size football pitches; two at Waverley Park and one at Rodney Reserve.

The current state of the playing field at Rodney Reserve is poor, with an uneven surface and no permanent irrigation system. The Reserve has limited street parking and lacks amenities making the venue unsuitable for the majority of sporting activities.

Sporting facilities are in high demand across both Waverley and neighbouring LGAs and all three Councils are currently unable to meet the demand for full size playing fields.

Comprehensive information, including sports participation data has been collected to substantiate the urgent need for an amenities building, additional parking, playing field upgrades and landscape improvements at Rodney Reserve.

Key stakeholder engagement has been undertaken with feedback collected from local residents, local schools, local sports club and State and National Sporting Bodies. The Dover Heights Precinct Committee highlighted significant concerns with the original concept plan.

As a result of the conflicting priorities of the key stakeholders, it was determined to move forward with concept designs for an upgrade of the sporting facilities rather than the development of a comprehensive Master Plan.

Key requirements for the concept designs place particular emphasis on the concerns of the local community including parking, lighting and safety.

This report recommends proceeding to community consultation with three options for the sports facilities upgrade.

A comprehensive traffic study will be undertaken and included as part of the initial consultation process.

This report further recommends that the development of a Rodney Reserve Master Plan be included within a whole of Council Master Plan Review.

Initial consultation highlighted ongoing concerns regarding cliff line fencing in the area and this will now proceed to community consultation as part of a separate project.

2. Introduction/Background

2.1 Recreation Needs Study

The issue of lack of sports fields within the Waverley Local Government Area (LGA) has been acknowledged for some years. The Recreation Needs Study (2008) recognized that the high demand for playing fields across Waverley is not currently being met by existing facilities.

The Action Plan of the Waverley Recreation Needs Study recommends:

1. Increase use of and access to active playing fields by implementing a range of sport-specific additions/improvements to the fields.
2. Upgrade senior soccer training and junior training/ match facility at Barracluff Park and consider other locations such as Rodney Reserve.
3. Investigate upgrade of senior soccer training and match facility at Rodney Reserve (lights, amenities).

2.2 Rodney Reserve and Local Area Facilities

Rodney Reserve is a 4.23 hectare Crown Land Reserve located on Rodney Street, Dover Heights.

The Reserve is a training and casual match venue with posts and line markings for rugby and soccer. The current state of the playing field is poor, with an uneven surface and no permanent irrigation system. Rodney Reserve has no public amenities and limited street parking and is therefore unsuitable for the majority of Sporting Club activities (with no clean water, toilets or changing facilities). Images of Rodney Reserve are included in Attachment One of this report.

There are currently no public toilet facilities on any portion of the Waverley Cliff Walk and the closest public toilet within the Waverley LGA is at Bondi Beach approximately 2km away.

The limited open space available across the LGA allows for only three full size football pitches; two at Waverley Park and one at Rodney Reserve (see Attachment Two).

Consultation with neighbouring councils indicates that there is a high demand across the Local Government areas of Waverley, Woollahra and Randwick for sports participation and sports fields. Waverley has been working with Randwick and Woollahra for over six months in regard to the future amalgamation. As a part

of this process there has been considerable discussion around field availability. Both neighbouring Councils have clearly stated their full size fields are at capacity or oversubscribed on the weekends and are making considerable investment i.e. artificial turf to extend use and build capacity of existing fields.

2.3 Demand for Facilities

With Rodney Reserve not having appropriate amenities or a quality surface, the playing fields at Waverley Park are in high demand requiring many people to travel outside of the area for training and competition games.

As an active community, with an appetite for club sport, the pressure for field space will only increase in future years and sports field demand will continue to exceed supply across the area. This results in local community sporting clubs being unable to cater for new members and teams.

There are currently over 1,500 community level registered Football Players within the LGA, in addition to hundreds of rugby and Gaelic football players (male, female, adults and juniors).

Waverley LGA has eight home winter clubs, who share the limited sports facilities. Many of these clubs are growing, however Council is not able to accommodate this growth with the existing facilities. An overview of clubs, playing membership, and access to full size fields is presented in Attachment Three.

The health and wellbeing benefits of sport is well known. The importance of providing additional spaces and adequate facilities suitable for organised sports activity is backed by a number of academic studies. The growth of participation, particularly female, in organised sport is highly influenced by the facilities provided.

Local Waverley sports clubs have reported an increase in female participation across both junior and senior level. However, while the numbers are growing, they are well below the figure for male participants (approximately 25% of registered football players in Eastern Suburbs Football Association are female, numbers would be less for popular club sports of Rugby Union, Rugby League, and Cricket).

Research has indicated that poor sporting facilities hinder female participation in club sport, especially the 15-19 age bracket [a lack of access to appropriate, accessible, affordable and acceptable facilities was noted as a barrier to participation in About Time! Women in Sport and Recreation in Australia – Commonwealth of Australia Senate enquiry 2006].

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Committee Meeting 2 June 2015	OC/5.2/15.06	Motion/Unanimous decision That: 1. Council notes this report 2. Officers proceed with development of the Draft Master Plan for Rodney Reserve as per the time table in this report, and report this to Council prior to public exhibition 3. Officers consult with key stakeholders including residents and sporting groups during the development of Rodney Reserve Draft Master Plan

4. Discussion

The development of a Draft Master Plan for Rodney Reserve was approved by Council in June 2015 with the process outlined below:

- Research and analysis of concept ideas
- Consultation with key stakeholders
- Completion of draft plan
- Public exhibition of draft plan
- Report to Council and completion of final plan

Phase one and two of the project were conducted concurrently in order to gather relevant detail to inform the overall process.

4.3 Consultation of key stakeholders

A key component of the Draft Master Plan involves consultation with stakeholders including local residents, local schools, local sports clubs and associated State and National sports bodies.

Local Residents

The Concept Plan for Rodney Reserve, which was included in the report to Council in June 2015, was presented to Dover Heights Precinct Committee on 29 June 2015. The group highlighted concerns with regard to parking and traffic, night time activity, and impacts on community space. Following this meeting a Precinct sub-committee was formed to further assist with community consultation. At subsequent meetings of the sub-committee further concerns were raised regarding the addition of a district playground, fitness stations, sports lighting and potential grandstand seating. The sub-committee members also expressed concerns regarding an amenity building close to residential properties or within property sight lines.

Dover Heights Precinct also previously requested upgrades to the cliff line fencing in the area to improve safety and complement the aesthetics of the open space.

Local Schools

Staff at Kesser Torah College, which neighbours the Reserve, were included in the discussion and made aware of potential improvements. The school remains supportive and interested in a potential upgrade of the sports facilities at Rodney Reserve.

Local Sports Clubs

A number of local sporting clubs (Waverley Old Boys Football Club, Maccabi NSW, Waverley Rugby Club, Bondi United Inc., Eastern Suburbs Football Association, Queens Park Football Club, Easts Football Club, and Gaelic Football Association NSW) welcomed any proposed upgrade to the sports facility at Rodney Reserve.

Stakeholders have acknowledged that there is a lack of local sports grounds and that consequently clubs are required to cap registrations. An additional facility within Waverley to accommodate community level competition games was very much desired. Three clubs have already indicated they will require an additional field for weekend matches from 2017 due to increased playing numbers. To accommodate the additional numbers, they will need to seek a facility outside Council or hire in temporary toilet and change room facilities.

The consultation also identified that the addition of an amenity building at Rodney Reserve would offer increased opportunities for school groups and sports clubs to access a full size field for training and match play. An upgrade would provide access to facilities within the region for basic amenities.

State and National Sports Bodies

Football NSW, Australian Rugby, AFL ACT/NSW and NRL are also supportive of additional facilities for community members within the Eastern Suburbs. State and National bodies provide National Standards for requirements for match play. Rodney Reserve does not currently meet these standards.

4.2 Research and analysis of concept ideas

In late 2015 Council completed an updated survey of the Reserve which included an analysis of the available space and took into consideration contours of the land.

In early 2016 a Project Manager was assigned to assist in the completion of a geotechnical report and a technical review of the area to ensure the suitability of the land for possible upgrade and/or construction.

The results of the geotechnical report showed that certain areas of Rodney Reserve were unsuitable for the construction of a building due to the composition of the subsoil.

4.3 Development of a master plan

The next phase of the process was to proceed to the development of a Master Plan, however once Council Officers reviewed both the technical analysis and the feedback from key stakeholders it was clear there were a number of conflicting priorities.

Feedback from the Dover Heights Precinct made it clear that a significant number of activities, including a playground, fitness stations, sports lighting and a grandstand would not be supported limiting the components which would be included in a master plan.

In addition to this, feedback from local sports clubs highlighted the lack of existing facilities and an urgent requirement to progress with improvements to the sports field and provision of basic amenities at Rodney Reserve. Furthermore the technical analysis highlighted restrictions on the location of a possible amenities building.

A draft Master Plan was therefore no longer considered appropriate at this stage and Council Officers determined to proceed with improvements to the sports facilities at Rodney Reserve.

Funding was also identified for improvements to cliff line fencing between Diamond Bay Reserve and Hugh Bamford Reserve. Community consultation will take place on this and will be delivered as a separate project.

4.4 Sports Improvement Design Process

In March 2016, Hills Thalys was awarded the contract for Architectural Design for the site following an RFQ process.

In April 2016, a temporary solution was introduced to accommodate sports groups at Rodney Reserve due to the delay in the completion of the upgrade to Waverley Oval. The temporary facilities included change rooms, toilets and lighting. Council Officers acknowledge the feedback received during this time, particularly around lighting, noise, and parking.

As a result of the introduction of temporary facilities and the above stakeholder feedback, the following criteria were taken into consideration as part of the architectural design process:

Sporting Club Needs

A key feature of the proposed upgrade is the amenity building. The amenity building will need to accommodate user groups with clean running water, safe places to get changed, toilet and shower facilities, storage, and a canteen/kiosk area for sports clubs. The building design also referenced facilities guidelines from State and National Sports bodies, and feedback from sporting stakeholders. The change rooms have been designed with consideration to mixed gender use (e.g. no urinals and doors on showers).

Building sizes have been predominantly governed by the design standards for this type of community facility.

Demand for Facilities

Waverley has an increasing demand for full size fields from local clubs. With two full size fields Waverley can offer 32 hours use over the weekend i.e. 8 hours per field per day.

The current volume of demand is from over 1500 locally registered Soccer Players who would require conservatively approx. 50-75 hours per weekend to play only half their games at home. In addition to that there is a demand from Rugby Union and Australian Rules who book the field all day Saturday and Rugby League all day Sunday to play their games in their home LGA. Further detail on this demand is provided in Attachment Three.

Local Resident Concerns

Due to the concern from local community, sports lighting has been removed from the proposed sporting facilities upgrades. It should be noted that the Concept Plan presented in June 2015 did not include a grandstand and no consideration has been given to the inclusion of a grandstand.

Noise

Council will enter into formal agreements with hirers of the proposed facilities and will include standards around noise and general behaviour.

Sight Lines

All proposed building options have been designed with consideration to sight lines and impact on nearby residents, all being located near the existing school and school car park (Attachment Four)

Traffic

A preliminary traffic study has been conducted by an independent traffic engineer who states that "the provision of 20 parking spaces is acceptable and fully supported." It suggests possible engineering improvements can be implemented to assist with traffic flow. The completion of comprehensive Traffic Management Plan is recommended as part of the ongoing consultation and design process.

Safety

Concerns regarding inappropriate activity around toilets blocks regarding child related matters within the Waverley LGA are unfounded with Police confirming there have been no incidents at any public toilet block within the LGA in recent memory.

Additionally the public toilets and any available car parking will be opened and closed by security daily. This is consistent with all public toilet blocks in the LGA.

To improve security CCTV will also be added to the exterior of the building for surveillance.

General use of the area

The sporting field is only one component of a multi-use recreational space and it is anticipated that it will be predominately be used at weekends during daylight hours. This would still enable passive recreation to occur as well as providing improved facilities for public use.

Canteen facility

The proposed canteen is for the community club use during games. This is not a commercial venture and will only be accessed by ground hirers. The facility will be closed when the ground is not in use consistent with the sports canteen at Waverley Park.

Field Maintenance

There are many sports fields along the coast of NSW. Our staff have the necessary expertise to maintain the facility once the necessary upgrades have been completed. It is anticipated irrigation will be the key factor in this maintenance regime.

Usage by Council Staff

The proposed designs include the allocation of dedicated space for Council's Parks Maintenance Staff, including storage and lunch rooms. The storage space is required for parks maintenance equipment for Rodney Reserve, however there is scope for the allocated lunch rooms to be utilised as a multipurpose space, i.e. first aid room.

Heritage Considerations

Council is in consultation with the CSIRO and Council has employed a heritage Architect as part of the project, who will consult with Council's Heritage Planner. The design of the building hopes to bring attention to the significant site on the Reserve, the area of the historic in-ground concrete dish used by CSIRO for Radio Astronomy in the 1950's.

4.5 Concept Design

The above listed requirements and criteria have resulted in the creation of three concept designs:

1. The Embankment Building – curved building sympathetic to the CSIRO historic site
2. The Bar Building – simple line, rectangular building located in the North West of the Reserve
3. The Hub Building – simple line square building located in the North West of the Reserve

Concept designs for the three buildings are included in Attachment Four.

Each of the three building designs have been ranked against key criteria including Public Safety, Physical Constraints, Code constraints, and relationship to neighbouring sites and elements, for the purposes comparison by Hills Thalys. This information is included in Attachment Five.

Other proposed features include a permeable parking area (for Embankment Building and Bar Building) and improvements to the playing field. The car parking area will reduce pressure for off street parking and will include an accessible car park and access to the amenity building. This will provide an accessible toilet on the North Cliff Walk.

The Hub Building only has scope for an assessable car space and drop off/loading space within the park, and further investigation would take place to see if additional ninety degree parking could be designed into Rodney Street if this design was the preferred.

The playing field upgrades are designed around community level sport and will include required irrigation and levelling to allow sport to be played safely throughout the year. Upgrades are not designed for high performance or elite sporting facilities.

There are also broad community benefits achieved through the provision of an amenity building. The addition of this facility would service the many passive recreation participants within the region. The building, car park and associated landscape work would also provide improved formal access points to the reserve.

4.6 Next Steps

This report recommends proceeding to community consultation with the three options for building locations and designs plus associated parking. A comprehensive Traffic Management Plan will be included as part of the community consultation.

Following the consultation process a development application will be submitted based on the preferred design.

This report further recommends that the development of a Rodney Reserve Master Plan be considered as part of a wider Council Master Plan Review process.

The design of cliff line fencing in the area will also proceed to community consultation as part of a separate project.

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:	C7 Health and quality of life are improved through a range of recreation and leisure opportunities.
Strategy:	C7c Provide and support a broad range of facilities and activities to improve the physical and mental health of the community members.
Deliverable:	Sporting fields and other active recreation facilities upgraded

6. Financial impact statement/Timeframe/Consultation

Financial Impact

A concept cost plan was completed as part of the preliminary investigation and has indicated a realistic cost for the proposed work. It is expected the current allocated budget of \$1.6million across two years would cover the amenity building, car park within the reserve, field improvements and associated landscape work along the west end of the Reserve. Parking improvements for Rodney Street have not been costed.

Timeframe

It is estimated that it will take 6 months to complete relevant community consultation and gain approval for the Development Application for the proposed work at Rodney Reserve. This time frame would be from the end of January 2017 to the end of July 2017, with construction to commence after approval of the Development Application and subject to timetables of use of the facilities.

Consultation

Community consultation will be scheduled for late January and throughout February 2017.

The community consultation process will include;

- Public Exhibition of Proposed Sports Facilities Upgrade Options at Rodney Reserve
- 'Have your Say' website on Proposed Sports Facilities Upgrade Options at Rodney Reserve
- Availability of information through drop in sessions, letterbox drops, Council's website
- Further will take place with key stakeholders
- A dedicated email address will also be set up during this time.

Additional community consultation will be undertaken as part of the Development Application process.

7. Conclusion

Rodney Reserve requires an urgent upgrade to facilities to provide basic amenity to passive and active recreation users of the reserve. Progressing with the sports facilities upgrade will enhance the public space and benefit to the community, providing a recreation opportunity accessible to all residents. Public

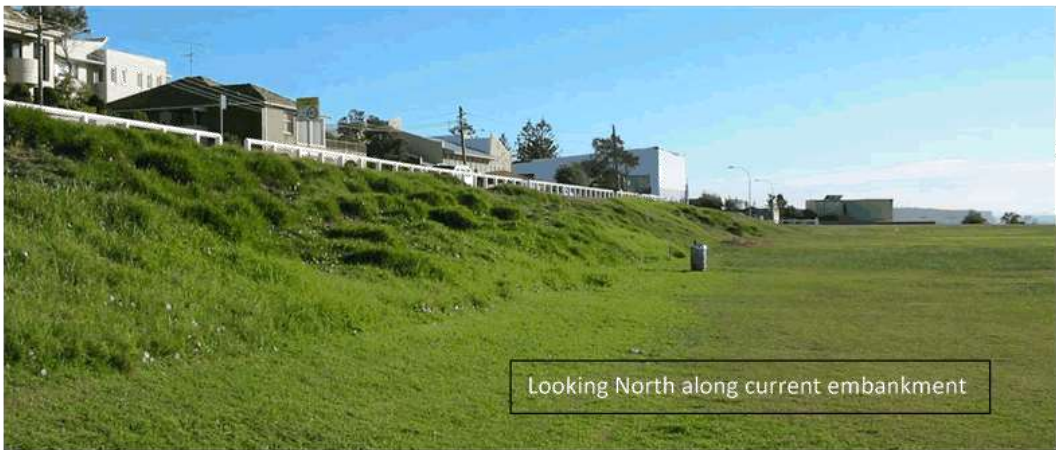
community consultation on the proposed sports facility improvements will engage community in the process of addressing these needs.

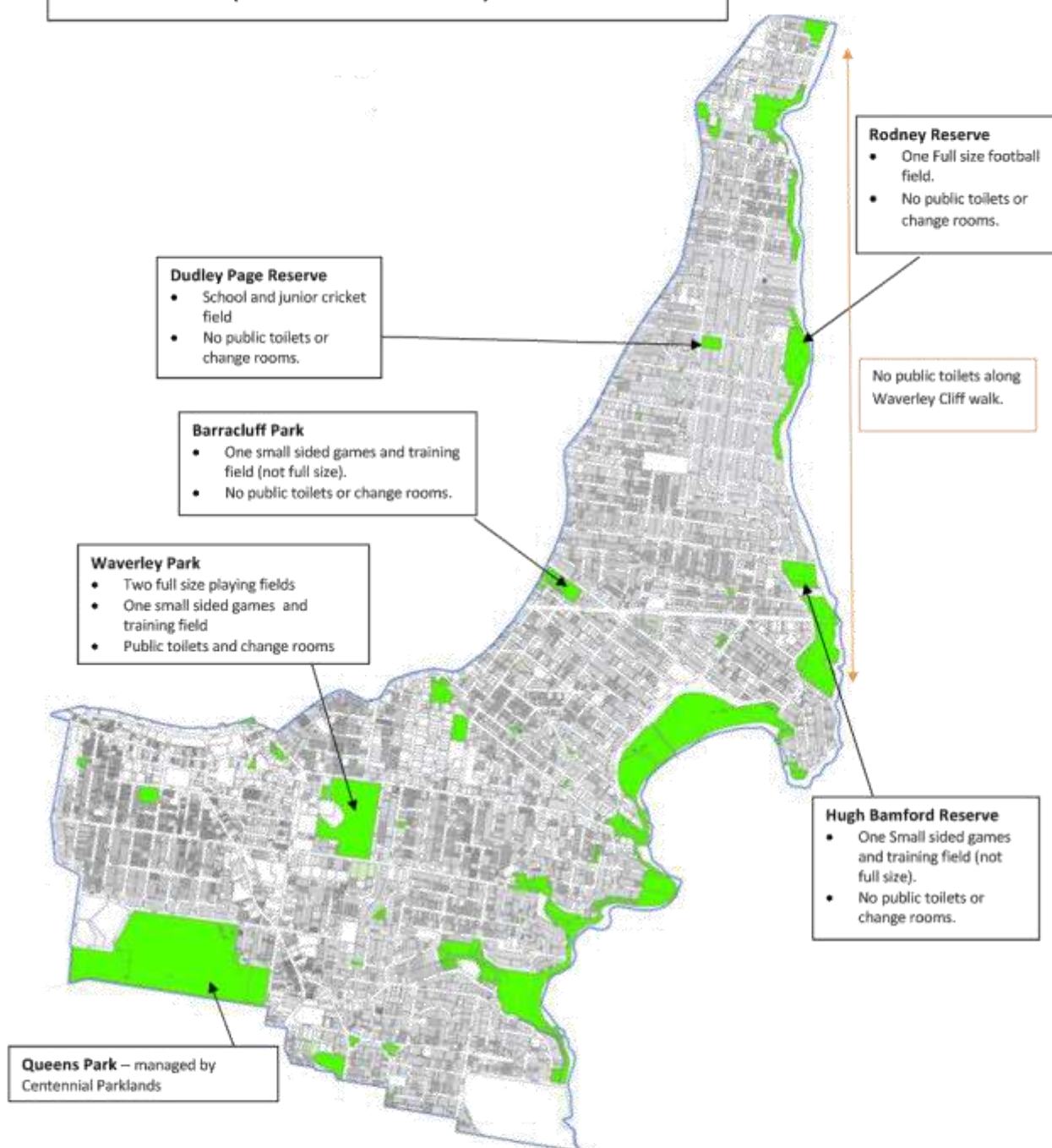
The full Master Plan for the Reserve would be better facilitated in a whole of Council Master Plan Review process. This review could also consider the potential that the plan would include neighbouring Raleigh Reserve, or other Coastal Reserves.

8. Attachments:

1. Attachment One - Images of Rodney Reserve
2. Attachment Two- Sports fields within Waverley Local Government Area
3. Attachment Three - Home Sports Club demand across Waverley Local Government Area
4. Attachment Four - The three building designs Rodney Reserve
5. Attachment Five - Assessment against key criteria for amenity building options

Attachment One: Current Images of Rodney Reserve



Attachment Two: Sports Fields within Waverley Local Government Area

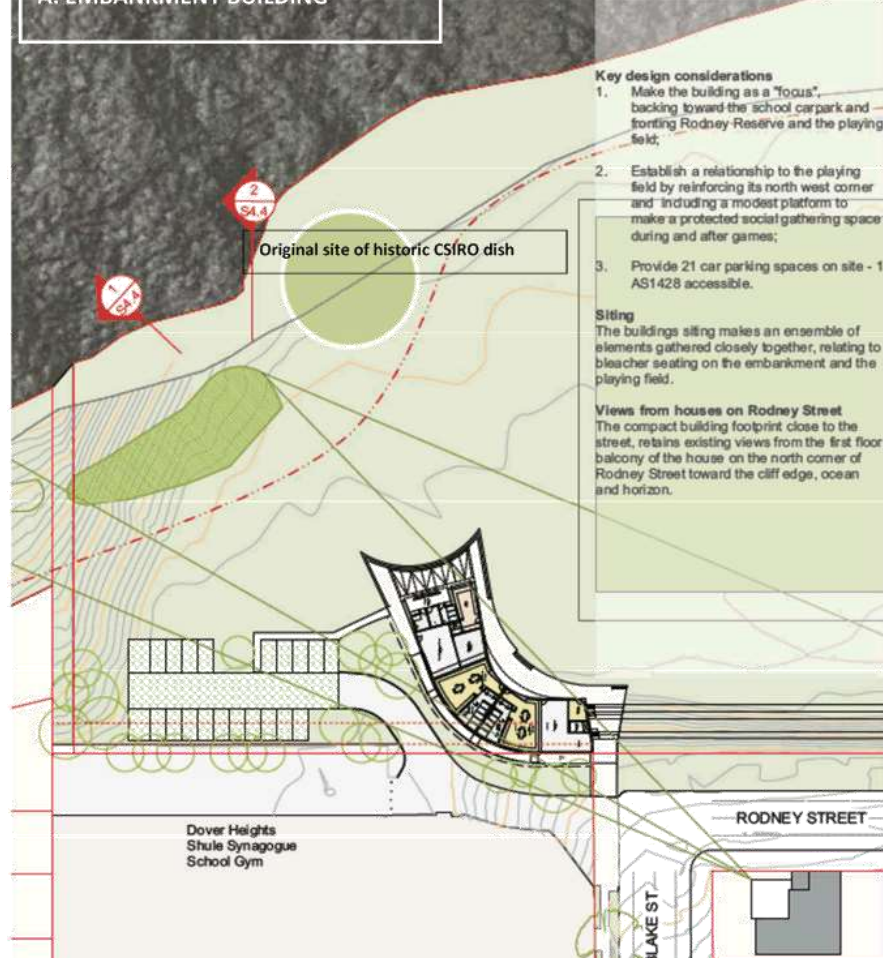
Attachment Three: Waverley Home Sports Club playing numbers, allocation to full size field in Waverley, and additional demand for weekend hours.

Club/Association	Playing Numbers	Hours Allocated in Winter Season (1 April – 31 August)	Weekend Hours needed for fixtures
Bondi United and Junior Rugby League	Bondi United approx. 300players	6.5 hours during the week for training 7.5 hours Sundays through winter season	Additional 3-4 hours requested for 14 week junior season in 2017 for 6-8yr old junior rugby league competition
Waverley Rugby Union	236 players (grown from 148 in last 3 years) The club has grown from 5 team to 8 (5 x Men, 1 x Women, 1 x U21, 1 x O35)	4.5 hours during the week for training (including additional 1.5 hours given on Synthetic Field 2016) 6.5 hours for nine Saturdays home games	Additional 4.5 hours needed across nine Saturdays to cater for additional teams in 2017
Maccabi Football	Approx 1300 juniors, seniors, futsal football members	4.5 hours during the week for training (including additional 3 hours given on synthetic field in 2016) 1.5 hours on neighbouring small sided field for training 4.5 hours of match play on Saturday afternoons	Due to the volume of this club, it spreads home games across Woollahra, Waverley, Randwick and Botany. Additional field space is always requested for this club. <i>Maccabi Rugby previously played some home games in Waverley, however cancelled due to overuse of full size field and lack of availability</i>
Queens Park Football Club (Junior and Senior Club)	Juniors 500 –Girls, 520 –Boys (1012 TOTAL) SENIORS 50 –Ladies, 226 –Men (276 TOTAL)	6 hours a week training on full size field 3 hours on neighbouring small sided field for training	Due to the volume of this club, it is spread across Queens Park, Waverley Park, Heffron Park and Moore Park. Additional field space is always requested for this growing club.

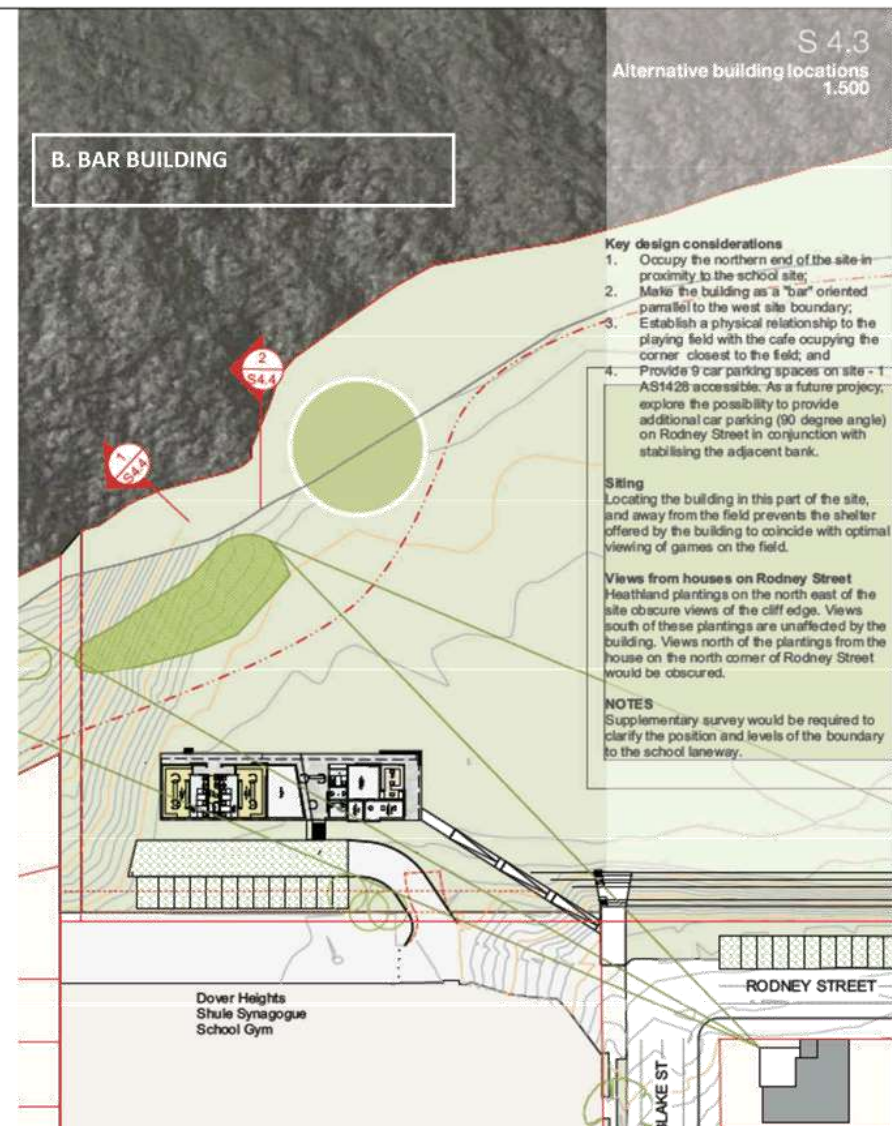
		8 hours week fixtures (including additional 4 hours given on Synthetic Field 2016)	
Easts Football Club	880 junior and senior members (grown from 534 in 2014)	6 hours during the week for training (including additional 2 hours given on Synthetic Field 2016) 1 hour on neighbouring small sided field for training	Saturday: 2 Full size fields for 9 hours Sunday: 2 Full size fields for 6 hours (Currently not catered for in Waverley LGA)
Waverley Old Boys Football Club	All Age Men 2016 = 112 (<i>predicting 150 in 2017</i>) All Age Women 2016 = 84 (<i>predicting 100 in 2017</i>) Juniors (5-12 year olds) 2016 = 181 (<i>predicting 250 in 2017</i>) Youth (13-18 year olds) 2016 = 0 (<i>predicting 40 in 2017</i>) Total – 377 (<i>540 predicted in 2017</i>)	3 hours during the week on small sided field for training 4 hours on full size for Saturday mornings	10-14 hours needed each weekend (currently home matches played outside LGA) Not including the Championship Side (plays outside LGA) or Junior girls (who play on Sunday outside LGA).
UTS Bats	248 Men 52 Women (5 men's teams & 1 women's team)	7 hours for seven Saturdays a year	9 home matches each season. 12 hours needed per day for all 6 teams to play.
Clan na Gael Gaelic Football	92 members (male 36, female 56)	3 hours per week training	Approx 3 hours for weekend fixtures (Currently not catered for in Waverley LGA)

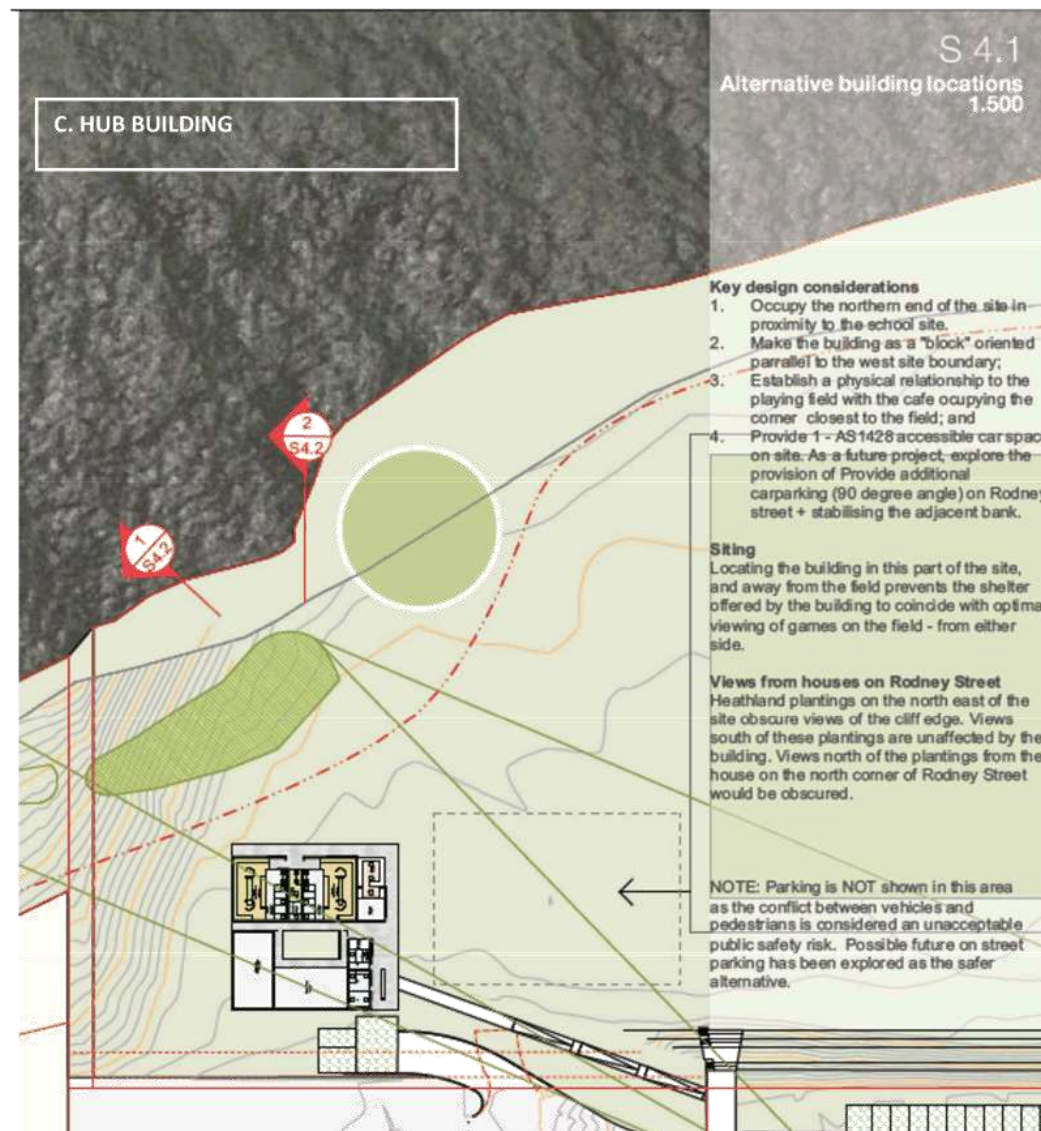
Attachment Four: Three Options for Building Locations and designs, plus associated parking
By hill thalis

A. EMBANKMENT BUILDING



B. BAR BUILDING



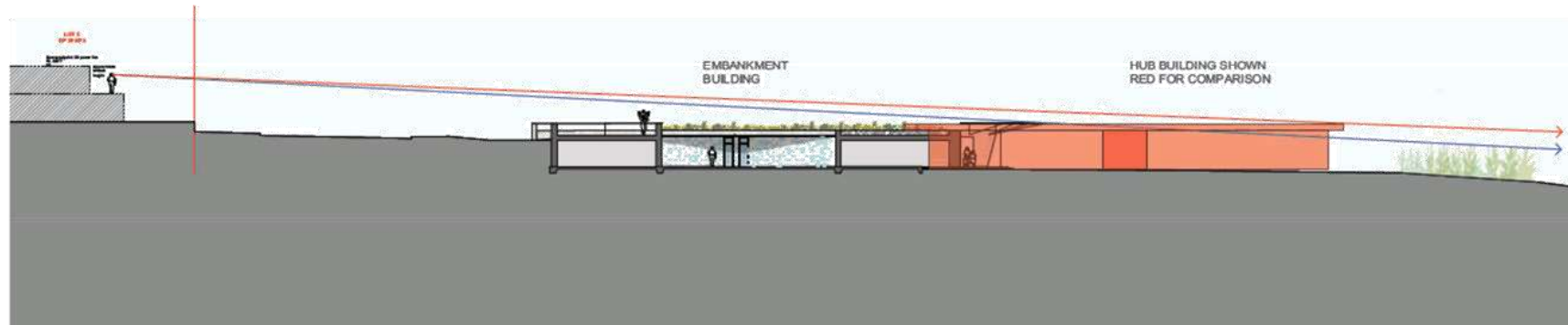
**KEY:**

Yellow: change rooms
 White: Storage (Park and Sport)
 Blue: Toilets and showers
 Pink: Kiosk area for sports clubs

Note: additional parking on Rodney St for Bar and Hub Buildings needs further investigation and is currently not budgeted for.

Cross Section of three designs

S 4.2
Alternative concepts-sections
1.350



SECTION ON DIAGONAL LINE FROM TERRACE - COMPARING IMPACT FROM TERRACE OF EMBANKMENT VS HUB BUILDINGS

Position of the hub building (shown red) set to the north of the embankment building it marginally increases the presence of the building in the foreground view.



HUB BUILDING - CROSS SECTION FACING NORTH SHOWING RELATIONSHIP TO SCHOOL

The roof of the hub building would be visible from the Dover Heights Schule, but set against the existing vegetation. A view to the horizon would still be available based on estimated levels.

Attachment Five: Ranking Three Proposed Designs on Key Criteria

Criteria	Ranking EMBANKMENT BUILDING	Ranking BAR BUILDING	Ranking HUB BUILDING
Public Safety - Making positive urban frontages How well does each option make walls and frontages that define positive spaces and address all sides - Rodney Street, the coastal walk, the adjacent school and the adjacent Weonga Road properties?	1 - Provides the best proportion of good frontages. There are no tight spaces against car parking or rear fences.	Equal 2 - The rear corner of the building that makes an enclosed space between a rear fence, and the wall that makes a small linear space against the carpark score poorly.	Equal 2 - Two elevations score poorly. The rear corner of the building that makes an enclosed space between a rear fence, and the wall that makes a small linear space against the carpark.
Public Safety - Furtive Spaces Assesses how well each option keeps good surveillance of the building and surrounding spaces in the park for public safety	1 - areas around the building are generally open and well under surveillance. The position of the embankment building generally allows for good sightlines to each side.	Equal 2 - the trapped space on the steep slope to the north of the building with limited surveillance is not desirable	Equal 2 - the trapped space on a steep slope between the building and a private boundary with limited surveillance is not desirable
Public Safety - Vehicular movements How well does each option control and separate the movement of cars and pedestrians to make sure that people can move safely around the site?	Equal - all parking provided without safety conflicts (however more parking within the park). Gives the opportunity for on site parking as its position enables it to separate vehicular and traffic movements safely. 20 on site spaces and one accessible car space are located to the north of the building, adjacent the school parking area.	Equal - all parking provided without safety conflicts (however less parking within the park). Allowance for some on site parking, in a single loaded parking arrangement. This is not ideal in terms of efficiency, but lessens the quantum of parking provided on street. 12 spaces and 1 accessible space are provided on site.	Equal - all parking provided without safety conflicts However opportunities for the safe organisation of parking on site are limited. Space has been made for one accessible parking space, and one loading/drop off space for council vehicles near the building.
Physical constraints - Stormwater Assesses the merits of each option in terms of dealing with the stormwater pathway that crosses the north part of the parklands.	Equal - Sited with adequate offsets to the stormwater flow paths. Flows that surcharge from the existing pits would effect one half of the parking area only. It is noted that these flows would normally	Equal - Sited with adequate offsets to the stormwater flow paths. Flows that surcharge from existing pits would effect the on site parking area in the event of excessive flows. It is noted that	Equal - Sited to allow an adequate offset to the stormwater flow path. It would temporarily occupy parking near the building in the event of excessive stormwater flows that surcharged from the

	coincide with rain events and the likely closure of the sporting fields.	these flows would normally coincide with rain events and the likely closure of the sporting fields.	existing pits.
Physical constraints - Slope Assesses the merits of the options in terms of how they relate to the steeply sloping areas of the site identified as exclusion zones in the geotechnical report	Equal - all options deal adequately with slope	Equal - all options deal adequately with slope	Equal - all options deal adequately with slope
Code constraints - Accessibility Assesses how well each option is able to provide equitable and dignified access for users of all levels of mobility, as required under the building codes.	1 - Access to a centrally located team viewing position is most easily added to this option (with consideration of non-playing roles with sports community).	Close equal second - Access to a centrally located team viewing position can be added, but it involves moving a greater distance than for Embankment Building.	Close equal 2nd - Access to a centrally located team viewing position can be added, but it involves moving a greater distance than for Embankment Building.
Briefing priorities - Football Guidelines How well does each option address the priorities and issues set out by the Football Codes in their guidelines for local and regional facilities?	1 - This option is closest to the optimum position envisaged by the guidelines	3 - This option is the greatest distance away from the optimum position envisaged by the guidelines.	2 - This option is second closest to the optimum position envisaged by the guidelines
Briefing priorities - Proximity of the playing fields Assesses the merits of the options in terms of how well they will function in terms of providing access from the playing fields to the changerooms and kiosk facilities.	1 - This option gives the most direct access to the changerooms from the playing fields	3 - This option has the greatest distance from the playing fields to the change rooms.	2 - This option gives the second most direct access to the changerooms from the playing fields.
Relationship to neighbouring elements - Coastal Walk Does each option keep good sightlines along the coastal walk and make a good	Equal 1 - good visibility and maintains existing path without change	Equal 1 - good visibility and provides suitable clearance to existing path (particularly vegetation)	2 - This option has good visibility and address but narrows the existing

public address to people arriving on the site from the coastal side?			
Relationship to neighbouring sites - Dover Heights Schule Synagogue How does each option relate to the playground, gymnasium/hall and parking areas of the adjacent school?	1 - As the most southward of the options this building has least interface with the school frontage.	3 - This option will still achieve views across it. The building will be present in the foreground view.	2 - This option will still achieve views across it. The building will be present in the foreground view.
Relationship to neighbouring sites - Weonga Road properties Assesses the merits of the options in terms of the spaces and relationships they make to the rear boundaries of the properties on Weonga Road.	1 - This option preserves the best amenity to the properties in Weonga Road.	3 - This option has the least favourable relationship between it and the rear boundary of the Weonga Street properties.	2 - This option is less favourable in terms of the nature of the space between it and the rear boundary of the Weonga Street properties.
Relationship to neighbouring sites - Rodney Street Properties - Foreground views How does the positioning of each option affect how they will engage with the foreground views from Rodney Street?	1 - no/negligible impact but built form clings closest to the embankment	Equal 2 - no/negligible impact.	Equal 2 - no/negligible impact.
Relationship to neighbouring sites - Rodney Street Properties - North Assesses the merits of the options in terms of the view cones and levels of proposals as viewed from the corner of Rodney Street and Blake Street.	1. Impact confined to foreground view in the arc already limited by vegetation.	Equal 2 Impact confined to foreground view between 33 Weonga Rd and the existing vegetation. Vegetated roof could be explored to further nestle the roof profile.	Equal 2 Impact confined to foreground view between 33 Weonga Rd and the existing vegetation. Vegetated roof could be explored to further nestle the roof profile.
Relationship to neighbouring sites - Rodney Street Properties - South Assesses the merits of the options in terms of the view cones and levels of proposals as viewed from properties along the southern part of Rodney Street.	Equal 1 - building tucked more into embankment, so is least visible in the foreground view.	Equal 1 - building occupies a slightly smaller view cone but has a more outlying position on the site - but sits within the foreground view.	2. Negligible impact, but building does have an outlying position, and a wider view cone than Bar Building.
Further details of assessment will be made available at Consultation.			

REPORT

CM/7.3/16.12



Subject: Planning Proposal - 96-122 Ebley Street, Bondi Junction

TRIM No.: PP-1/2016

Author: Ben Gresham, Strategic Planner

Director: Peter Monks, Director Waverley Futures

RECOMMENDATION:

That Council:

1. Supports the planning proposal lodged by Xpace Design Group to amend Waverley Local Environmental Plan 2012 (WLEP 2012) in respect of 96-122 Ebley Street, Bondi Junction being submitted to the Department of Planning and Environment for a Gateway Determination to proceed to formal public exhibition, subject to the following:
 - (a) The proposed change in height from 32 to 39 metres is not supported.
 - (b) The proposed increase in floor space ratio from 4:1 to 5:1 at 96-108 Ebley Street, Bondi Junction is supported.
 - (c) The planning proposal is amended to provide an increased non-residential FSR from 2:1 to 3:1 to replace the current commercial floor space that would be lost as a result of this planning proposal and provide additional capacity for future growth in line with strategic planning objectives.
 - (d) Restrictions be placed on the non-residential FSR to prohibit certain uses such as serviced apartments which would be inconsistent with employment generating uses.
 - (e) The proposed land dedication to Council – a 4.5m setback from the western boundary on Ann St is expanded so as to apply across all floors of the development.
 - (f) The planning proposal and supporting documentation is to be updated to reflect the amendments to the initial Planning Proposal documentation received by Council on 3 and 7 June 2016 and recommended amendments as per (a) – (d) above.
 - (g) The proponent's offer and intent to enter into Planning Agreement negotiations is noted and that Council and the proponent will engage in the planning agreement negotiation process.
2. Places the planning proposal on public exhibition in accordance with any conditions of the Gateway Determination should that be approved by the Department of Planning and Environment.
3. Accepts the role of Relevant Planning Authority from the Department of Planning and Environment, if offered, to exercise the delegations issued by the Minister under Section 59 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.
4. Investigates the potential for a non-residential FSR to be applied more broadly to B4 Mixed Use zoned land within Bondi Junction.

1. Executive Summary

Firstly, this report informs Council of the receipt of a planning proposal from City Plan Services on behalf of Xpace Design Group (the proponent) for 96-122 Ebley Street, Bondi Junction (subject site). The planning

proposal and associated documentation was submitted on 31 March 2016. Additional information was requested from the proponent on 26 April 2016 and received on 3 June and 7 June 2016.

The planning proposal seeks to amend the Waverley Local Environmental Plan (LEP) 2012 in relation to the subject site by:

- Rezoning the site from B3 Commercial Core to B4 Mixed Use;
- Increasing the height standard from 32 metres to 39 metres;
- Increasing the floor space ratio (FSR) standard on part of the site (96-108 Ebley St) from 4:1 to 5:1; and
- Introducing a non-residential floor space ratio of 2:1 on the site.

Secondly, this report assesses the planning proposal against the criteria in the NSW Department of Planning and Environment's (DP&E) "A Guide to preparing Planning Proposals" and details the assessment of the proposal by Council's strategic planning, urban design, traffic and economic development officers.

The planning proposal requires endorsement from Council prior to submission to the DP&E for consideration at the "Gateway". The DP&E will determine whether the planning proposal has strategic merit and may issue a Gateway Determination. The Gateway Determination will set out the community consultation requirements.

In summary, it is recommended that the following amendments to the planning proposal are to be requested for inclusion in the DP&E's Gateway Determination for the purposes of public exhibition:

- The proposed change in height from 32 to 39 metres is not supported;
- An increased non-residential FSR of at least 3:1 is applied to the subject site to replace the current commercial floor space that would be lost as a result of this planning proposal and provide additional capacity for future growth in line with strategic planning objectives;
- The proponent provides as a land dedication to Council - a 4.5m setback from the western boundary on Ann Street across all floors of the development; and
- Certain uses are excluded in the proposed non-residential FSR such as serviced apartments.

2. Introduction/Background

The subject site is located within the Bondi Junction Commercial Centre and consists of five allotments with a total site area of 3,226.2m². Three of the lots are privately owned by the applicant and the remaining two lots (106-108 Ebley St) are owned by separate individual landowners. For consistency, the proponent has included the entire block of land for Council's consideration (refer to Figure 1).



Figure 1: Aerial of the subject site

Existing development on the site

The existing development on the site is a mix of two, three and four-storey commercial development (refer to Figures 2 to 4). The existing commercial floor space on the site totals 6739m², with uses as follows:

Address	Current use of site	Ownership structure
96-100 Ebley Street	Two-storey commercial building with education and gymnasium uses	Torrens title
102-104 Ebley Street	Two-storey commercial building with sex services use	Torrens title
106 Ebley Street	Three storey commercial building with retail on ground floor	Strata title
108 Ebley Street	Four-storey mixed use building with business premises on lower ground and ground floor, and residential uses on first and second floor	Strata title
110-122 Ebley Street	Three-storey commercial building	Torrens title

Figure 2: Current use of site and ownership structure



Figure 3: Photograph of the site – corner of Ebley St and Hollywood Ave (96-122 Ebley St, Bondi Junction)



Figure 4: Photograph of the site (96-122 Ebley St, Bondi Junction)

2.1 Current planning controls for subject site

The Waverley Local Environmental Plan 2012 (WLEP 2012) applies to the subject site (96-122 Ebley Street, Bondi Junction), which is currently zoned B3 Commercial Core with a maximum height of 32 metres and FSR of 4:1 on 96-108 Ebley St and 6:1 on 110-122 Ebley St (refer to Figures 5, 6 and 7).



Figure 5: Site land use zoning - B3 Commercial Core (site outlined in black)



Figure 6: Height of Buildings - 32m (site outlined in red)



Figure 7: FSR - 4:1 for 96-108 Ebley St (light purple) and 6:1 for 110-122 Ebley St (pink)

Heritage

As specified in Clause 5.10 Heritage Conservation and Schedule 5 Environmental Heritage of the WLEP 2012, development consent is required for any demolition or alteration to an item of environmental heritage and also for erecting a building on land on which a heritage item is located or that is within a heritage conservation area. Figure 8 indicates the location of heritage items and conservation areas in relation to the subject site.

The subject site does not contain a heritage item nor is it within a heritage conservation area. However, the site is located opposite the Botany Street Heritage Conservation Area, located to the south and east of the site, which contains representative examples of varied styles from Victorian filigree to Inter War Art Deco residential buildings.

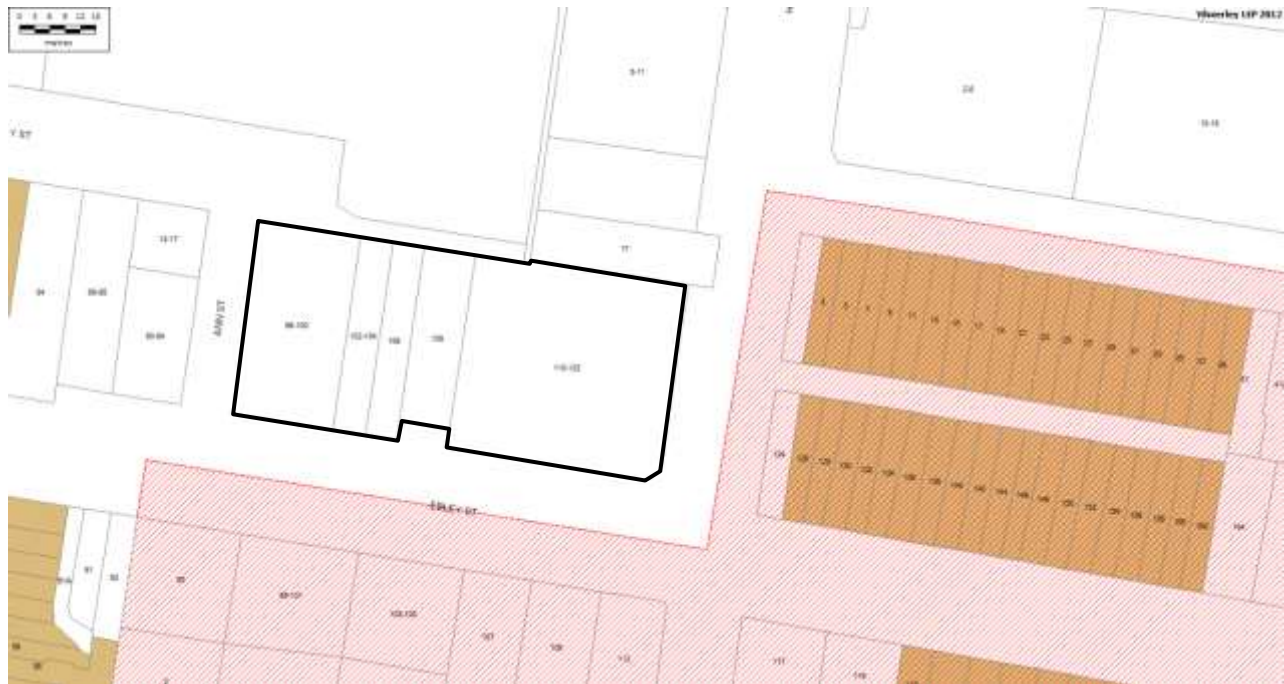


Figure 8: Heritage Items and Heritage Conservation Areas (site outlined in black)

2.2 Planning Proposal documentation

On 31 March 2016, the proponent submitted a planning proposal to amend the WLEP 2012 in relation to 96-122 Ebley Street, Bondi Junction. The planning proposal was submitted on behalf of the owners of 96-100 Ebley Street, 102-104 Ebley Street, and 110-122 Ebley Street.

The proposal originally sought to amend the WLEP 2012 to:

- Change the land use zone from B3 Commercial Core to B4 Mixed Use;
- Increase the height of buildings standard from 32m to 35m;
- Increase the FSR for 96-108 Ebley Street from 4:1 to 5:1 (see Figure 10); and
- Introduce a non-residential FSR of 2:1 across the site.

The planning proposal includes a non-residential FSR of 2:1. With a total site area of 3,226.2m², this would require any development application for the site to include a minimum of 6,452.4m² of commercial floor space.

Controls	Current	Proposed
Floor Space Ratio 96-108 Ebley Street	4:1	5:1
Floor Space Ratio 110-122 Ebley Street	6:1	No change proposed

Figure 9: Existing and proposed FSR

As part of the planning proposal, the proponent engaged consultants to prepare the following reports:

- Ebley Street, Bondi Junction Economic Impact Assessment and Feasibility Analysis (2016) by AEC Group;
- Traffic Impact Assessment (2016) by Transport and Traffic Planning Associates; and
- Architectural Study and 3D Model by XPace Design Group.

Council officers reviewed the initial planning proposal and sent preliminary assessment comments and a request for additional information to the proponent on 26 April 2016. In particular, Council officers requested that the concept design be amended to include a 4.5m land dedication from the western edge of the site to allow for the road and footpath widening of Ann Street.

Council officers met with the proponent on 26 May 2016 to consider their amended planning proposal and amended concept design. The proponent provided an amended concept design (refer to Figures 10 to 12) to Council on 3 June 2016, which in summary:

- Provides a 4.5m setback from the western boundary on the ground floor to third floor;
- Increases the maximum building height from the originally sought 35m to 39m to allow for an extra storey (made necessary by the 4.5m western setback); and
- Provided a concept analysis if the sites are not amalgamated and developed separately (refer to Figure 10 (Variation A) and Figure 11 (Variation B)).

The proponent also put forward an offer to enter into a voluntary planning agreement (VPA) on 31 May 2016. Any VPA entered into would be subject to Council's Planning Agreement Policy 2014.



Figure 10: Variation A - Amended ground level concept, presuming all sites are amalgamated (3 June 2016)



Figure 11: Variation B - Amended ground level concept, presuming sites are developed separately (3 June 2016)

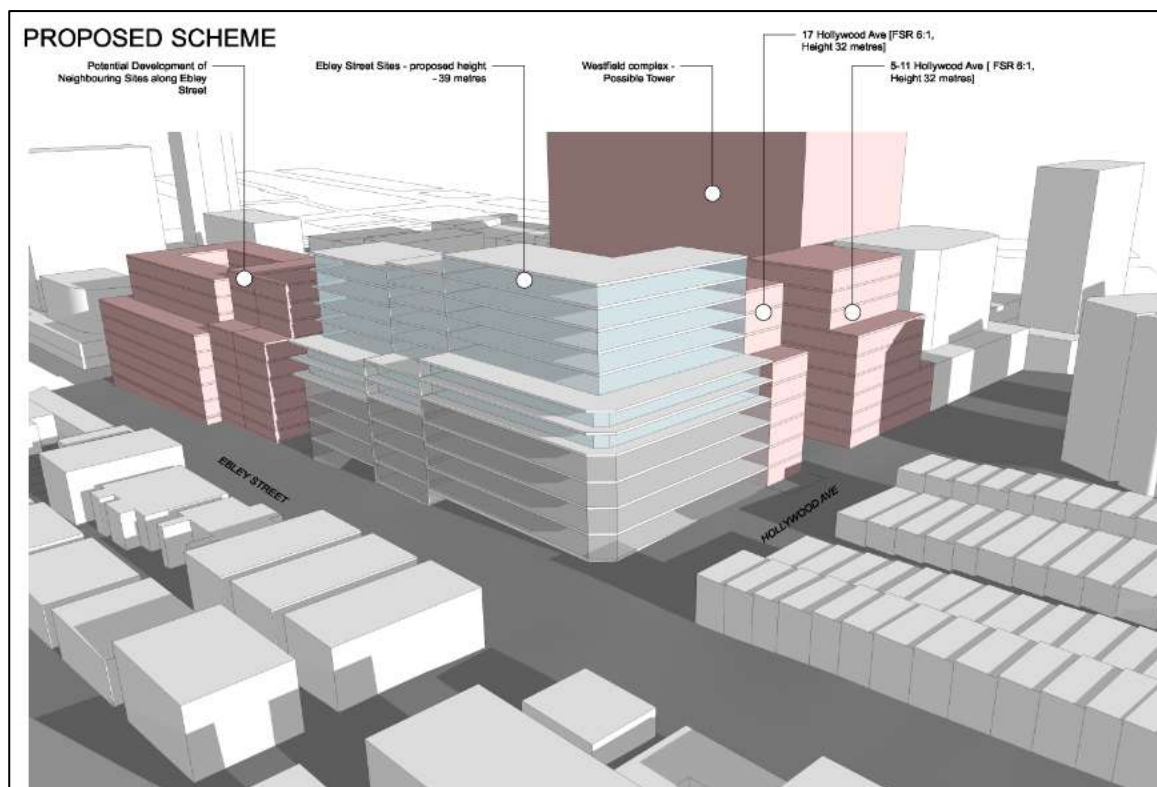


Figure 12: 3D Model of amended concept design and theoretical built form of surrounding sites (3 June 2016)

2.3 Zoning history

To understand the appropriateness or otherwise of this rezoning it is important to understand the history and rationale of zoning within Bondi Junction Strategic Centre and the zoning history of the subject site.

Bondi Junction

The size and extent of the B3 Commercial Core land use zone in Bondi Junction has been reduced over time, which has resulted in a relatively small and constrained commercial core for Bondi Junction. In 2013, Council in partnership with the Department of Planning and Infrastructure (DoPI), undertook an urban design review of the Bondi Junction centre which resulted in recommendations to amend some of the planning controls applying to Bondi Junction. Many of these recommendations were incorporated into the WLEP 2012 through a planning proposal - Waverley LEP 2012 (Amendment No.2) which rezoned a number of sites in Bondi Junction from B3 Commercial Core to B4 Mixed Use in order to permit residential development on that land. This reduced the B3 Commercial Core zone resulting in a potential future loss of 64,000 square metres of office floor space. The reduction of the B3 zone was originally sought for the Waverley LEP (Bondi Junction Centre) 2010, but was declined by the then DoPI to protect employment generating capacity.

Subject site

The zoning of the subject site has changed over the years and been the subject of a number of studies and proposed amendments to the Waverley LEP.

- In 2010, the subject site was proposed to be zoned B4 Mixed Use under the Draft Bondi Junction Centre LEP 2007 with the intention of forming a transitional zone between the commercial development to the west and medium density residential development to the east.
- In 2012, the subject site was zoned B3 Commercial Core in response to a recommendation by DoPI. This was intended to protect lands capable of generating employment opportunities from being developed with other non-commercial uses. This would reinforce Bondi Junction's role as a Strategic Centre servicing the district and a potential major employment hub was protected.

3. Relevant Council Resolutions

There are no Council resolutions relevant to this planning proposal.

4. Discussion

3.1 Required Considerations

Below is an assessment of the proposal in relation to the required considerations in the DP&E's *"A guide to preparing planning proposals"*.

(a) Is the planning proposal the result of any strategic study or report?

The planning proposal site is located within the Bondi Junction Centre, which was the subject of the following recent strategic studies and reports commissioned by Council:

- Bondi Junction Floor space Study (2015) by SGS Economics and Planning
- Bondi Junction Urban Design Review (2013) by City Plan Services

Bondi Junction Floor Space Study

The *Bondi Junction Floor Space Study* (the Study) completed in 2015 by SGS Economics and Planning provides data on floor space demand to 2036 for Bondi Junction. The subject site at 96-122 Ebley Street is within this study area. Key findings of the Study were:

- There is a growing demand in Bondi Junction for both employment floor space and residential floor space.
- An additional 97,332m² of employment floor space will be needed in Bondi Junction by 2036 to accommodate increased demand, representing a 19% increase from what exists (SGS, 2015; BTS, 2014).
- An additional 116,127m² of residential floor space, or 1,054 additional dwellings will be required in Bondi Junction by 2036 to accommodate increased demand.
- Forecasts identify significant growth in both Retail Trade and Health Care and Social Assistance industries which highlight the continuing strategic role of Bondi Junction as an employment and social service destination.

The planning proposal is consistent with some aspects of the above study. By providing approximately 143 residential dwellings the planning proposal will directly contribute to housing supply and assist in meeting the forecast demand. However, the proposed commercial floor space of 6,452.4m² is less than the current employment floor space of 6749m² and hence is not consistent with the outcomes of the study. The planning proposal would need to provide an increased non-residential FSR (greater than 2:1) to be consistent with the study and address both residential and employment demand forecasts.

Bondi Junction Urban Design Review

The *Bondi Junction Urban Design Review* (Review) completed by City Plan Services in 2013 reviewed sites in the Bondi Junction Centre, tested the sites for rezoning and reviewed the height limits and floor space ratios, including the subject site. The Review specifically recommended the planning proposal site not be rezoned to mixed use and raised the issue of future land use conflict should the site be rezoned from B3 Commercial Core to B4 Mixed Use. The Review stated:

"Do not increase heights, FSR or change the zoning of sites between Hollywood Avenue and Bronte Road that front Ebley Street and that front Hollywood Avenue between Waverley Street and Ebley Street as requested in submissions to the Draft LEP. These sites are contiguous with the commercial core and add considerable 'critical mass' to the core. Furthermore a change of the zoning from B3 Commercial Core to B4 Mixed Use, would set up a conflict with the sites to the north (for residential solar access)".

The Review also commented on the height limits along the northern side of Ebley Street, where the subject site is located. The Review comments:

“An increased height along the northern side of Ebley Street cannot be supported because this would impact on solar access to buildings with residents on the southern street side. This is applicable for the entire northern side of Ebley Street and the height limit as proposed in the LEP 2012 of 32m should be retained”.¹

The planning proposal is consistent with some of the recommendations of the Review such as providing a through-site link and active street frontages along Ebley Street and Hollywood Avenue. However, with respect to the commercial floor space capacity of Bondi Junction, solar access, and shadowing impacts of the site, the Review’s recommendations do not support this planning proposal.

Recommendation

In order to address the inconsistencies with the above studies, the following is recommended:

- Do not support the proposed height increase from 32m to 39m. The existing height limit of 32m should be retained to ensure a consistent street height and reduce overshadowing impacts to residential properties on the southern side of Ebley St. The
- Whilst supporting an FSR of 5:1 on 96-108 Ebley St, a non-residential FSR component of at least 3:1 across the subject site (96-122 Ebley St) is recommended to provide additional commercial floor space and address the growing demands on employment floor space in Bondi Junction to 2036.

(b) Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The proponent’s objective to encourage urban renewal can be achieved with the current controls on the site. However, a planning proposal is necessary to change the zone from B3 Commercial Core to B4 Mixed Use and amend development standards.

(c) Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

A *Plan for Growing Sydney* (Metropolitan Strategy) was released in December 2014 and is the NSW Government’s 20-year plan for the Sydney Metropolitan Area. It provides direction for Sydney’s productivity, environmental management, and liveability; and for the location of housing, employment, infrastructure and open space.

The Metropolitan Strategy identifies Bondi Junction as a Strategic Centre and outlines two priorities for the Centre:

- *Work with council to retain a commercial core in Bondi Junction, as required, for long-term employment growth.*
- *Work with council to provide capacity for additional mixed-use development in Bondi Junction including offices, retail, services and housing.*

A brief assessment of the consistency of the planning proposal against the Metropolitan Strategy is provided in the below table (Figure 13).

¹ City Plan, 2013, Bondi Junction Urban Design Review, pg. 41.

A Plan for Growing Sydney	Consistent?
Goal 1: A Competitive Economic with world-class services and transport 1.6 Expand the Global Economic Corridor 1.6.1 Grow high-skilled jobs in the Global Economic Corridor by expanding employment opportunities and mixed-use activities 1.7 Grow strategic centres - providing more jobs closer to home 1.7.1 Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity	No Partially
Goal 2: A city of housing choice, with homes that meet our needs and lifestyles 2.1 Accelerate housing supply across Sydney 2.1.1 Accelerate housing supply and local housing choices 2.2 Accelerate urban renewal across Sydney – providing homes closer to jobs 2.2.2 Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres	Yes Yes
Priorities for Bondi Junction Strategic Centre Work with council to retain a commercial core in Bondi Junction, as required, for long-term employment growth. Work with council to provide capacity for additional mixed-use development in Bondi Junction including offices, retail, services and housing.	No Yes

Figure 13: Assessment of planning proposal against Metropolitan Strategy

As can be seen above, the planning proposal is consistent with the priorities and goals that encourage residential development and provide additional mixed use development. The planning proposal will provide additional capacity for housing on the site. The AEC Report (2016) calculates that the planning proposal will provide approximately 116 or 142 new dwellings on the site, depending on the development scenario (Variation A compared to Variation B) and is likely to improve housing choice in the area. The AEC report also mentions that the development could provide a number of adaptable and accessible dwellings.

However, the planning proposal, in its current form, is not consistent with the priorities and goals that aim to provide increased employment and retain the commercial core in Bondi Junction. As shown in Figure 15 below, the planning proposal would result in a decrease in the amount of potential commercial floor space and number of jobs. The proposed non-residential FSR of 2:1 would create 6452.4m² of commercial floor space on the site and approximately 258 jobs. This is less than the current amount of commercial floor space on the site of 6749m² and 270 jobs. In addition, some uses such as serviced apartments, which are permitted with consent in the B4 Mixed Use zone, would be unlikely to provide the estimated number of jobs and would have a detrimental impact on the commercial core of Bondi Junction and capacity for employment growth. Two studies conducted in the last two years suggest that serviced apartments provide between 1 job per 4.8 apartments/5.6 bedrooms or 1 job per 227m². Assuming that each serviced apartment is approximately 100m² (including circulation spaces etc.) then this equates to 1 job per 500m². From these figures, serviced apartments would likely provide between an average of 13 and 28 jobs on the subject site, should the entire commercial floor space of 6452.4m² be used for serviced apartments. This would provide a significantly lower number of jobs when compared to the current number of jobs (270) and the potential number of jobs under the planning proposal (258), based on the industry standard of 25m² per job.

It should also be noted that the assumptions provided in the Economic Impact Assessment Report, submitted as part of the planning proposal, are incorrect and based on a much larger commercial floor space component of 9000m². For the purposes of this report, the correct amount of commercial floor space of 6452.4m² has been used.

	Existing	Proposed
Commercial floor space	6749m ² FSR 2.1:1	6452.4m ² FSR 2:1
Estimated number of jobs	270 jobs	258 jobs

Figure 14: Existing and proposed commercial floor space and number of jobs

NB: Estimate based on industry standard of 25sqm per job (SGS Economics and Planning, 2010)

Recommendation

The proposed non-residential FSR is inadequate and would result in the loss of jobs and reduction of commercial floor space. It is therefore recommended that the proposed non-residential FSR of 2:1 be increased to 3:1 to increase the provision of commercial floor space on the site and ensure that Bondi Junction retains a commercial core with sufficient capacity to provide for increased employment opportunities (refer to Figure 15). An increased non-residential FSR of 3:1 would also result in the planning proposal being consistent with all the objectives and actions of the Metropolitan Strategy. Furthermore, an increased non-residential FSR of 3:1 would more accurately reflect the development scenarios included in the planning proposal which have a commercial component of 9036m² (Variation A) and 8877m² (Variation B). It is also recommended that a restriction be placed on the non-residential FSR to prohibit serviced apartments which would be inconsistent with employment generating uses and the objectives of relevant strategic planning policies as discussed.

Existing site area (taken from site survey)	3226.2m ²
Current commercial floor space	6749 m ²
Proposed 2:1 non-residential FSR	6452.4m ²
Possible 3:1 non-residential FSR	9678.6m ²

Figure 15: Existing site area and commercial floor space and proposed non-residential FSR

(d) Is the planning proposal consistent with the local Council's community strategic plan or other local strategic plan?

An assessment of the planning proposal against the strategies outlined in Council's community strategic plan, *Waverley Together 3*, can be found below in Figure 16:

Strategy	Consistent?
<i>L1 Waverley's economy is vibrant and robust and supports the creation of a variety of jobs and business opportunities.</i>	
<i>L1a Reinforce Bondi Junction's role as a regional centre with a mix of residential, retail, hospitality, business, commercial, professional services and entertainment activities.</i>	<p>Partially.</p> <p>Bondi Junction's role as a regional centre is underscored by its mix of retail, hospitality and entertainment services as well as commercial office market presence. The centre plays an important role providing capacity for the Eastern Suburbs office market, with health being the largest sector occupying office floor space. In recent years the role of Bondi Junction servicing the surrounding area as a regional centre has been diminished through the conversion of previous retail and office uses to mixed use buildings</p>

	<p>comprising a large proportion of residential floor space. Analysis of development data² demonstrates that there is a supply pipeline of approximately 92,000m² of residential floor space, but a loss of approximately 7,000m² of commercial floor space.</p> <p>Although this planning proposal provides for a mix of residential and commercial uses on the site, this planning proposal includes a reduction of jobs and employment floor space which is inconsistent with this strategy.</p>
<i>L1b Encourage and support a diverse mix of shops and services in Waverley's commercial areas including villages and neighbourhood centres to meet the needs of both residents and visitors.</i>	<p>No.</p> <p>While the implementation of a B4 zone does allow for shops and services, the planning proposal reduces the capacity for additional employment floor space. A minimum non-residential FSR of 2:1 requires less employment floor space than is currently provided on site. Hence, this planning proposal is inconsistent with this strategy.</p>
<i>L1c Support the creation of jobs and business opportunities in Waverley's commercial areas including its villages and neighbourhood centres.</i>	<p>No.</p> <p>As above, the planning proposal reduces future employment floor space capacity on site and the minimum non-residential FSR requires less employment floor space than currently on site.</p>

Figure 16: Consistency of planning proposal with Waverley Together 3

In addition, the planning proposal is inconsistent with the following goal in the *Waverley Economic Development Strategy 2015* (Figure 17):

Goal	Consistent?
<p><i>Innovate:</i></p> <p><i>Improving competitiveness and Increasing diversity</i></p> <p><i>Outcomes</i></p> <ul style="list-style-type: none"> • <i>Grow the number of local jobs available to an increasing population</i> • <i>Improve the supply and range of accommodation and commercial office space in Bondi Junction</i> 	<p>No. As per arguments outlined in Figure 17.</p> <p>No. As per arguments outlined in Figure 17.</p>

Figure 17: Consistency of planning proposal with Waverley Economic Development Strategy 2015

Recommendation

As mentioned in 3.3(c) above, it is recommended that the proposed non-residential FSR be increased from 2:1 to 3:1 to provide additional commercial floor space and jobs. This increase would ensure that the

² Including under construction buildings, DA approved and pre-DA buildings

planning proposal is consistent with the strategies of Council's community strategic plan, *Waverley Together 3*, and the goals of the Waverley Economic Development Strategy.

(e) Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Most SEPPs are not relevant to this planning proposal or would be a consideration at the development application stage. The relevant SEPPs are assessed in the table below (Figure 18):

SEPP	Consistent	Comment
SEPP 32 Urban Consolidation (Redevelopment of Urban Land)	Yes	The planning proposal appears to be consistent with this SEPP, having regard to the appropriate uses on the site.
SEPP 65 Design Quality of Residential Flat Development	Yes	The Architectural Study submitted with the planning proposal takes this SEPP into consideration. This will be assessed in greater detail at development application stage. The proponent has committed to satisfying the requirements of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	Any development resulting from this planning proposal will not contradict or hinder the application of this SEPP.

Figure 18: Consistency of planning proposal with relevant SEPPs

(f) Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Given that the planning proposal seeks to convert a B3 Commercial Core zone to a B4 Mixed Use zone, the section 117 Ministerial Directions that apply are '1.1 Business and Industrial Zones', '2.3 Heritage Conservation' and '3.1 Residential Zones'. An assessment of the planning proposal against these objectives and criteria has been completed below (Figure 19).

Direction	Consistent	Comment
1.1 Business and Industrial Zones	No	There will be a reduction in employment generating floor space and number of jobs as a result of this planning proposal – see section 3.1(c) of this report for more discussion. Furthermore, the planning proposal reduces the potential for further employment development on site. The planning proposal does not protect employment land in the B3 Commercial Core zone.
2.3 Heritage Conservation	Yes	The site is not listed as a heritage item or within a heritage conservation area in the WLEP 2012. However, the site is located opposite the Botany Street heritage conservation area (HCA) and in close proximity to several heritage items. The proposed increased building heights of 39m would create additional overshadowing impacts to some properties within the HCA – see Section 3.1(h) for more detail. As seen in the planning proposal report, the proponent will take into consideration the heritage value of the locality and aim to mitigate any impacts through design.

3.1 Residential Zones	Yes	There will be an increase in residential dwellings as a result of this planning proposal. The planning proposal will provide for approximately 116 or 142 new dwellings on the site depending on the development scenario.
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Figure 19: Consistency of planning proposal with applicable Ministerial Directions

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

It is not considered that any critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the planning proposal.

(h) Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Traffic and Parking

The proponent submitted a Traffic Impact Assessment (TIA) as part of the planning proposal documentation. The TIA includes a comparison of the potential traffic generation for the planning proposal and the traffic generation under the existing planning controls. The TIA argues that *“the traffic generated from the envisaged development under the proposed amended controls will be less when compared to future development under existing controls”*. However, the TIA notes that the planning proposal will generate more traffic than the existing development on the site. The additional traffic generated on the site will be of a minor nature and will not impact on the operational performance of the intersections in the vicinity of the site. In addition, the TIA comments that any development resulting from the planning proposal will incorporate suitable vehicle access, internal circulation and servicing arrangements. Furthermore, the site’s close proximity to several public transport options such as the Bondi Junction Transport Interchange will reduce the reliance on private vehicle travel. The findings and data in the TIA is supported by a traffic survey which has been conducted at the intersection of Ebley Street and Bronte Road.

The proponent has made a commitment to provide adequate onsite parking in accordance with the provisions in the Waverley Development Control Plan 2012 (WDCP 2012). The specific details of the parking will be determined at the detailed design stage. However, vehicular access to the site should be avoided on Ebley Street as there are much higher traffic volumes and pedestrian movements compared to Ann Street and Gray Street. In addition, the removal of the existing two driveways on Ebley Street will improve pedestrian safety and amenity and may provide additional street parking. The planning proposal shows two concepts with different access arrangements - Variation A (Figure 11) which limits vehicle access to Ann Street, whereas Variation B (Figure 12) includes multiple access points on Ebley Street and Ann Street.

Recommendation:

It is therefore recommended that vehicular access to the subject site be provided from Ann Street. It is also recommended that the proponent provides further analysis as part of a revised traffic study to determine the current on-street parking demand and capacity in the vicinity of the site as well as the impact on parking demand.

Consideration of the amenity of neighbouring properties

The planning proposal includes an increase to the height development standard from 32m to 39m. This will have an impact on the amenity of neighbouring properties, particularly in regards to overshadowing impacts.

The northern side of Ebley Street has a consistent LEP maximum height of 32m which extends from the boundary of the residential zone at Denison Street, along Ebley Street into Hollywood Avenue (see Figure 20 - 32m height standard shown in soft red along Ebley St). This height standard was reaffirmed in the Bondi Junction Urban Design Review (2013) which recommended against a height increase on the subject

site in order to avoid increased shadow impact on areas on the southern side of Ebley Street and eastern side of Hollywood Avenue.

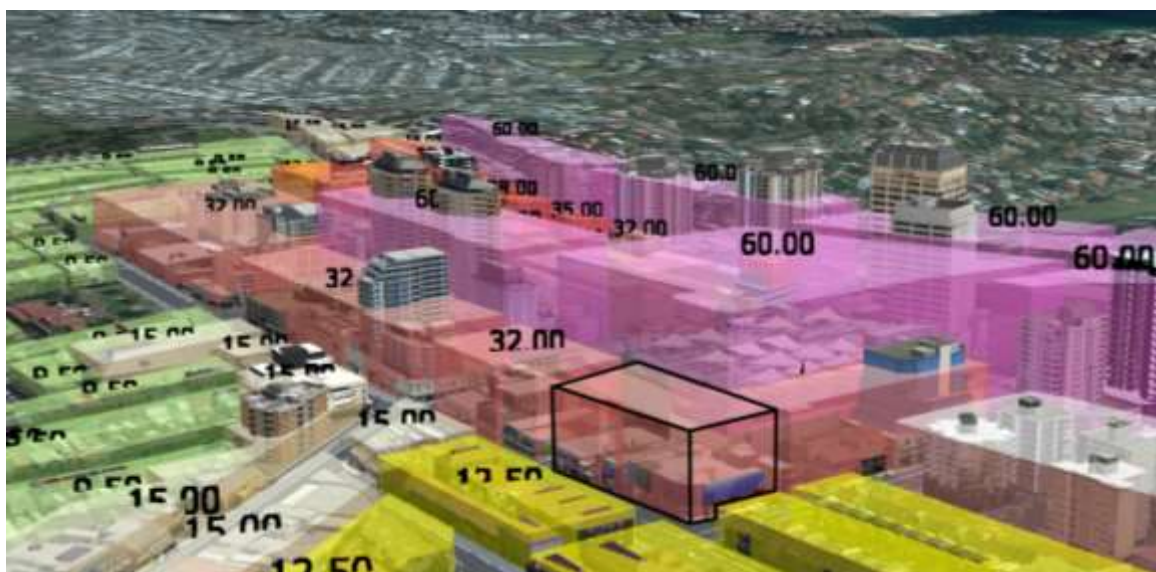


Figure 20: 3D Height of Buildings and context model showing consistent 32m height limit along Ebley St.

The WDCP 2012 sets out the desired future character for Bondi Junction. This includes controls for the number of storeys, with the control for the subject site being 10 storeys. As can be seen in Figure 21 below, this control is consistent along the northern side of Ebley Street between Denison St and Hollywood Avenue and is consistent with the LEP height limit.



Figure 21: Maximum number of storeys - Waverley DCP

An Architectural Study and 3D Model (by Xpace Design Group) was included as part of the information submitted with the planning proposal. The Study comprises architectural plans, elevations, shadow diagrams and a 3D model which illustrate the overshadowing impact of the proposed increase in height on surrounding sites. Additional modelling has also been undertaken by council staff and the following observations are made:

- The current building has minimal overshadowing impacts to properties south and east of Ebley St (103-123 Ebley St (southern side), 126-132 Ebley St (northern side) and 2 Hollywood Ave) with most properties receiving direct sunlight at 9am, 12pm and 3pm on the winter solstice.

- Under the current height standard of 32 metres, there would be increased overshadowing to properties on the southern side of Ebley Street (95-109 Ebley St) from 9am to 12pm during the winter solstice and to properties east of the subject site (117-125 Ebley St) from 2pm to 3pm (refer to Figure 13).
- The planning proposal includes a 7 metre increase in building height to 39 metres. There would be additional overshadowing (refer to Figure 22) as a result of the height increase to the following properties:
 - 62-64 Bronte Road (between 9am and 12pm)
 - 2 Hollywood Avenue (from 2pm to 3pm)
 - 132-135 Ebley Street (from 2pm to 3pm)
 - 12 Allens Parade (from 2pm to 3pm)

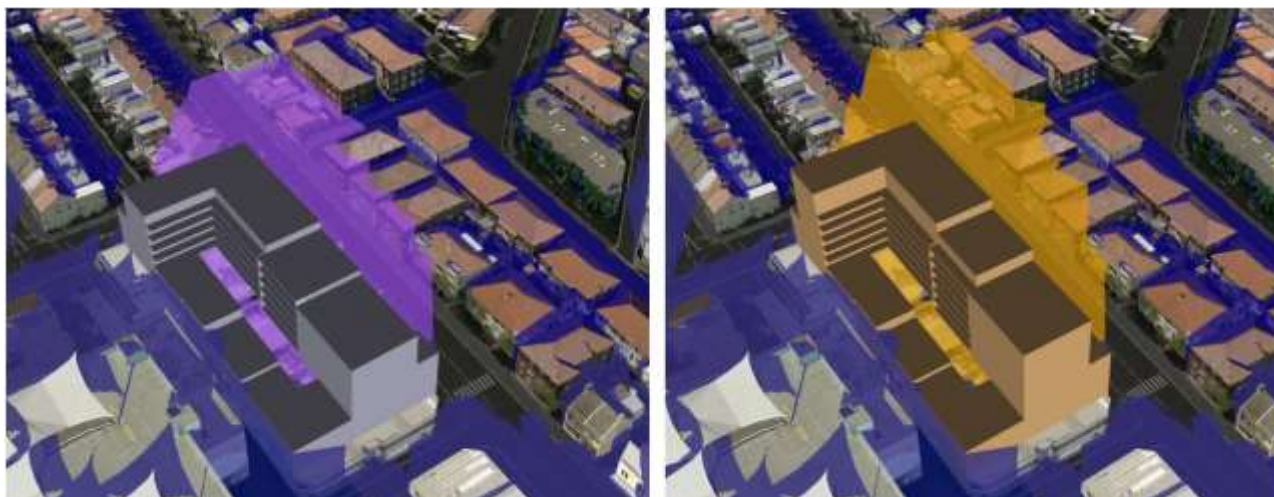


Figure 22: Overshadowing impacts at 3pm in winter from 32m (existing - left) to 39m (proposed - right)

The existing height limit should be retained for the following reasons:

- Ebley Street has a consistent LEP maximum height of 32m which extends from the boundary of the residential zone at Denison Street, along Ebley Street into Hollywood Avenue, see Figure 20 (32m height limit shown in soft red along Ebley St).
- The proposed increase in height at the corner of Ebley Street and Hollywood Avenue would be inconsistent with the desired future character of the area or streetscape.
- The proposal doesn't adequately justify the requirement of a seven metre increase in height on this site other than the extra floor space for residential apartments. A nine storey commercial building fits within the existing controls. Residential floor to floor heights are slightly less and would not require additional height.

Recommendation:

The proposed increase in height from 32m to 39m should not be supported as it would create additional overshadowing impacts to neighbouring residential properties and would be inconsistent with the desired future character of the area and streetscape.

Amenity of future residential apartments on the site

The development concepts provided as part of the planning proposal documentation appear to be consistent with the requirements of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* (SEPP 65) and the Apartment Design Guide. An assessment against the SEPP 65 requirements is demonstrated in Figure 23 below.

	SEPP 65 Requirement	Planning proposal concept design
Apartments which can be naturally cross ventilated	60%	65.12%
Total number of apartments	Maximum 15%	4.65%

with likely no direct sunlight		
Apartments which achieve 2 hours of direct sunlight	70%	74.42%
Deep soil area	7%	10%
Communal open space	25%	40%

Figure 23: Assessment against SEPP 65 requirements

However, despite the compliance with SEPP65 and the Apartment Design Guide, some of the proposed apartments on the lower levels of the building are likely to have lower amenity. Noise impacts are expected to affect some apartments from the truck loading bay along Gray St (north of the subject site) and poor solar access to some apartments will result from the overshadowing of Westfield Shopping Centre (also north of the subject site). In addition, should the Westfield site develop in the future, this may cause further amenity issues for the residential apartments on the lower levels. Under current planning controls, the southern Westfield site has an unrealised development capacity of 53,970.52m². A tower at the south east corner of the Westfield site is likely to have overshadowing impacts on any residential development.

Floor Space Ratio

The planning proposal includes an increase in FSR on part of the site (96-108 Ebley St) from 4:1 to 5:1. This would add an additional 1591.2m² of floor space on the site and would fit within the existing height standard of 32m. This increase is considered appropriate as it is unlikely to have a detrimental impact upon the urban design outcomes of the site or result in lower amenity. Rather, it is likely to assist in providing the proposed through-site link, land dedication and improved amenity for residential dwellings.

Current	16,174.8m ² (if built to existing FSR limit)
Proposed	17,766m ² (if increased FSR supported)

Recommendation:

In order to improve the amenity of future residential apartments on the site, the following is recommended.

- An increased non-residential FSR would improve the overall amenity of the proposed residential apartments by ensuring that the residential component is provided on the upper levels thereby providing improved solar access.
- The proposed increase in FSR on part of the site (96-108 Ebley St) from 4:1 to 5:1 should be supported in order to facilitate the delivery of the non-residential FSR.
- Careful consideration of these impacts are to be at the detailed design stage.
- Any development on the site should be referred to the Randwick-Waverley Design Excellence Panel at the development application stage.

(i) Has the planning proposal adequately addressed any social and economic effects?

The documentation submitted as part of the planning proposal included an Economic Impact Assessment and Feasibility Analysis (EIA) prepared by AEC Group dated 6 June 2016.

Social effects

The planning proposal documentation argues that it will have a positive social effect through providing a diverse range of public benefits including increased employment, housing, public domain improvements within and around the site, sustainable living and removal of non-conforming uses and development. In addition, the proponent proposes a number of public benefits for the community including:

- The provision of a through-site link between Hollywood Avenue and Ann Street, improving pedestrian access and permeability.
- Dedication of a portion of land along Ann Street to widen the footpath and improve the pedestrian experience.

- An offer of a voluntary planning agreement has also been put forward by the proponent. This could provide further benefits, pending council's support and negotiations.

Economic effects

As discussed above in Section 3.3(c), the planning proposal, in its current form, would result in a decrease in the amount of commercial floor space and number of jobs. The proposed non-residential FSR of 2:1 would create 6452.4m² of commercial floor space on the site and approximately 258 jobs. This is less than the current amount of commercial floor space on the site of 6749m² and 270 jobs. In addition, some uses such as serviced apartments, which are permitted with consent in B4 Mixed Use zone, would be unlikely to provide the estimated number of jobs and would have a detrimental impact on the commercial core of Bondi Junction and capacity for employment growth – see Section 3.3(c) for further discussion.

Recommendation:

As discussed previously in this report, in order to increase the economic benefits as a result of this planning proposal, the non-residential FSR should be increased from 2:1 to 3:1. This would provide additional commercial floor space and approximately 387 jobs, which is an additional 117 jobs on the site compared to the existing numbers. This could also be a social benefit through providing more jobs closer to home for local residents and ensure that Bondi Junction retains its commercial core and status as a Strategic Centre.

(j) Is there adequate public infrastructure for the planning proposal?

Yes, there is adequate public infrastructure for the planning proposal. A more detailed assessment can be found below:

Public Transport

There are adequate public transport connections for this planning proposal. The existing transport infrastructure is capable of handling the additional demand generated. The subject site is within walking distance (450m or 5 minute walk) to the Bondi Junction Transport Interchange which provides bus and rail connections to other parts of Sydney and beyond.

Roads

The site is located at the corner of Ebley Street and Hollywood Avenue, Bondi Junction, both of which are local roads accessible by the existing road network.

Waste Management Services

Waste management and recycling services will continue to be provided by Waverley Council.

Utility Services

Existing utility services will adequately service the future development of the site as per the planning proposal. The proponent has committed to upgrading utilities where required.

(k) What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination and have they resulted in any variations to the planning proposal?

The views of State and Commonwealth public authorities have not been sought at this point in time and will be sought in accordance with any requirements of the Gateway Determination.

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: L5 Buildings are well-designed, safe and accessible and the new is balanced with the old.

- Strategy: L5a Ensure planning building controls for new buildings and building upgrades deliver high quality urban design that is safe and accessible, in which heritage and open space is recognised, respected and protected..
- Deliverable: Comprehensive local environment plan (LEP) updated annually in line with Council's Land Use Strategy and the requirements of the NSW Department of Planning & Infrastructure.

6. Financial impact statement/Timeframe/Consultation

6.1 Financial Impact Statement

There have been no upfront or recurrent costs associated with this planning proposal other than staff costs associated with the assessment. These costs have been accounted for in Shaping Waverley's operational budget.

6.2 Timeframe

Should Council accept the recommendation to support the planning proposal (subject to amendments), the proposal will be forwarded to the DP&E for a Gateway Determination towards the end of 2016 / beginning of 2017.

The delivery of a planning agreement associated with the planning proposal could result in the provision of significant upgrades to the public domain. The value of these contributions would be negotiated as part of the planning agreement process.

Whilst it is difficult to accurately provide a timeframe for the project as it involves corresponding with external bodies such as the DP&E and Parliamentary Counsel, the anticipated timeframe for further work on this project is as follows:

December 2016/ January 2017	Lodge planning proposal/ Gateway Determination request with Department of Planning and Environment (DP&E).
February / March 2017	Negotiate with DP&E and legal team.
March 2017	Prepare technical information if requested.
May / June 2017	Public exhibition of planning proposal (28 days). Further consultation with Councillors.
June/ July 2017	Consideration of planning proposal post-exhibition including community feedback. Report to Council. Submission to the DP&E to finalise LEP.
September / October 2017	Finalisation of planning proposal with Parliamentary Counsel and anticipated gazettal.

5.3 Consultation

Internal consultation

The Shaping Waverley subprogram area have had ongoing consultation with a range of Council staff who have expertise on particular matters involved with this project. Council staff who have been consulted include urban designers, traffic engineers and economic development officers. The comments from Council staff on particular matters involved with the project have been incorporated into this report.

Consultation with the proponent

The Shaping Waverley subprogram area have been in ongoing consultation with the proponent in regards to requesting additional information, revising the planning proposal and timeframes.

Consultation with the DP&E

Council officers met with the DP&E on 28 September 2016 to discuss the planning proposal. The DP&E provided advice on the process and identified the next steps.

Future public consultation

If the planning proposal is supported, future community consultation will occur in accordance with the Gateway Determination. Notwithstanding this, it is considered that an exhibition period of not less than 28 days would be appropriate given the nature of the amendment. It is also suggested that:

- Notice be given in the Wentworth Courier being the local paper that services the Waverley municipal area;
- The Planning Proposal be advertised on Council's website;
- The Planning Proposal be exhibited in Council's Customer Service Centre and Library;
- Letters be sent to key stakeholders including the Bondi Junction Precinct Committee, Bondi Junction Chamber of Commerce, Woollahra Council, Randwick Council, local residents and business owners in the vicinity of the subject site.

7. Conclusion

The planning proposal has strategic merit for the purposes of public exhibition, subject to the recommended amendments outlined in 1 (a) - (f) of this report.

8. Attachments:

Nil

REPORT CM/7.4/16.12



Subject: Planning Agreement - 637-639 Old South Head Road, Rose Bay

TRIM No.: DA-575/2015

Author: Tim Sneesby, Strategic Planner

Director: Peter Monks, Director Waverley Futures

RECOMMENDATION:

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 637-639 Old South Head Road, Rose Bay that contributes \$195,403 to Council for public works for the improvement and regeneration of the Rose Bay/Dover Heights area.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

1. Executive Summary

A draft Planning Agreement associated with the approved development (DA-575/2015) at 637-639 Old South Head Road, Rose Bay (demolition of existing buildings, construction of a residential flat building with basement parking and strata subdivision) was placed on public exhibition in accordance with Section 93G of the *Environmental Planning and Assessment Act 1979*. This report seeks the endorsement of Council to execute the attached draft Planning Agreement. The draft Planning Agreement offers a monetary contribution of \$195,403 towards public works for the improvement and regeneration of the Rose Bay/Dover Heights area.

2. Introduction/Background

A draft Planning Agreement was negotiated in accordance with the valuation and costing methodology outlined in the Waverley Planning Agreement Policy 2014. The offer was negotiated as a monetary contribution of \$195,403 to be contributed to towards public works for the improvement and regeneration of the Rose Bay/Dover Heights area.

DA-575/2015 was approved on 20 April 2016 subject to deferred commencement conditions, including a requirement to enter into a Planning Agreement consistent with the letter of offer provided by the applicant and in accordance with Waverley Council Planning Agreement Policy 2014. The VPA is in exchange for an additional 64m² of floorspace granted for the development.

Previous Council Resolutions

Council or Committee Meeting & Date	Resolution No.	Resolution
N/A	N/A	N/A

3. Discussion

Planning Agreement's monetary contribution to a public purpose

The subject site of development is in the suburb of Rose Bay, but borders the Dover Heights suburb on the eastern boundary of the site. For this reason, the public purpose towards which the funds could be contributed has been identified in the Planning Agreement as 'Public Works for the Improvement and Regeneration of the Rose Bay/Dover Heights Area.' Preliminary discussions with the Open Space Planning team have identified that these funds could be used for upgrades and improvements to the Eastern Avenue Reserve, Kimberley, Diamond Bay Reserve or Onslow Street Reserve.

The upgrade of any nearby park or public domain will be subject to Waverley Council's design and review process including community and stakeholder engagement.

Public exhibition of the draft Planning Agreement

The Planning Agreement was drafted in accordance with Section 93G of the *Environmental Planning and Assessment Act 1979*, which requires an agreement to be exhibited for a period of 28 days. The draft Planning Agreement and Explanatory Note were exhibited from 19 October 2016 to the 16 November 2016 and included:

- Notice in the Wentworth Courier;
- Advertising on Council's Have Your Say website; and
- Exhibition in Council's Customer Service Centre and Library.

Submissions

One submission was received during the exhibition period from a local resident of the Vaucluse/Diamond Bay precinct. The submission explained that the increase in density will directly impact the Vaucluse/Diamond Bay Precinct, not the adjoining Rose Bay/Dover Heights precinct. Therefore, the submission suggested that the funds from the VPA should be used for improvements and regeneration in the Vaucluse/Diamond Bay precinct as the development is within this precinct. The submission suggests four options for use of the VPA funds:

1. Clarke Reserve Playground – children's slide and equipment for older children; more seating; rectification of soft fall ground cover; drinking fountain.
2. Jensen Avenue – awaiting implementation of promised "street tree planting scheme"
3. Clarke & Young Streets corner – pedestrian and pram ramp access
4. General tree planting throughout the Precinct.

It is noted that the suggested Clarke Reserve Playground, Jensen Avenue and Clarke and Young Streets are further from the subject site than the Eastern Avenue, Kimberley and Diamond Bay Reserves and a similar distance as the Onslow Street Reserve.

The draft Planning Agreement refers to the Rose Bay and Dover Heights suburb boundaries, rather than the precinct boundaries. These suburbs were referred to as they contain the nearest public domain and open space to the subject development. Where possible Planning Agreements seek to draw a nexus between planning impacts associated with increase in density to benefits in the immediate or nearby vicinity. Accordingly, the Planning Agreement funds should therefore remain as drafted in the Planning Agreement.

4. 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: G2a Promote and require strategic directions that are inclusive and reflect the views of the community..

Deliverable: A Community Engagement Strategy that meets legislative requirements.

5. Conclusion

The draft Planning Agreement has been placed on exhibition in accordance with Section 93G of the *Environmental Planning and Assessment Act 1979*. It is recommended that Council endorse the attached draft Planning Agreement for execution.

6. Attachments:

1. 637-639 OSH Rd Draft VPA document
2. 637-639 OSH Rd draft EN

WAVERLEY COUNCIL

(Council)

AND

637 OSH PTY LTD A.B.N. 45 587 076 374
(Developer)

PLANNING AGREEMENT

(Development Contribution)

WAVERLEY COUNCIL
Council Chambers
Cnr Bondi Road & Paul Street
BONDI JUNCTION NSW 2022
DX 12006 BONDI JUNCTION
Phone: 02 9369 8000
Facsimile: 02 9387 1820

Section 93F of the Environmental Planning and Assessment Act, 1979

THIS AGREEMENT is made on

2016

PARTIES

WAVERLEY COUNCIL of Cnr Paul Street and Bondi Road, Bondi Junction NSW 2022
(Council")

637 OSH PTY LTD A.B.N. 455 8707 6374 of 7A Onslow Place, Rose Bay, NSW, 2029.
("Developer")

BACKGROUND/RECITAL

- A.** The Developer is the registered proprietor of the Land.
- B.** The Council is the local authority constituted under the *Local Government Act 1993* and the planning and consent authority constituted under the Act.
- C.** On 14 December 2015 the Developer made a Development Application to the Council for Development Consent to carry out the Development on the Land.
- D.** That Development Application was subsequently accompanied by an offer by the Developer to enter into this Agreement to make a Development Contribution towards the Public Purpose if Development Consent was granted (dated 18 March 2016).
- E.** The Development Consent was granted by Waverley Council on 20 April 2016.

OPERATIVE PROVISIONS:

1 DEFINITIONS AND INTERPRETATION

1.1 Definitions

In this Agreement unless the context otherwise requires:

"**Act**" means the *Environmental Planning and Assessment Act 1979* (NSW)

"**Agreement**" means this agreement;

"**Bank Guarantee**" means an irrevocable and unconditional undertaking by a trading bank approved by the Council to pay the Development Contribution amount on demand without an expiry or end date and containing terms and conditions acceptable to Council

and in accordance with clause 9 of this Agreement;

"Business Day" means a day that is not a Saturday, Sunday or public holiday, on which banks are open for general services in Sydney, New South Wales;

"Caveat Form" means a completed form of caveat in respect to the Land that is properly endorsed with the Developer's consent as the owner of the Land, noting Council as a caveator, in a form registrable at Land and Property Information NSW and otherwise acceptable to Council;

"Certifying Authority" means any accredited private certifier including where appropriate, a Principal Certifying Authority (PCA) appointed or to be appointed to certify the Development or any aspect of it;

"Council" means Waverley Council and herein includes any local government authority with which that Waverley Council may merge or any other local government authority responsible for a local government area that the Lot Burdened is located within;

"Construction Certificate" has the same meaning as in the Act and means any construction certificate in respect of the Development Consent;

"Development" means the development the subject of the Development Application and which is described in Item 4 of the Schedule;

"Development Application" means the development application described in Item 3 of the Schedule;

"Development Consent" has the same meaning as in the Act and means Council's approval of the Development Application described in Item 3 of the Schedule;

"Development Contribution" means the amount of money referred to in Item 5 of the Schedule;

"Development Contribution Date" means the date by which the Development Contribution must be paid as specified in Item 7 of the Schedule;

"GST" has the same meaning as in the GST Law;

"GST Law" has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST;

"Land" means the land described in Item 2 of the Schedule;

"Occupation Certificate" has the same meaning as in the Act and means any occupation certificate in respect of the Development Consent;

"Party" means a party to this Agreement including their successors and assigns;

"Public Purpose" for the purpose of this Agreement means the public purpose described in Item 6 of the Schedule;

"Registration Application" means an application for registration of this Agreement as a planning agreement on the title of the Land pursuant to Section 93H of the Act in a form approved by the Registrar General;

"Schedule" means the schedule to this Agreement.

1.2 Interpretation

In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- (a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement;
- (b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney, New South Wales;
- (c) If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day;
- (d) A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars;
- (e) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision;
- (f) A reference in this Agreement to any agreement, Agreement or document is to that agreement, Agreement or document as amended, novated, supplemented or replaced;
- (g) A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement;
- (h) An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency;
- (i) Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning;
- (j) A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders;
- (k) References to the word 'include' or 'including' are to be construed without limitation.
- (l) A reference to this Agreement includes the agreement recorded in this Agreement; and
- (m) A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns.

2 PLANNING AGREEMENT UNDER THE ACT

The Parties to this Agreement agree that it is a planning agreement governed by Subdivision 2 of Division 6 of Part 4 of the Act.

3 APPLICATION OF THIS AGREEMENT

This Agreement applies to the Land and the Development.

4 OPERATION OF THIS AGREEMENT

- 4.1 This Agreement is to be entered into as soon as possible following completion of the notification of the Planning Agreement in accordance with the requirements of Section 93G of the Environmental Planning & Assessment Act 1979 and Clause 25D of the Environmental Planning and Assessment Regulation 2000 and in any event must be executed and entered into prior to the issue of any Construction Certificate for the Development the subject of the Development Consent.
- 4.2 This Development Contribution is to be paid prior to the issue of any Occupation Certificate.

5 DEVELOPMENT CONTRIBUTION

- 5.1 The Developer agrees to make, and the Council agrees to accept, the Development Contribution to be applied towards the Public Purpose.
- 5.2 The Developer must pay the Development Contribution to the Council by bank cheque by the Development Contribution Date and time is essential in this respect.

6 APPLICATION OF DEVELOPMENT CONTRIBUTION

- 6.1 The Council will apply the Development Contribution towards the Public Purpose as soon as practicable.

7 APPLICATION OF SECTIONS 94 AND 94A OF THE ACT TO THE DEVELOPMENT

- 7.1 This Agreement does not exclude the application of Sections 94, 94A or 94EF of the Act to the Development.
- 7.2 The Development Contribution provided by the Developer will not be taken into consideration in determining any development contribution under Section 94 of the Act.

8 REGISTRATION OF THIS AGREEMENT

- 8.1 The Parties agree this Agreement is to be registered by the Registrar General as provided for in section 93H of the Act.
- 8.2 The Developer warrants that it has done everything necessary to enable this Agreement to be registered under section 93H of the Act.
- 8.3 Without limiting clause 8.2, the Developer warrants that it has obtained the express written consent to the registration of this Agreement under section 93H of the Act from:
- (a) If this Agreement relates to land under the *Real Property Act 1900*, each person who has an estate or interest in the Land registered under that Act; or

- (b) If this Agreement relates to land not under the *Real Property Act 1900*, each person who is seized or in possession of an estate or interest in the Land.
- 8.4 Prior to the issue of a Construction Certificate, the Developer will at its cost arrange and effect registration of this Agreement under s93H upon the title to the Land and as soon as possible following execution of this Agreement:
 - (a) deliver to the Council the Registration Application in registrable form noting the Council as applicant and executed by the Developer and any other person the subject of the warranty in clause 8.3;
 - (b) lodge or cause to be lodged the title deed with LPI and advise Council of the production number;
 - (c) provide the Council with a cheque in favour of Land & Property Information, NSW for the registration fees for registration of this Agreement; and
 - (d) provide the Council with a cheque in favour of the Council for its costs, expenses and fees incurred or to be incurred in connection with the preparation of this Agreement and any documents, form or instrument created or to be created in accordance with the provisions of this Agreement.
 - (e) and take any other necessary action so as to ensure this Agreement is registered on the title to the Land prior to the issue of a Construction Certificate.
- 8.5 Upon compliance with clause 8.4 by the Developer the Council will promptly lodge the Registration Application with the Registrar General.
- 8.6 The Parties will co-operate with each other to ensure that the Agreement is registered by the Registrar General.
- 8.7 Upon payment of the Development Contribution or surrender of the Development Consent, the Developer may request the removal of the dealing created by registration of the Agreement from the title to the Land. The Council will not withhold its consent to such removal, provided that the terms of this Agreement have been complied with and the Developer pays all costs, expenses and fees of the Council relating to such removal.
- 8.8 Should payment of the Development Contribution or surrender of the Development Consent occur on or before the date of this Agreement, then there will be no obligation to register this Agreement in accordance with this clause.
- 8.9 Upon registration of this Agreement by the Registrar General, this Agreement is binding on, and is enforceable against the owner of the Land from time to time as if each owner for the time being had entered into this Agreement.

9 BANK GUARANTEE

9.1 Provision of Bank Guarantee

- (a) On the date of this Deed and before any application for any Construction Certificate the Developer must deliver to the Council a bank guarantee ("**Bank Guarantee**"), which must be:
 - (i) irrevocable and unconditional;
 - (ii) with no expiry date;
 - (iii) issued in favour of the Council;
 - (iv) for an amount equivalent to the Monetary Contribution set out in Item 5 of the Schedule;
 - (v) drafted to cover all of the Developer's obligations under this Deed; and
 - (vi) on the terms otherwise satisfactory to the Council and in a form and from an institution approved by the Council.
- (b) The Developer acknowledges that the Council enters into this Agreement in consideration of the Developer providing the Bank Guarantee as a security for the performance of all of the Developer's obligations under this Deed, including without limitation the delivery of the Development Contributions to the Council in accordance with the Schedules hereto.
- (c) The Bank Guarantee may be provided in the form of a number of separate bank guarantees, provided the separate bank guarantees total the amount of the Monetary Contribution set out in item 5 of the Schedule.

9.2 Calling on Bank Guarantee

- (a) The Council may call on the Bank Guarantee in the event that the Developer:
 - (i) fails to make a payment of any part of the Monetary Contributions in accordance with the Schedule or any other amount payable under this Deed by its due date for payment; or
 - (j) breaches any other term or condition of this Deed, and fails to remedy the relevant failure or breach within 7 days after the Council's notice.
- (b) If the Council calls on the Bank Guarantee as a result of the Developer's failure to pay any amount due under this Deed, then the Council will apply the amount received pursuant to its claim on the Bank Guarantee in satisfaction of the Developer's obligation to pay the relevant amount.

9.3 Return of Bank Guarantee

Provided that the Developer has complied with its obligations under this Agreement including payment of the Development Contribution the Council will return the Bank Guarantee to the Developer. Where the work for the Public Purpose has been partly undertaken and paid for by the Council, the Council will return a bank guarantee forming part of the Bank Guarantee, where the costs of the work undertaken are equal to or more

that a bank guarantee forming part of the Bank Guarantee.

10 REVIEW OF THE AGREEMENT

- 10.1 The Parties agree that, subject to section 93G of the Act, this Agreement can be reviewed and amended at any time by mutual agreement.

11 DISPUTE RESOLUTION

- 11.1 If any Dispute arises out of or in connection with this Agreement, the following procedure must be followed in order to resolve it:
- (a) either party may give written notice of the dispute to the other party. A representative nominated by each party must meet within five (5) Business Days of receipt of that notice and attempt in good faith to resolve the dispute;
 - (b) if the dispute is not resolved between the nominated representatives within ten (10) Business Days of receipt of the notice referred to in clause 11.1(a), then the dispute will be notified to the relevant divisional manager (or officer holding the equivalent position) of each party who must meet and attempt in good faith to resolve the dispute within five (5) Business Days of the date of receipt of that notice; and
 - (c) if the dispute remains unresolved within ten (10) Business Days of receipt of the notice referred to in clause 11.1(b), notice will be given to the Chief Executive Officers (or officer holding an equivalent position) of each party who must meet and attempt in good faith to resolve the dispute within five (5) Business Days of the receipt of that notice.
 - (d) For the purposes of this clause, a meeting may take place by telephone or other means of communication.
- 11.2 If the parties fail to resolve the dispute after following the procedures set out in clause 11.1, then they must agree on the appropriate method of alternative dispute resolution (which may include expert determination or mediation) within ten (10) Business Days of the date of the final meeting held in accordance with clause 11.1(c).
- 11.3 If the parties select expert determination as the method of resolving the dispute, the expert must act as an expert and not an arbitrator, his determination will be binding upon the parties unless otherwise agreed and his costs must be shared equally between the parties.
- 11.4 If the parties fail to agree on the appropriate method of alternative dispute resolution in accordance with clause 11.2, the dispute must be referred for mediation to a mediator nominated by the then current Chairman of the Australian Commercial Disputes Centre in Sydney (ACDC), or, if ACDC no longer exists, the chairman of a reputable commercial

dispute resolution body, as agreed between the council and the Developer, or if same cannot agree, nominated by the Council. The role of the mediator is to assist in the resolution of the dispute and the mediator may not make a decision which is binding on the parties.

- 11.5 The costs associated with appointing the mediator under clause 11.4 must be shared equally between the parties.

12 ENFORCEMENT

- 12.1 Nothing in this Agreement (including Clauses 10 and 11) prevents the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Agreement (including the breach of this Agreement by the Developer) or any matter to which this Agreement relates.

- 12.2 Until such time as the Development Contribution has been paid in full, an Occupation Certificate must not be issued and the Developer must:

- (a) notify the Council in writing of the name and contact details of any Certifying Authority to which it has applied for an Occupation Certificate at the same time that such application is made;
- (b) at the time it lodges any application for an Occupation Certificate notify the Certifying Authority in writing of the existence and terms of this Agreement; and
- (c) procure and provide to Council a written acknowledgement from the Certifying Authority addressed to Council confirming that the Certifying Authority will not issue an Occupation Certificate until Council provides written confirmation that the Development Contribution has been paid;

- 12.3 The Developer acknowledges and agrees that:

- (a) the Land is charged with the payment to Council of the Development Contribution until the Development Contribution is paid in full to Council;
- (b) Council has a caveatable interest in the Land from the date of the Development Consent until the Development Contribution is paid in full to Council;
- (c) Council has the right to lodge and maintain a caveat against the title to the Land to notify of and protect its interest created by this Agreement (including the charge in (a), until the Development Contribution is paid in full to Council; and
- (d) at the time of entering into this Agreement, the Developer shall provide Council with the Caveat Form, unless the Development Contribution is paid to Council by the Developer upon entering into this Agreement.

13 NOTICES

- 13.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
- (a) delivered or posted to that Party at its address set out in Item 8 of the Schedule;
 - (b) faxed to that Party at its fax number set out in Item 8 of the Schedule; or
 - (c) emailed to that Party at its email address set out in Item 8 of the Schedule.
- 13.2 If a Party gives the other Party 3 business days notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.
- 13.3 Any notice, consent, information, application or request is to be treated as given or made at the following time:
- (a) if it is delivered when it is left at the relevant address;
 - (b) if it is sent by post, 2 business days after it is posted; and
 - (c) if it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.
- 13.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to who it is sent, it is to be treated as having been given or made at the beginning of the next business day.

14 APPROVALS AND CONSENT

Except as otherwise set out in this Agreement, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

15 ASSIGNMENT AND DEALINGS

Until the Development Contribution is paid in full, the Developer cannot sell, transfer, assign, novate, charge, encumber or otherwise deal with the Land or attempt or purport to do so.

16 ENTIRE AGREEMENT

This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this

Agreement was executed, except as permitted by law.

17 FURTHER ACTS

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.

18 GOVERNING LAW AND JURISDICTION

This Agreement is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them. The Parties will not object to the exercise of jurisdiction by those courts on any basis.

19 JOINT AND INDIVIDUAL LIABILITY AND BENEFITS

Except as otherwise set out in this Agreement, any agreement, covenant, representation or warranty under this Agreement by 2 or more persons binds them jointly and each of them individually, and any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

20 REPRESENTATIONS AND WARRANTIES

The Parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

21 SEVERABILITY

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement but the rest of this Agreement is not affected.

22 MODIFICATION

No modification of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement.

23 WAIVER

The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other

obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

24 NON FETTER

The Developer acknowledges and agrees that:

- (a) in addition to its obligations under this Agreement the Council is also responsible for the conduct and administration of local government in the Waverley Local Government Area;
- (b) this Agreement in no way affects Council's statutory obligations, functions or powers, including without limitation, its obligations, functions or powers in respect of the Development Application, Development Consent and any other approvals required in respect of the works to be carried out under the Development Consent;
- (c) nothing which the Council does or fails to do under this Agreement will limit or otherwise affect the Developer's obligations under the Development Consent; and
- (d) nothing which the Council does, fails to do or purports to do in performing the Council's statutory functions or powers will constitute or amount to a breach of this Agreement.

25 GOODS & SERVICES TAX REPRESENTATIONS AND WARRANTIES

- 25.1 The Parties unless otherwise indicated, all amounts payable by one party to the other party in relation to a supply under this Agreement have been calculated exclusive of any GST which may be imposed on the supply.
- 25.2 If any supply made under this Agreement is, or becomes, subject to GST, the party to whom the supply is made ("Recipient") must pay to the party making the supply ("Supplier"), as consideration, in addition to any consideration payable or to be provided elsewhere in this Agreement, subject to issuing a Valid Tax Invoice, an additional amount on account of GST, such amount to be calculated by multiplying the consideration by the applicable rate of GST.
- 25.3 Any amount in respect of GST payable under clause 24.2 must be paid to the Supplier immediately on receipt of the Valid Tax Invoice.
- 25.4 If any party is required to reimburse or indemnify the other party for a cost or expense ("Cost") incurred by the other party, the amount of that Cost for the purpose of this Agreement is the amount of the Cost incurred, less the amount of any credit for, or refund of, GST, which the party incurring the Cost is entitled to claim in respect of the Cost.
- 25.5 If GST is linked with the abolition or reduction of other taxes and charges, all amounts payable by the Recipient to the Supplier under this Agreement (excluding GST) must be

reduced by the same proportion as the actual total costs of the Supplier (excluding GST) are reduced either directly as a result of the abolition or reduction of other taxes and charges payable by the Supplier or indirectly by way of any reduction in prices (excluding GST) charged to the Supplier. Both parties must also comply with Part VB of the Trade Practices Act 1974 (Cth).

26 COSTS

The Council's costs of an incidental to the preparation and execution of this Agreement and any related documents and registration of same must be borne by the Developer.

27 EXECUTION IN TRIPLICATE

The Parties shall execute this Agreement in triplicate so as to provide one original signed by both parties and a further copy for registration of the Agreement under s93H of the *Environmental Planning and Assessment Act*. This Agreement will be dated on the day of execution by all Parties.

SCHEDULE

Item Number	Particulars/Description	
1	Developer	637 OSH PTY LTD A.B.N. 45 587 076 374.
2	Land	637-639 OLD SOUTH HEAD ROAD, ROSE BAY (LOT 1 IN DP104183 AND LOT 1 in DP175689).
3	Development Application	DA – 575/2015
4	Development (description)	DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING WITH BASEMENT PARKING AND STRATA SUBDIVISION.
5	Development Contribution	\$195,403
6	Public Purpose	PUBLIC WORKS FOR THE IMPROVEMENT AND REGENERATION OF THE ROSE BAY/DOVER HEIGHTS AREA.
7	Development Contribution Date (Payment date for the Development Contribution)	PRIOR TO THE ISSUE OF ANY OCCUPATION CERTIFICATE FOR THE DEVELOPMENT.
8	Developer Address	7A ONSLOW PLACE, ROSE BAY, NSW, 2029.
	Developer Fax	(02) 8458 0788
	Developer Email	ronnie@nadlan.com.au
	Council Address	CORNER PAUL STREET AND BONDI ROAD, BONDI JUNCTION NSW 2022
	Council Fax	(02) 9387 1820
	Council Email	info@waverley.nsw.gov.au

15

**EXECUTED by WAVERLEY COUNCIL with Common Seal of Waverley Council
affixed pursuant to a resolution of Waverley Council on**

PETER BROWN
General Manager

CLR SALLY BETTS
Mayor

16

EXECUTED by)
637 OSH PTY LTD)
(A.B.N. 45 587 076 374))
in accordance with section 127 of the)
Corporations Act 2001)

Director / Secretary

Name of Director / Secretary:

Director

Name of Director:

Explanatory Note

(Clause 25E of the Environmental Planning and Assessment Regulation 2000)

Draft Planning Agreement

The purpose of this explanatory note is to provide a summary of the proposed voluntary planning agreement (VPA) prepared jointly between Waverley Council and the Developer under s93F of the *Environmental Planning and Assessment Act 1979* (the Act).

This explanatory note has been prepared as required by clause 25E of the *Environmental Planning and Assessment Regulation 2000*.

1 Parties:

Waverley Council (Council) and

637 OSH PTY LTD A.B.N. 45 587 076 374
(Developer).

2 Description of Subject Land:

The whole of the land being Lot 1 in Deposited Plan 104183 and Lot 1 in Deposited Plan 175689 and known as 637-639 Old South Head Road, is the Subject Land under the Planning Agreement.

3 Description of Development:

The Developer proposes to develop the Subject Land. The proposed development will comprise demolition of existing buildings, construction of a residential flat building with basement parking and strata subdivision.

4 Background:

The Developer is the registered proprietor of the Subject Land. The Developer lodged a development application with Council, DA-575/2015 and with this offered to enter into a Voluntary Planning Agreement with Council pursuant to section 93F of the Act to provide a monetary contribution as the development application provided for additional floor space which exceeds floor space controls permitted for such buildings under Council's planning controls. The offer is in line with Council's Voluntary Planning Agreement Policy 2014.

5 Summary of Objectives, Nature and Effect of the Draft Planning Agreement:

The Planning Agreement will assist Council in achieving its objectives by providing funds which will facilitate Council to provide a material public benefit to the Development and the broader community. The material public benefit will be towards public works for the improvement and regeneration of the Rose Bay/Dover Heights area.

The Agreement is a contractual relationship between Council and the Developer whereby the Developer is to pay a Monetary Contribution and is a Planning Agreement under subsection 2 of Division 6 of Part 4 of the Act.

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The Agreement requires the Developer to comply with certain requirements including registration of the Agreement prior to a Construction Certificate issuing for DA-575/2015 and to pay a monetary Contribution to Council in the amount of \$195,403.00 prior to an Occupation Certificate for the Development.

The Agreement does not exclude the application of sections 94, 94A or 94EF of the Act to the Development and the Development Contribution is not to be taken into consideration in determining any development contribution under s94 of the Act.

The Agreement contains a number of machinery provisions including in relation to dispute resolution and enforcement.

6 Assessment of the merits of the Draft Planning Agreement:

The Planning Purposes Served by the Draft Planning Agreement

In accordance with S.93F(2) of the *Environmental Planning and Assessment Act 1979*, the Planning Agreement facilitates the following public purposes:

- The provision of (or recoupment of the cost of providing) public amenities;
- The funding of recurrent expenditure relating to the provision of public amenities or other infrastructure;
- The monitoring of the planning impacts of development.
- The conservation or enhancement of the natural environment.

The Planning Agreement provides a reasonable means of achieving the public purposes set out above.

How the Draft Planning Agreement Promotes the Public Interest

- The public interest is promoted by the provision to Council of funds which it is able to apply towards upgrading and improving infrastructure and facilities nearby the Development and in the broader community in particular the beautifying of footpaths and public places;
- The contributions made are intended to positively affect the social wellbeing of the area incorporating the Development and wider community. Both residents and visitors will benefit from the contributions under the Planning Agreement;

How the Draft Planning Agreement Promotes the Objects of the Environmental Planning and Assessment Act, 1979 (EP&A Act)

The provision of the monetary contribution required under the Planning Agreement will promote the objects of the Act, in particular:

- 5(a)(i) "proper management development and conservation of natural and artificial resources including natural areas, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment".

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- 5(a)(v) "the provision of community services and facilities".

How the Draft Planning Agreement promotes elements of the Council's charter under section 8 of the Local Government Act, 1993

- The Draft Planning Agreement provides a means by which the Council shows a regard for the long term and cumulative effects of its decisions. The Council's decisions impact public areas. The Council is conscious of a need for infrastructure and facilities within the public areas in its local government area and how its decisions and policies impact on seeking to fulfil this need;
- The draft Planning Agreement provides a means by which Council shows it bears in mind that it is the custodian and trustee of public assets and seeks to effectively plan for and manage the assets for which it is responsible and facilitates its engaging in long term strategic planning on behalf of the local community.

Conformity with the Council's Capital Works Program

The Draft Planning Agreement is not inconsistent with the Council's Capital Works Program.

Whether the Agreement specifies that certain requirements of the Agreement must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

Yes, as detailed above in relation to enforcement in relation to the issuing of a occupation certificate.

This explanatory note is not to be used to assist in construing the Planning Agreement

REPORT CM/7.5/16.12



Subject: Campbell Parade Streetscape Upgrade

TRIM No.: A14/0512

Author: Sam George, Urban Designer

Director: Peter Monks, Director Waverley Futures

RECOMMENDATION:

That Council:

1. Adopts the final *Campbell Parade Streetscape Upgrade* (at Attachment A to this report) as the vision and conceptual design to guide detailed design and construction of future streetscape works within the subject area.
2. Considers the inclusion of \$7,896,119 in the Long Term Financial Plan for 2016/17– 2026/27 to cover the estimated project cost.
3. Agrees to encourage negotiations between Council officers and applicants of major development applications fronting Campbell Parade, to reach agreement through conditions of consent or planning agreements that deliver public domain improvements consistent with the Campbell Parade Streetscape Upgrade.

1. Executive Summary

Initiating from a Mayoral Minute in 2014, Shaping Waverley undertook the Campbell Parade Design Review with the goal of enhancing this important streetscape. Conceptual designs were developed to upgrade the footpaths, seating, shade structures and overall streetscape to enhance the pedestrian experience and improve safety.

The draft Design Review was exhibited for public comment for 28 days and a total of 73 submissions were received from residents, businesses and precinct committees. Referral comments were also received from internal departments. A summary of the consultation process and submissions received is provided in Section 4 of this report.

Following a review of the submissions received, the report was refined and renamed the *Campbell Parade Streetscape Upgrade* (Attachment A). The Plan is recommended to be adopted by Council as the guide for detailed design of public domain and streetscape works as well as any future policy and planning control amendments, and to inform decisions on related projects that affect the subject area.

2. Introduction/Background

Campbell Parade is the gateway to Bondi Beach, the key connection from town to beach and an inseparable part of the Bondi experience for both residents and visitors. For such an important street there are a range of qualities that should be delivered:

- a. As the gateway to the world famous Bondi Beach, Campbell Parade should welcome people with a high quality public realm, generous footpaths and seating, a high level of landscape amenity and safe and convenient access for all modes and users;
- b. Campbell Parade should connect the town and the beach seamlessly with a distinctly coastal character (materials, built form, art and landscape), strong visual connection to the beach, convenient and safe crossing points across the street, and a range of amenities to complement the beach experience;
- c. Campbell Parade should be considered an iconic, world-class street, a memorable part of the Bondi experience and a destination in its own right. Unique qualities such as the inter-war architecture, landscape, views and art should be enhanced to strengthen the 'Bondi' identity.

In this context the street lacks a place-specific design strategy, quality control and consistency to the level expected of a world-class street. There are infrastructure quality issues along the street, some areas cannot cope with the current pedestrian demands, attention needs to be given to public and private seating and shade structures, and the overall appearance of the public realm could be greatly enhanced.

The Campbell Parade Design Review provided a comprehensive analysis including:

- pedestrian accessibility and footpath conditions;
- pedestrian and seating surveys;
- public seating and public art assessment;
- footpath seating design; and
- landscaping and street furniture.

The Review provided a draft vision and design principles for Campbell Parade as well as conceptual design recommendations to address the issues identified and improve the overall user experience. The recommendations were grouped into 3 sections:

- a. Pilot Project
The purpose of the pilot project is to partner with a major developer (Pacific Bondi) to trial a new footpath seating, shade structure and landscape design for the community to experience and provide feedback on. This provides a low cost and low risk way for Council to gain clear insights and make informed decisions on design concepts and policies which could be applied elsewhere on Campbell Parade. The Pilot Project was approved for a 3 year period at the August 2015 Council meeting but has not yet commenced.
- b. Footpath seating upgrades
Should the Pilot Project prove successful, locations have been proposed for the same shade structures to be installed along Campbell Parade, replacing the existing structures and providing a high quality environment for users along the beachfront. A net increase to footpath seating is proposed while retaining the same amount of public seating.
- c. Streetscape enhancement
A range of upgrades are proposed to footpaths, crossings, landscape and seating along the full length of Campbell Parade. The concepts will greatly improve the safety and aesthetic of Campbell Parade to a world-class standard and improve the overall experience for users at Bondi Beach.

In April 2016 Council authorised the public exhibition of the Design Review for 28 days.

The consultation period occurred from 3rd – 31st October 2016 (28 days) and comprised the following:

- Press release issued;
- Fact sheet delivered to all businesses on Campbell Pde first week of October (approx. 200);
- Fact sheet mailed to all property owners on Campbell Pde first week of October (approx. 700 addresses);

- Written notification letters to RMS, TfNSW, DoPE, PIA, STA (Sydney Buses), Bicycle NSW, Chamber of Commerce, Bondi Beach Public School, North Bondi Precinct Committee, Bondi Beach Precinct Committee, and Councillors;
- Have Your Say webpage with online survey;
- Banner on Council website homepage for all of October;
- Several social media posts from Council;
- Public notice in Council News section of Wentworth Courier 5th and 12th October;
- Article in Wentworth Courier on 12th October;
- Two 2m high pylon signs on footpath on Campbell Pde;
- Ten 600mm stickers placed at key locations along Campbell Parade footpath;
- Drop-in information sessions on 15th and 17th October;
- Meeting with Bondi Beach Precinct Committee Executive 20th August
- Presentation to North Bondi Precinct Committee 26th October
- Presentation to Bondi Precinct Committee 23rd November.
- Meeting with approximately 10 North Bondi businesses on 4th November to discuss issues specific to the North Bondi village and bus terminus.

The consultation feedback and recommendations are discussed in Section 3, and provided in full in Attachment B. Following the public consultation, the report was amended to address issues, renamed *Campbell Parade Streetscape Upgrade* and is presented for adoption by Council.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
18 August 2015 Council Meeting	CM 7.2/15.08	That Council: Agreed to the Outdoor Seating Pilot Project at Bondi Pacific subject to conditions.
19 April 2016 Council Meeting	CM/7.6/16.04	That Council: 1. Authorises the public exhibition of the Campbell Parade Design Review attached to this report for a period of 28 days. 2. Notes that a report will be presented to Council following the public exhibition period summarising the outcomes of the feedback and next steps.

4. Discussion

4.1 Summary of feedback

The following feedback was received during the public exhibition period:

- The Have Your Say webpage received a total of 351 visits, with 273 classified as 'aware' (visited a Project or Tool Page) and 162 'informed' (downloaded a document or visited multiple pages).
- 67 online surveys were submitted.
- 6 written submissions were received: 2 from residents, 2 from businesses and 2 from Precinct Committees (Bondi Beach and North Bondi).
- Verbal feedback provided at drop-in sessions (10am-12pm on 15th October and 4-7pm 17th October).
- Verbal feedback provided at meeting with approximately 10 North Bondi businesses to discuss issues specific to the North Bondi village and bus terminus.

- Referral comments from internal departments.

The online survey respondents were mostly residents on Campbell Pde (37%) and residents/businesses in Bondi Beach (42%).

The issues that ranked most important for respondents were:

- Pedestrian safety at crossings;
- Convenient public transport; and
- Quality of footpaths.

The issues ranking least important to respondents were parking and weather protection.

The proposed upgrades received broad support in the survey:

- 85% believe the upgrades will improve the area
- 90% think it will improve safety
- 86% of respondents support new footpath paving
- Between 60-80% support each of the various elements proposed (eg. shade structures, trees, pedestrian crossings etc.

67% of respondents said the upgrades would make them visit Campbell Parade more often and/or for longer.

The most common written and verbal comments received from the community were:

- Many written submissions and majority of verbal feedback was strongly supportive of the upgrades.
- Many submissions strongly support traffic calming to improve pedestrian safety.
- Suggestion to extend 40km/hr zone further north and south.
- Strong support for new light coastal colour paving.
- Pedestrian crossings north and south of QED roundabout, near Wairoa Ave, and near Brighton Ave were highlighted as the most dangerous and in need of upgrades due to the high pedestrian numbers.
- A roughly equal number of submissions for and against the proposed new shade structures.
- Several businesses and customers raised concern that the glass balustrades will block the breeze when sitting at cafes and create a hot environment and concern about vandalism and adequate maintenance.
- Many noted the need for a solution needed for commercial bins (eg. underground).
- Strong support for public bins to be converted to solar compactors.
- Need for aesthetic improvement to the concrete wall around QED roundabout.
- Strong support for more trees and greenery.
- North Bondi businesses and residents concerned new trees will block views of beach and/or businesses.
- North Bondi businesses concerned at loss of parking/ loading zones.
- It was regularly commented that the quality of businesses on Campbell Parade was in need of improvement.

Internal feedback also provided a number of recommendations, the most notable being:

- Request to include related infrastructure projects such as the Multi-Function Poles, solar/ hydraulic bin systems, and any stormwater drainage improvements as part of the streetscape upgrades.
- Transport engineers have recommended that in order to improve safety, and provide compliant crossings, that a number of intersections be converted to signals (QED entry and exit and Wairoa Ave) and the mid-block signals near Notts Ave were recommended to be relocated to Notts Ave.
- Request to investigate use of separated bike lane instead of painted lane where space permits (without loss of traffic lane or parking).
- Universal access and road safety audit required for all detailed design drawings.

- Request to make streetscape upgrades part of developer contributions or conditions of consent for projects greater than \$2 million.
- Questions regarding the future implementation of shade structures such as approvals and allocation process, DCP controls, licencing etc.
- Clarification on status of mosaic seats.

The full results from the online surveys and a list of all issues raised in the community and internal feedback is provided in Attachment B.

4.2 Summary of modifications to report

In response to the feedback received the report has been amended. The key changes are:

- Report renamed from the *Campbell Parade Design Review* to *Campbell Parade Streetscape Upgrade*.
- Report has been re-structured in order to be more usable and better reflect the next stage of planning to focus on design principles, concept plans, and the process for implementation. Project background and urban design analysis has been moved to the appendix.
- 4 intersections shown as signalised (Notts Ave, QED entry, Waiora Ave, QED exit).
- Proposed extension of 40km/hr zone south to Sandridge Street and north to Hastings Parade and improved demarcation.
- Pedestrian crossings shown as raised crossings, with zebra crossings where permitted.
- Clarified detailed concepts need safety audit and access audit.
- Clarified process to determine the paver specification and supplier including a competitive procurement process and approval by the Public Domain Technical Manual PCG.
- Clarified the shade structure design and use of glass balustrades subject to refinement following assessment of the Pilot Project and consideration of site-specific factors.
- Multi-function poles to be included in detailed design.
- Solar compactor public bins and hydraulic commercial bins to be included in detailed design.
- Clarified that restoration or replacement of existing mosaic seats will be considered as part of detailed design of each stage, and will be subject to a condition report and deaccessioning process.
- Noted that separated bike lanes should be investigated for implementation at detailed design stage.
- Clarified other items requiring further investigation at detailed design. For example in North Bondi the issues with buses, the need for traffic calming and improvement of the pedestrian crossing are to be investigated further.
- Clarified that palm trees are considered appropriate for the coastal boulevard character and their slim form and small canopy will minimise any impact to views. The tree placement can be refined at detailed design stage to mitigate any impacts to parking or views. To enhance biodiversity native plants are to be used in the shrub layer in medians and verges.

The final *Campbell Parade Streetscape Upgrade* report is provided in Attachment A.

4.3 Other Issues

4.3.1 Footpath Seating

The Pacific Bondi Footpath Seating Pilot Project was approved by Council in August 2015, subject to approval of detailed matters. The project has been delayed due to the resolution of detailed matters (S138 and S125 approvals plus the Deed of Agreement between Council and the proponent). These aspects are expected to be finalised shortly and it is expected that the proponent will construct the footpath seating in early 2017. In order to activate the area prior to fabrication of the pilot project, Council staff and Pacific Bondi are investigating temporary pop-up activation opportunities.

4.3.2 North Bondi Terminus

The first stage of the Campbell Parade Streetscape Upgrades will be North Bondi Terminus as there is already a capital works budget approved for this area in the 2016-17 budget. In addition to incorporating

the design elements of the Campbell Parade Streetscape Upgrades, there are a number of issues which were outside the project scope which need to be addressed including:

- the design of the bus terminus;
- issues with buses making u-turns;
- bus layover causing impacts to businesses;
- traffic calming;
- safety of Hastings Road intersection which is a blind corner;
- level changes in the footpath on the western side;
- concerns about tree placement blocking views; and
- any loss of parking or loading zones.

It is recommended that for this stage there is further analysis of road and pedestrian safety, consultation with State Transit Authority on bus issues, and further consultation with the businesses and residents through the detailed design process to ensure there is clear line of communication, and that concerns are addressed so that the best outcome is achieved.

4.3.3 Development Applications

There are a number of major development applications for buildings on Campbell Parade, including Noah's Backpackers and 252-262 Campbell Parade, which are expected to be submitted in the coming months. It is important that these development applications respond to and incorporate the *Campbell Parade Streetscape Upgrade* where possible. Contributions to the upgrades should be considered and the timing of streetscape upgrades should be considered with regards to the timing of these developments to minimise disruptions or having to reinstate any new work. Once the *Campbell Parade Streetscape Upgrades* is adopted by Council and works are included in the Capital Works Plans, the works schedule of the Section 94A Contribution Plan will be updated accordingly. Moreover, negotiations between applicants and Council officers regarding "major" development applications (i.e. valued at over \$2 million) will be encouraged, in order to reach agreement through conditions of consent or planning agreements, to deliver public domain improvements consistent with the *Campbell Parade Streetscape Upgrades*.

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: L6 Streets are safe and vibrant places which facilitate movement and interaction.
Strategy: L6d Create place based centres which prioritise the pedestrian experience.
Deliverable: Improved public domain infrastructure .

6. Financial impact statement/Timeframe/Consultation

6.1 Financial impact

Pilot Project

Construction: \$0. The developer will cover all upfront costs of the project. In recognition of the public benefit Council agreed in August 2015 to waive the footpath seating fees for the 3 year trial up to a maximum of 40% of the total construction costs (a maximum of \$408,000).

Footpath seating upgrades

The proposed replacement of existing shade structures along Campbell Parade as depicted in the recommendations has an estimated total cost of \$1,760,000 based on recent QS reports. The structures generate revenue from footpath seating fees and the capital expenditure is forecast to have a payback period of between 4 – 8 years (8 years if the footpath seating fees remain unchanged, or 4 years if the fees were increased in line with other beachfront locations in Sydney).

Streetscape enhancement

The preliminary cost estimate for the proposed streetscape upgrades as exhibited was \$6,440,543. This included new footpath paving, corner bulb-outs, trees and bike infrastructure and public seating. As result of feedback received from the community and internal departments there were several changes to the concept plan including replacing the beach-side footpath with the same new paving as the commercial side, the use of raised crossings on intersections with side streets, and additional budget allocated to public seating upgrades. As a result, the proposed streetscape upgrades (excluding shade structures) are currently estimated to cost \$7,896,119.

A total of \$6,500,000 has already been allocated for Campbell Parade streetscape upgrades in the Long Term Financial Plan for years 2017/18 to 2022/23 inclusive. Accordingly it is recommended that Council approves the inclusion of an additional \$1,396,119 in the Long Term Financial Plan to cover the current estimated costs of the streetscape upgrades.

The streetscape upgrades also include a number of projects from other departments in Council including signalised intersections, multi-function poles, and new waste systems. Some of these projects are included in the LTFP while others are aspirational and Business Cases have yet to be prepared and funding allocated. These projects have been shown in the concept plans in order to ensure a coordinated design approach, however will be subject to separate reports and approval from Council by the responsible Council Program or Sub Program areas.

6.2 Timeframe

The key milestones moving forward are:

Early 2017	Footpath seating Pilot Project opens near Beach Road
Late 2017	Evaluation of Pilot Project
January - June 2017	Detailed design and construction of stage 1 upgrades (North Bondi, does not include footpath seating)
2017-2020	Detailed design and construction of subsequent stages

6.3 Consultation

Community consultation was undertaken from 3 – 31 October 2016, involving a range of communication techniques. A summary of the survey feedback has been provided in section 3 of this report, including a table of all issues raised in submissions with corresponding comments/ recommendations.

Prior to the formal community consultation there was also:

- Two Councillor workshops;
- Project Control Group meetings with Council staff from urban design, planning, approvals, engineering, public art, landscaping, sustainability, leasing and communications; and
- Regular meeting with the architects and developers of Pacific Bondi regarding pilot project design.
- Meeting with restaurant businesses on Campbell Parade to present and discuss the shade structure designs.
- Meeting with Bondi Beach Precinct Executive.

7. Conclusion

In summary, the Campbell Parade Streetscape Upgrade seeks to enhance the quality and appeal of this important gateway to Bondi, strengthen the connection between town and beach, and improve the experience for all users. The Plan will provide a holistic strategy for Campbell Parade to ensure all current and future projects on Campbell Parade are integrated with a common vision. The community consultation process has demonstrated a high level of support for the Plan and key issues raised have either been

incorporated into the final Plan or have been identified as an issue to be addressed at detailed design stage. It is recommended the Campbell Parade Streetscape Upgrade be adopted by Council.

8. Attachments:

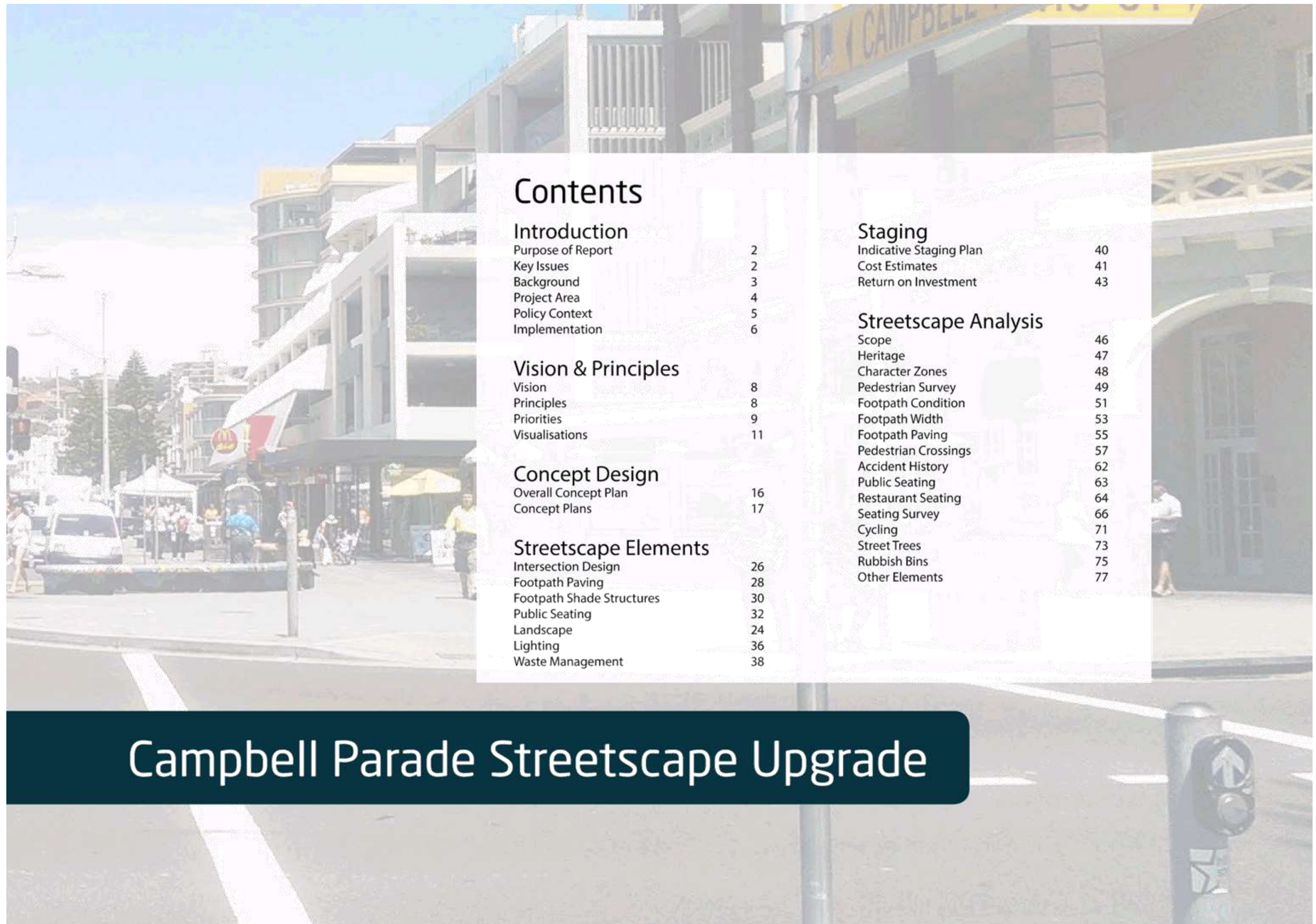
1. Attachment A_Campbell Parade Streetscape Upgrade
2. Attachment B_Community Consultation Feedback



Campbell Parade Streetscape Upgrade



Title: Campbell Parade Streetscape Upgrade
Date: December 2016
Prepared by: Sam George, Urban Designer
Approved by: George Bramis, Executive Manager Shaping Waverley



Contents

Introduction

Purpose of Report	2
Key Issues	2
Background	3
Project Area	4
Policy Context	5
Implementation	6

Vision & Principles

Vision	8
Principles	8
Priorities	9
Visualisations	11

Concept Design

Overall Concept Plan	16
Concept Plans	17

Streetscape Elements

Intersection Design	26
Footpath Paving	28
Footpath Shade Structures	30
Public Seating	32
Landscape	24
Lighting	36
Waste Management	38

Staging

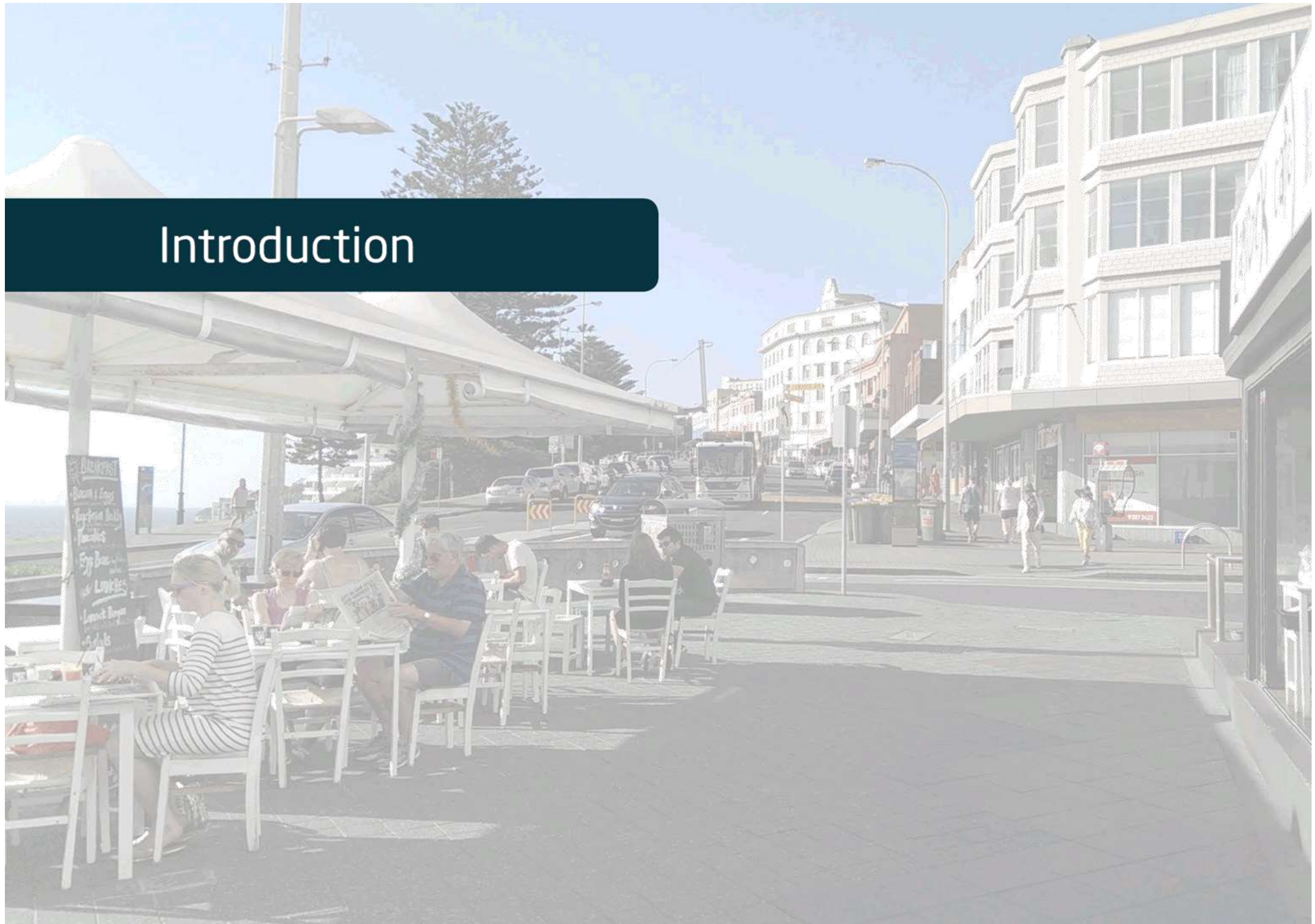
Indicative Staging Plan	40
Cost Estimates	41
Return on Investment	43

Streetscape Analysis

Scope	46
Heritage	47
Character Zones	48
Pedestrian Survey	49
Footpath Condition	51
Footpath Width	53
Footpath Paving	55
Pedestrian Crossings	57
Accident History	62
Public Seating	63
Restaurant Seating	64
Seating Survey	66
Cycling	71
Street Trees	73
Rubbish Bins	75
Other Elements	77

Campbell Parade Streetscape Upgrade

Introduction



The street should be designed not as a vehicle carriageway, but as a usable, people-oriented place.

Better Placed (draft NSW Urban Design Guidelines), Government Architect of NSW, 2016

Purpose of report

Campbell Parade is the gateway and urban edge to the world famous Bondi Beach, attracts some of the highest pedestrian volumes in the LGA, and is a crucial part of the beach experience for both residents and visitors.

In the absence of a coordinated design strategy and quality control process, the footpath, street furniture and overall streetscape quality has deteriorated over the years and is in need of renewal.

The *Campbell Parade Streetscape Upgrade* provides the vision, principles, conceptual plan and design guidance for future streetscape works within the area denoted on this plan.

The overall goal is to create a high quality world-class street. This report is the first step in the renewal process, and the next steps for detailed design and construction are set out in the implementation section.

Key issues

A number of key issues for Campbell Parade were identified in the design review and the various consultation processes which this report seeks to address. These include:

- Footpaths too narrow at some locations.
- Poor quality footpath paving in many locations.
- Lack of pedestrian crossings at key desire lines eg. near bus stops.
- Unnecessarily wide pedestrian crossings, especially at diagonal intersections.
- Average quality restaurant footpath seating and shade structures.
- Average quality public seating.
- Insufficient seating and shelter at bus stops.
- Lack of street trees and greenery.
- High vehicle speeds in high pedestrian environments.
- Footpath cluttered with poles, bins, signs, parking metres.
- Lack of gateway entry definition eg. landscape, public art, banners etc.
- More vehicle-orientated than people-focussed in many locations.
- Commercial rubbish bins left on street.
- Discontinuous bike lane.

A more detailed explanation of these issues is provided in the Streetscape Analysis section.

Background

The *Campbell Parade Streetscape Upgrade* originated with a request from Council in September 2014 to review the footpath restaurant seating arrangements on Campbell Parade (MM15/14).

In November 2014 a Councillor workshop was held to discuss key issues with Campbell Parade and to develop the scope of the review. It was also agreed that Council would work collaboratively with the developers of Pacific Bondi to trial a new design of footpath seating which, if successful, could potentially be implemented along the length of Campbell Parade.

Footpath seating is influenced by a range of matters such as pedestrian movement, footpath width, public transport access, street furniture and amenity. Therefore in order to inform decisions on footpath seating a broader streetscape design review was undertaken. A pedestrian survey and footpath seating survey were also undertaken to obtain data on the use of the footpath and seating at different times.

In May 2015 Council approved a 3 year Pilot Project for new footpath seating and shade structures in front of Pacific Bondi. The approval was subject to a number of conditions including consultation with immediate businesses, an economic assessment and for detailed matters of the application to be determined under delegation.

In June 2015 consultation was undertaken with businesses on Campbell Parade eligible for footpath seating (ie. food-based businesses), as well as the Bondi Beach and North Bondi Precinct Committees. At these meetings the streetscape analysis and proposed footpath seating Pilot Project were presented, with a high level of support received.

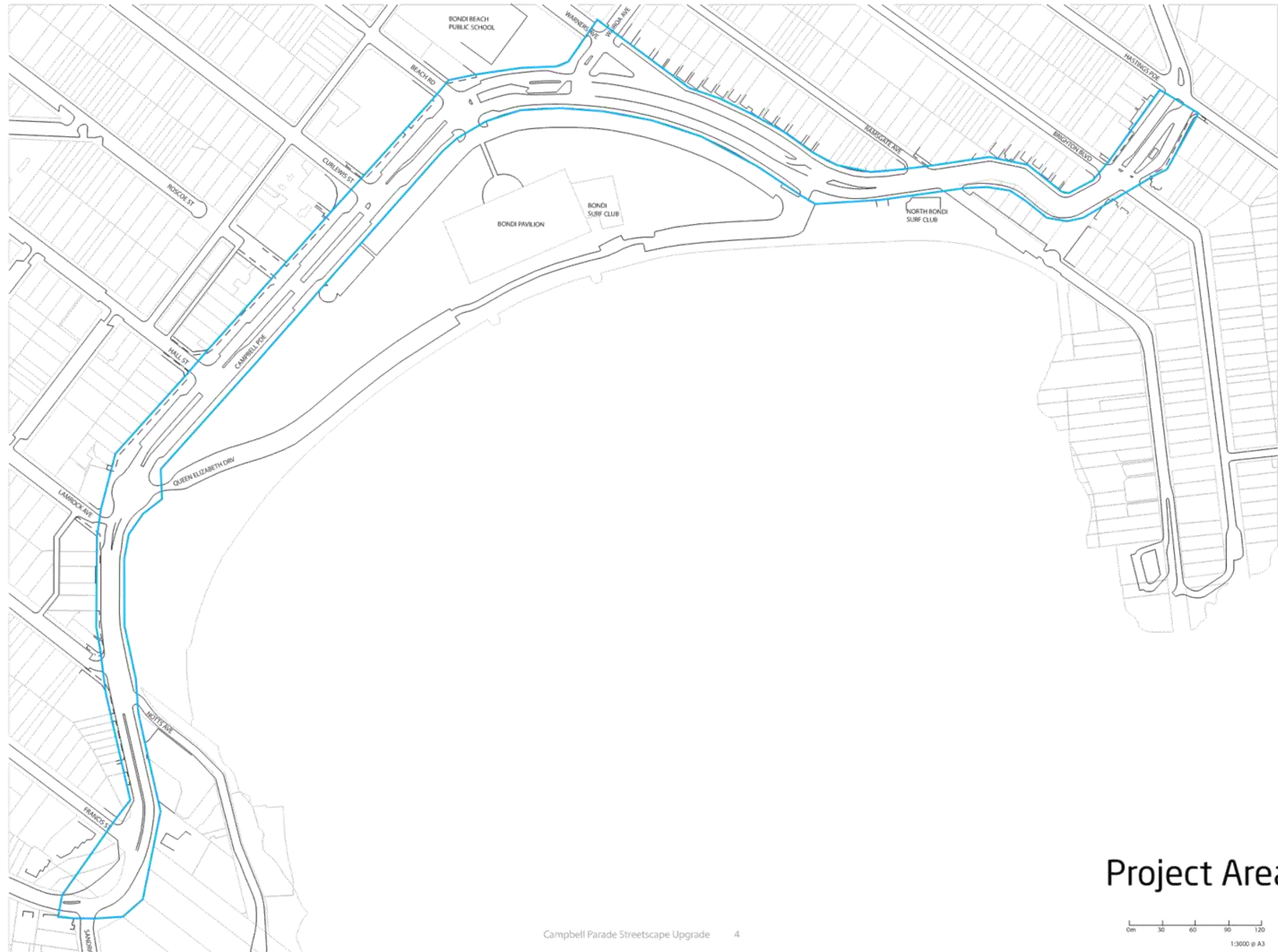
In August 2015 the economic considerations of the Pilot Project, including a discounted lease rate, were approved by Council.

The draft design review with recommendations was presented to Council in April 2016 and was authorised for public exhibition.

The consultation was undertaken in October 2016 and comprised mail-outs to residents, businesses and various agencies, newspaper notifications, on-site information boards, webpage and online survey, two public information sessions and meetings with precinct committees and businesses.

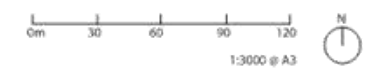
Following a review of the submissions received, the report was refined and adopted by Council in December 2016.

Due to delays resolving detailed aspects in the approvals and legal agreements, the Footpath Seating Pilot Project did not coincide with the community consultation process. The Pilot Project is expected to be constructed in early 2017 and further consultation and evaluation will be undertaken after at least 6 months in operation.

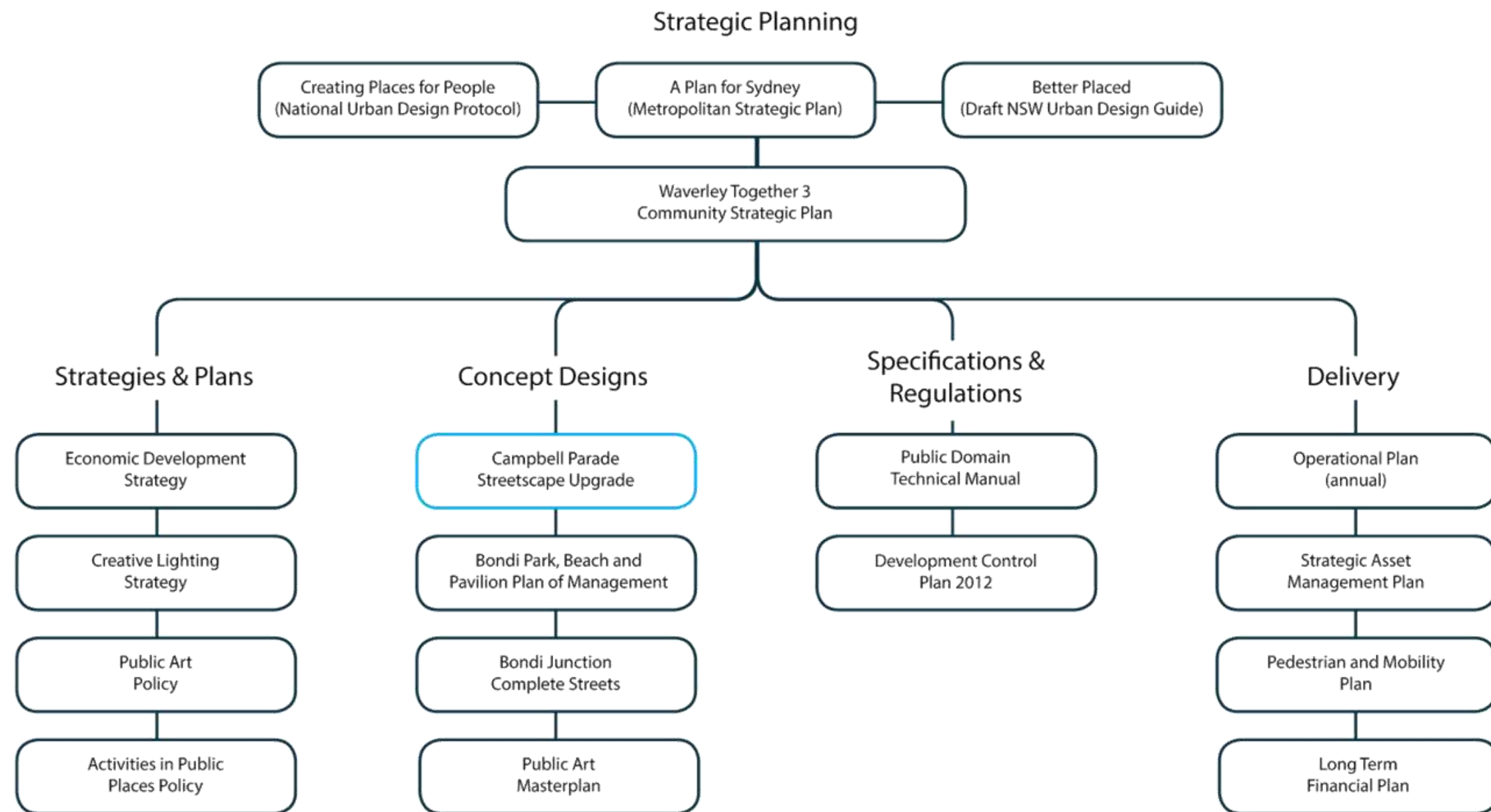


Project Area

Campbell Parade Streetscape Upgrade 4



Policy context



Implementation

Campbell Parade Streetscape Upgrade

- Council adopts vision, principles, concept plans and design guidance for streetscape works.

Specifications/ regulations

- Finalise Campbell Pde paving specification (includes competitive procurement process) and update PDTM.
- Review/ update DCP to include streetscape upgrade as developer contribution/ condition of consent for projects over \$2 million.
- Evaluate and finalise footpath seating shade structure design and update PDTM.
- Evaluate and finalise public seating design and update PDTM.
- Review/ update DCP controls/ approvals process for footpath seating including broader uses, licensing and management plans.
- Review/ update commercial terms and leasing arrangements for footpath seating including allocation process.
- Undertake studies, detailed design and budget approval for related projects such as signalised intersections, multi-function poles and new waste management technologies.

Detailed Design (staged)

- Undertake detailed site survey and transport study as required.
- Road diet - set minimum travel and parking lane widths and check whether surplus space could be used for pedestrian/ cyclists.
- Investigate opportunity to change existing bicycle shoulder to a 1.5m single direction lane between kerb and car bays with 0.4m door opening zone. Ideally both sides of road, but in hilly areas if space does not permit a separated lane could be used on uphill side with mixed cyclist/ traffic lane on downhill side.
- Assess mosaic seating condition and refer to Public Art Committee if recommended for removal.
- Water sensitive urban design feasibility analysis including underground screening and permeable pipe systems.
- Consult with STA regarding any changes to bus stops, and issues with North Bondi Terminus.
- Prepare detailed concept design including kerb lines, footpath paving, public seating, shade structures, tree pits, rain gardens, plant species, solar compacting bins, hydraulic bins, multi-function poles, creative lighting, bike racks and any relocation of poles/ parking metres, signs etc.
- Consider the need for further community consultation (eg. North Bondi Terminus).
- Undertake road safety audit and universal access review of detailed concept (if required).
- Detailed concept approved by Director Waverley Futures/ Executive Manager Shaping Waverley to ensure consistency with vision.
- Concept referred to Waverley Traffic Committee and approved by Council (or RMS where necessary).

Construction (staged)

- Tender for documentation and construction.
- Project management by Creating Waverley.
- Timing for construction to be scheduled outside peak summer periods and major events.
- Quality control by project manager post construction to ensure design excellence has been delivered.
- Ensure a rigorous maintenance schedule (watering landscape and cleaning furniture) to retain premium quality public realm.



Vision & Principles

Campbell Parade Streetscape Upgrade 7

Vision for Campbell Parade

Welcoming.

As the gateway to the world famous Bondi Beach, Campbell Parade should welcome people with a high quality public realm, generous footpaths and seating, a high level of landscape amenity and safe and convenient access for all modes and users;

Connected.

Campbell Parade should connect the urban area with beach seamlessly with a distinctly coastal character (materials, built form, art and landscape), strong visual connection to the beach, convenient and safe crossing points across the street, and a range of amenities to complement the beach experience;

Memorable.

Campbell Parade should be considered a world-class street and a memorable part of the Bondi experience. Unique qualities such as the inter-war architecture, landscape, views and art should be enhanced to strengthen the 'Bondi' identity.

Design Principles

The following principles have informed the concept plans and are to be upheld throughout detailed design:

Place-specific.

Furniture, paving, plant species and colours complement and enhance the coastal Bondi character.

Pedestrian focussed.

Level paving, raised crossings, adequate spaces and traffic calming provides safe and convenient access for the high pedestrian volumes.

Premium quality.

The materials used for paving, furniture, landscape and lighting should embody the highest quality appearance possible, with exceptional attention to detail in construction and maintenance.

Open.

The layout of the footpath creates an open feel with views to the beach and avoids enclosure, clutter or obstructions.

Protection.

The footpath and seating areas offer reasonable protection from the wind, rain and sun while also recognising they are outdoor spaces.

Seating.

The street should provide a mix of public and private seating in appropriate locations for people to enjoy, generally with shelter provided by awnings, shade structures or trees where possible.

Greenery.

Trees, shrub layers and rain gardens are used wherever possible to improve amenity, provide a cooling effect and offer ecological and drainage values.

Priorities for the street

The following order of priorities for the overall streetscape have informed the concept plans and to be upheld throughout detailed design.



1. Walking

Campbell Parade attracts some of the highest pedestrian volumes in the Waverley LGA, so the first priority is to create the maximum space for pedestrians with high quality footpaths and safe pedestrian crossings.



2. Staying

Campbell Parade is a commercial street and the key gateway to Bondi Beach, and should support vibrant street life. Public seating, restaurant seating, landscaping and ambient lighting creates an invitation for people to stay and enjoy the public space.



3. Cycling

Cycling is good for our environment, good for our health and helps to reduce congestion and parking issues. To encourage more cycling the street should be safe for cyclists with traffic calming, separated paths or bike lanes, and sufficient bike racks in convenient locations.



4. Public Transport

Buses are more efficient than cars at moving the large number of people that come into and out of Bondi Beach each day and help to reduce congestion and parking issues. To facilitate bus use there should be ample sheltered seating and adequate circulation space at bus stops and safe pedestrians routes between bus stops and key destinations.



5. Taxi and loading zones

Taxi, disabled and car share bays are important to ensure convenient transport for visitors and loading zones are important for businesses to function efficiently.

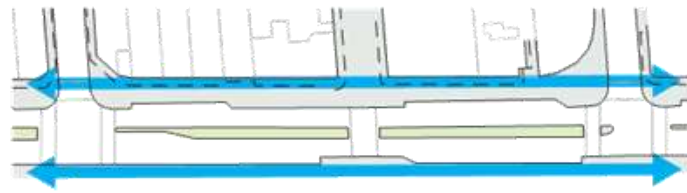


6. Private vehicles

Roadways and parking bays for private vehicles are important to the entire community (residents, visitors and businesses), however there is a limit to the capacity that can be provided for this mode. It is important to first create a people-focussed place, with high amenity and vibrant life, supported by sustainable transport.

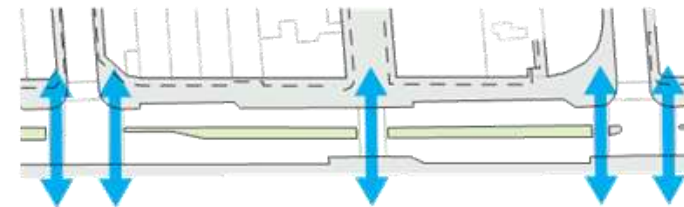
Priorities for footpath space

The following order of priorities for footpath spaces have informed the concept plans and are to be upheld throughout detailed design.



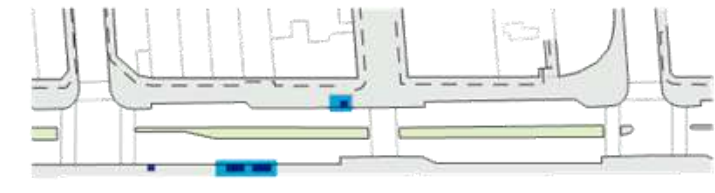
1. Pedestrian Flow

Sufficient space is required for the high volumes of pedestrians that use Campbell Parade. A 4m clear thoroughfare adjacent to the building edge is required in the commercial core (Lamrock Avenue to Beach Road).



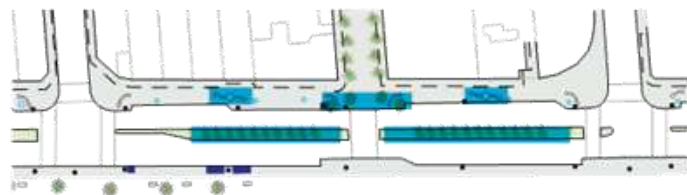
2. Beach Access

Safe and direct pedestrian crossings across Campbell Parade with sufficient space for waiting at corners to allow for seamless transition between the beach and town.



3. Bus stops

To encourage sustainable transport use, it is important that bus stops provide adequate space for circulation, adequate amounts of sheltered seating and clear wayfinding for visitors.



4. Public Seating and Greenery

Public seating, trees and landscaping are needed to create an inviting space for pedestrians to stay and improve the overall streetscape experience.



5. Restaurant Seating

Sheltered footpath dining areas with views to the beach are desired by residents and visitors, valuable to businesses and help to create a memorable destination with vibrant street life.



6. Furniture and utilities

A range of practical elements such as lighting, bins, signs, bike racks, parking metres, phone boxes and utility pits should be integrated subtly around the previous elements rather than clutter and obstruct the footpath.

Visualisations

Indicative images to illustrate the vision, subject to change through detailed design.



Visualisations

Indicative images to illustrate the vision, subject to change through detailed design.



Visualisations

Indicative images to illustrate the vision, subject to change through detailed design.



Visualisations

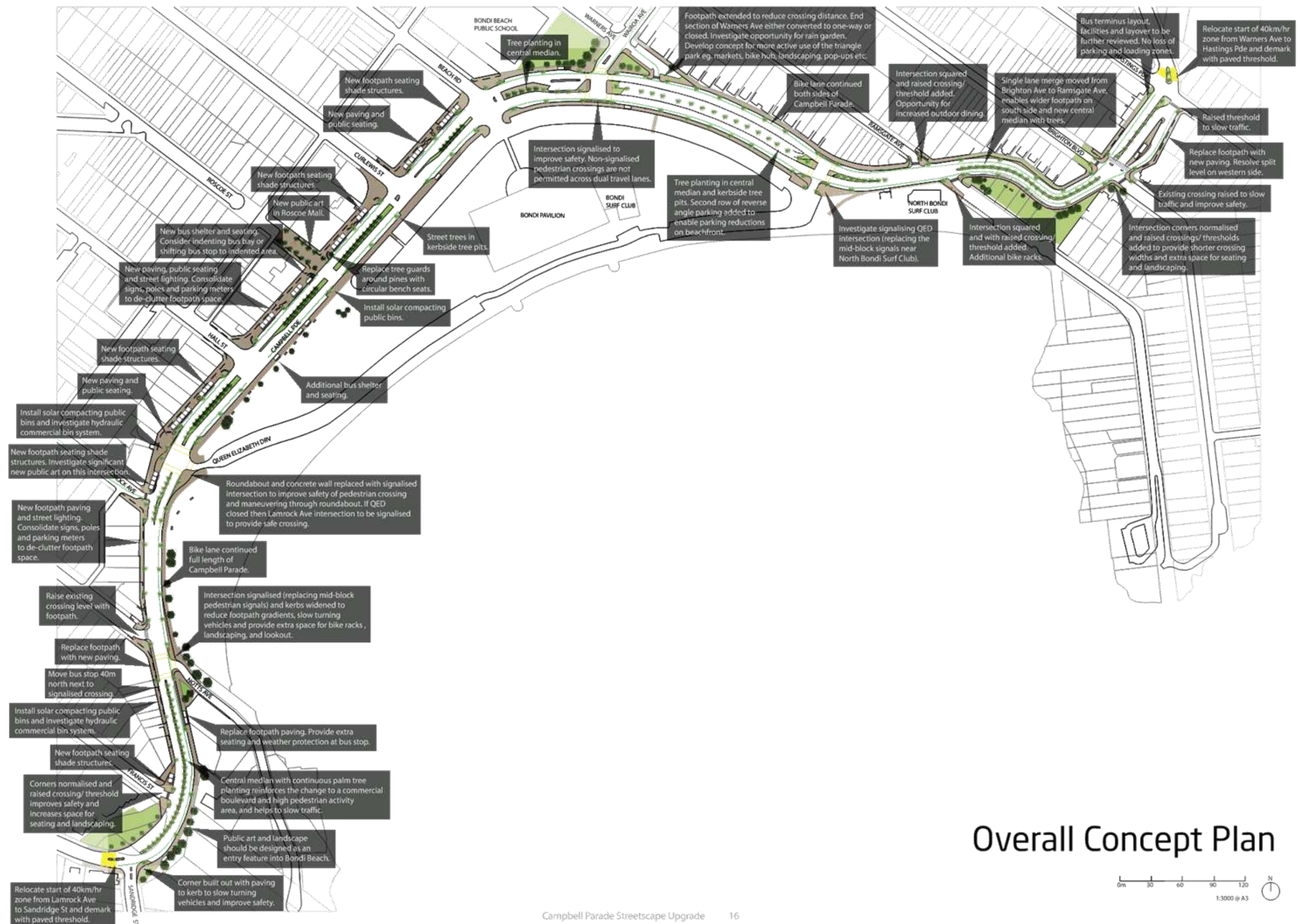
Indicative images to illustrate the vision, subject to change through detailed design.

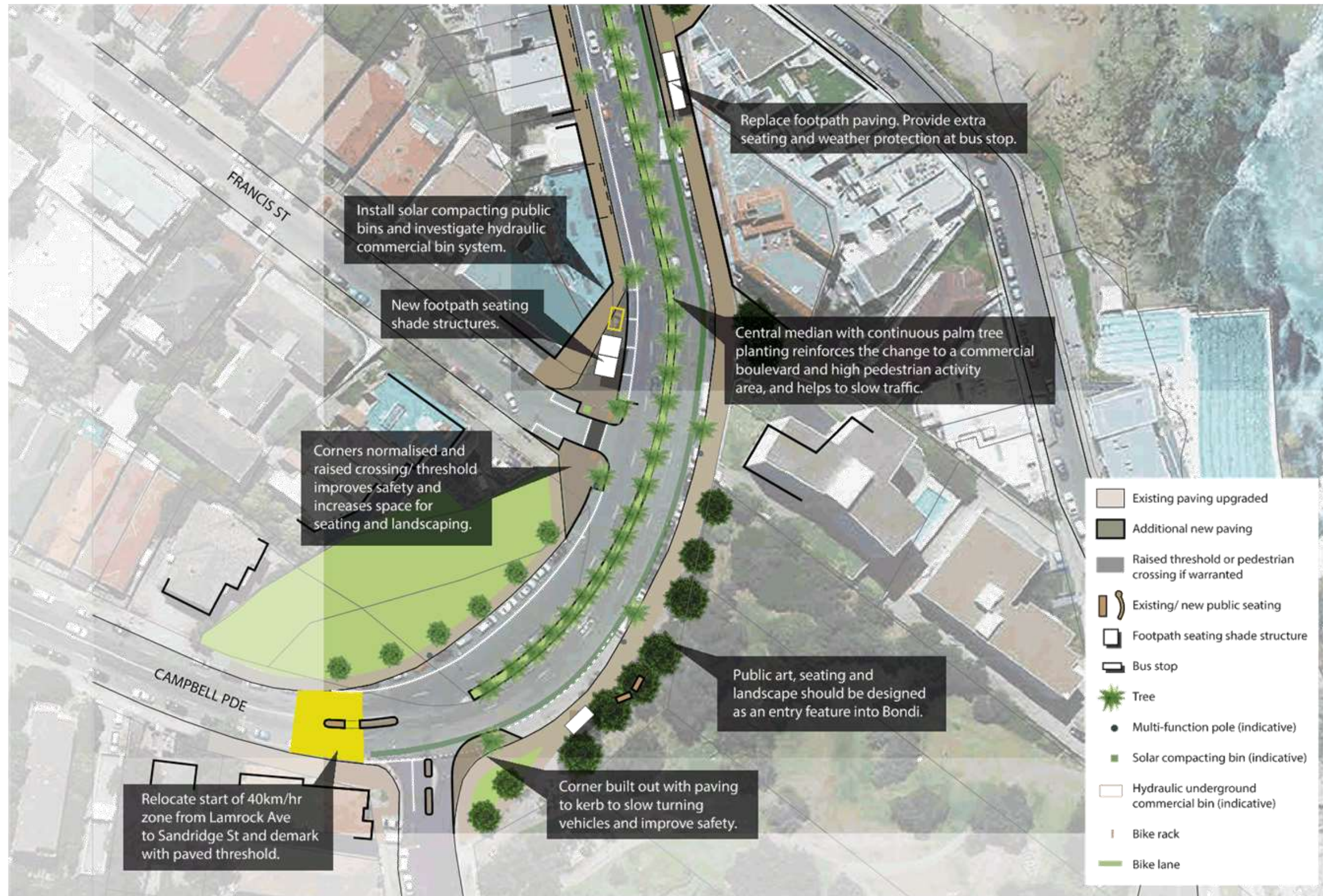




Concept Design

Campbell Parade Streetscape Upgrade 15

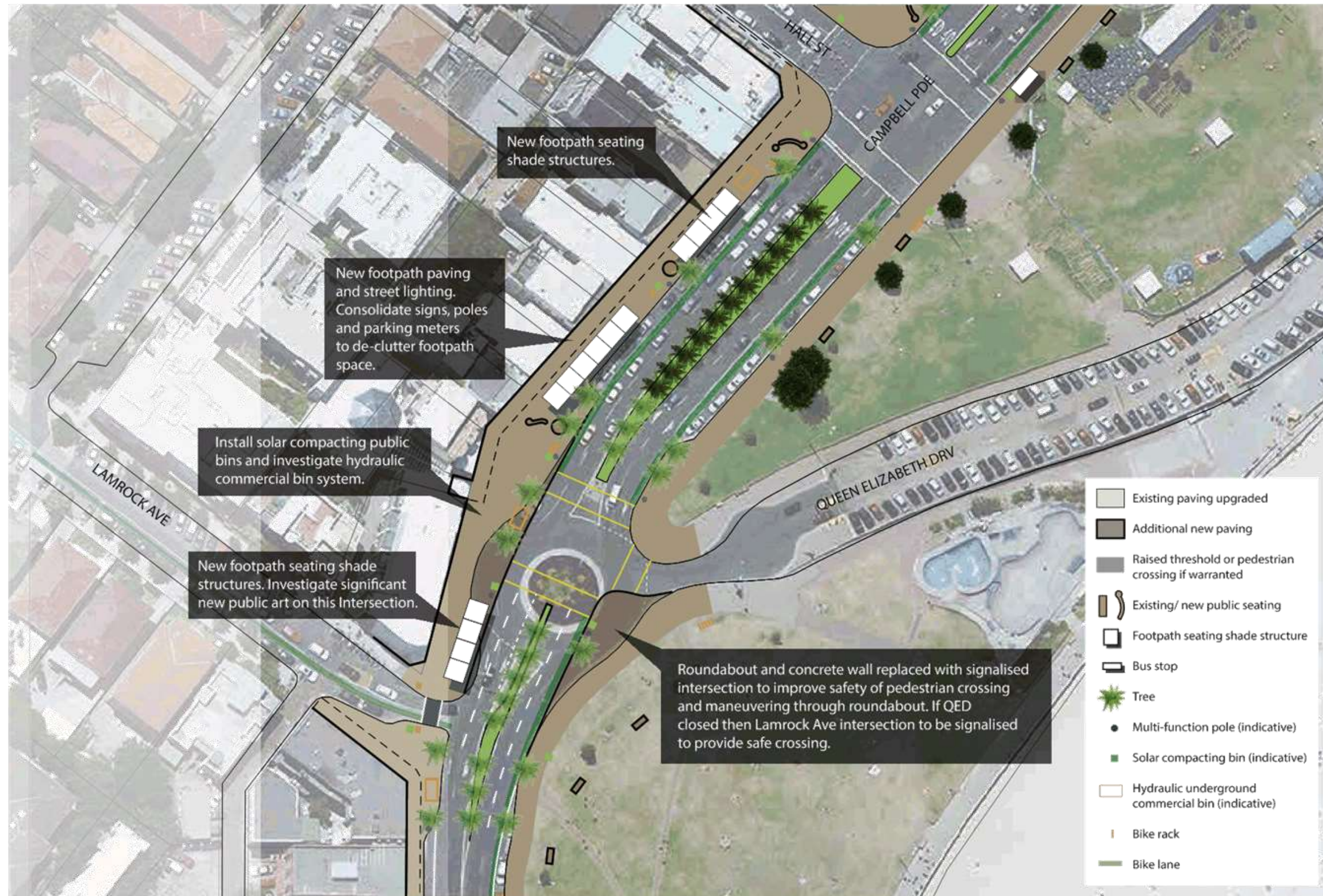




Concept Plan 01



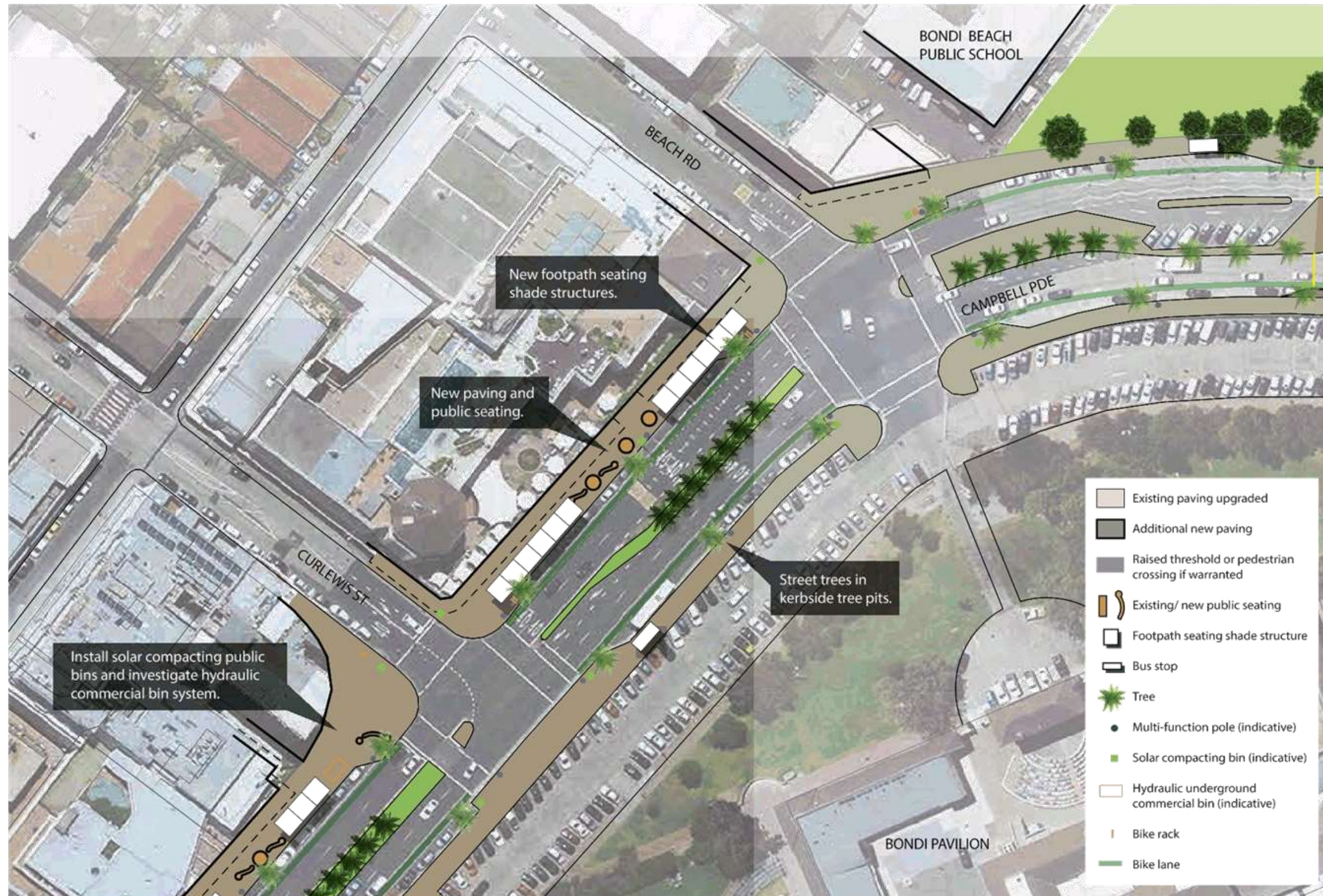
Concept Plan 02



Concept Plan 03



Concept Plan 04



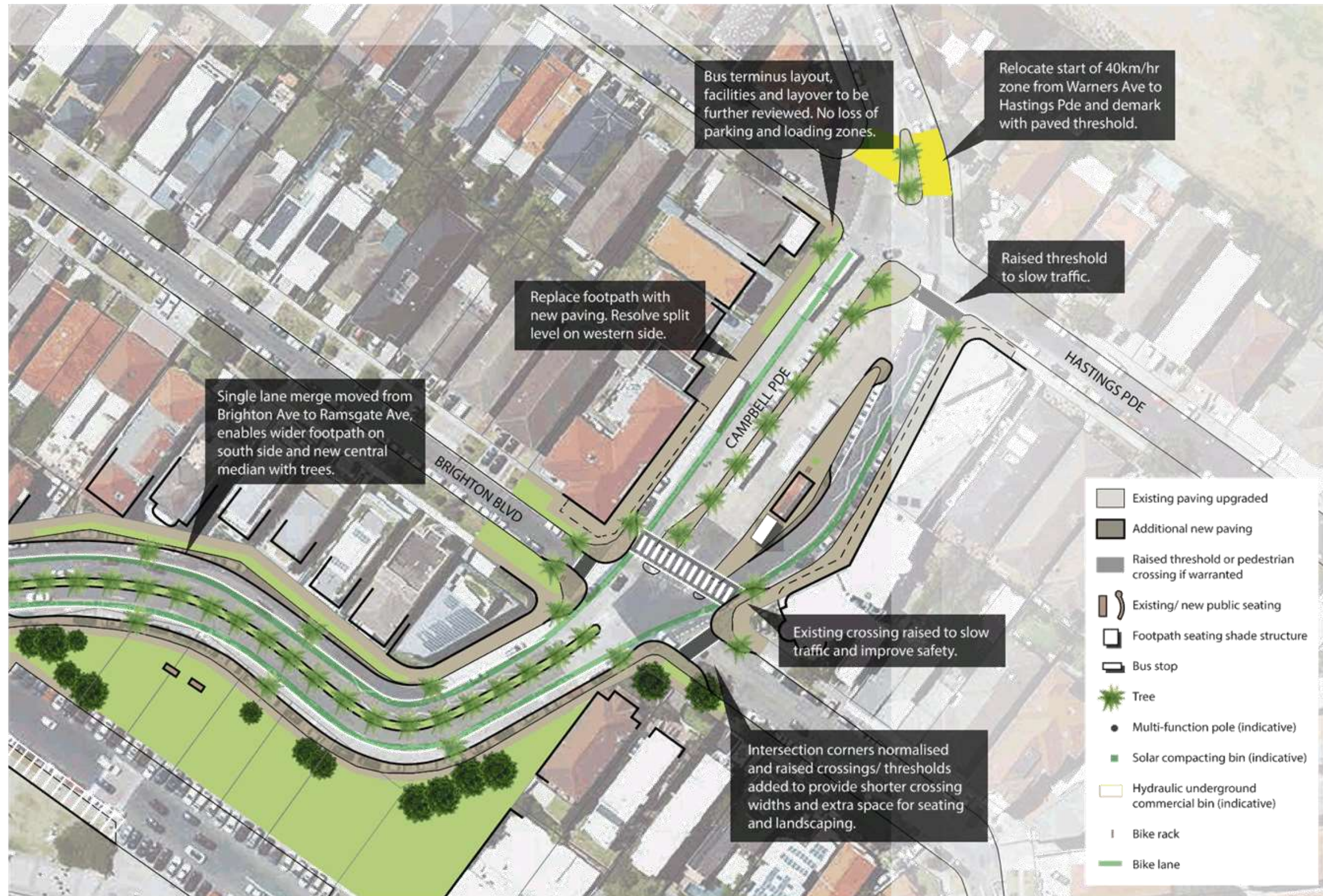
Concept Plan 05



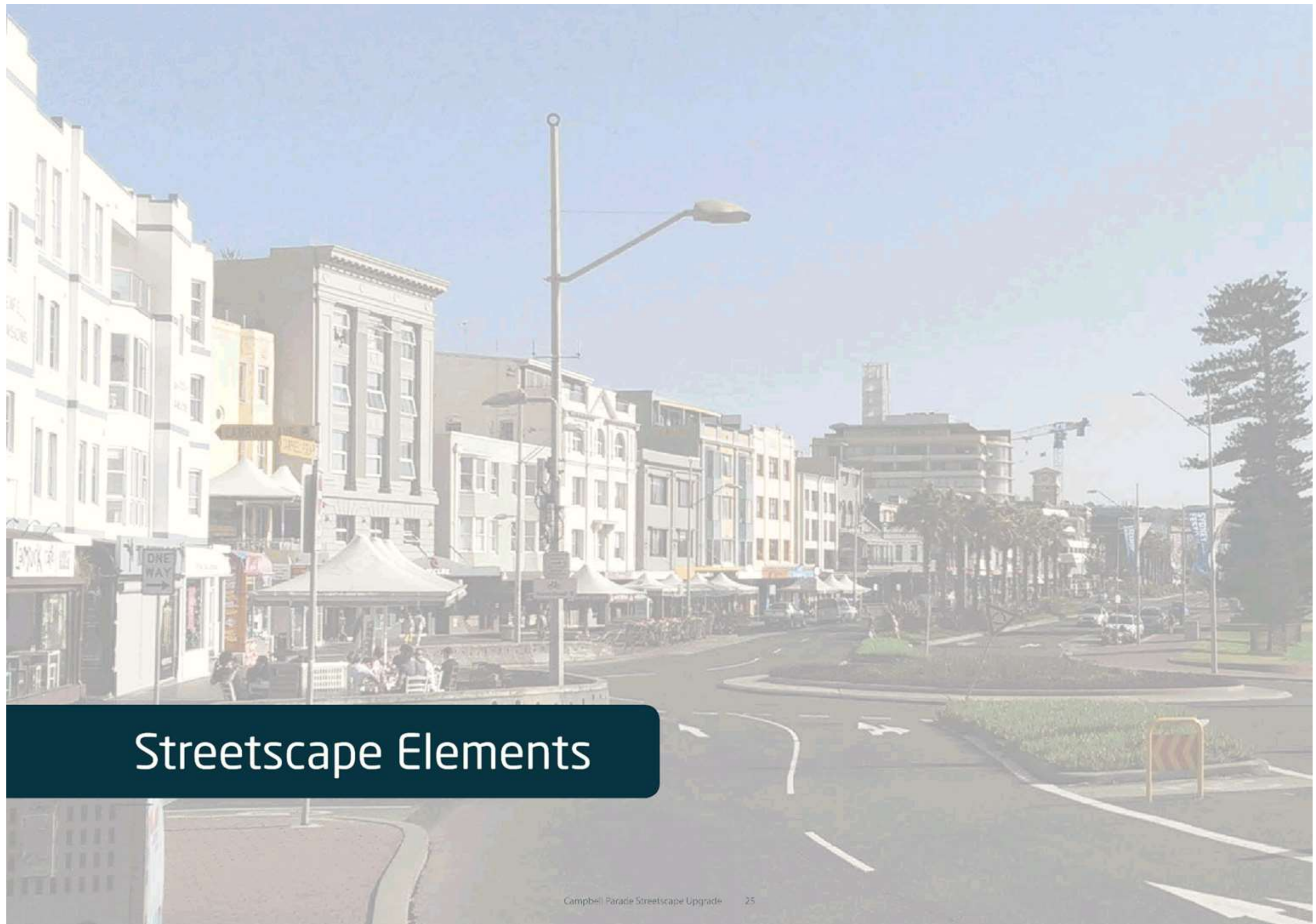
Concept Plan 06



Concept Plan 07



Concept Plan 08



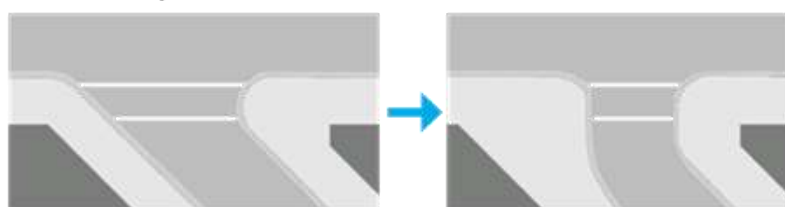
Streetscape Elements

Campbell Parade Streetscape Upgrade 25

Intersection design

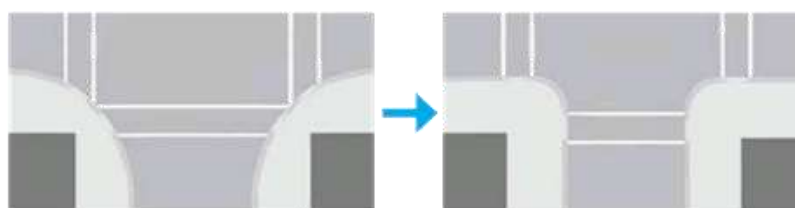
As a general rule, roadway space should be minimised and reclaimed as much as possible for pedestrians, seating and landscaping, making the area more attractive, safer and convenient for the community and visitors.

Geometry



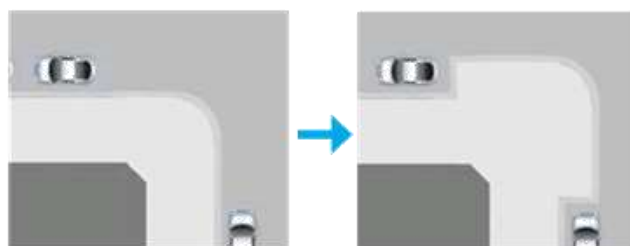
Angled intersections should be squared as much as possible to reduce the width of pedestrian crossings, slow turning vehicles and improve visibility.

Kerb radii



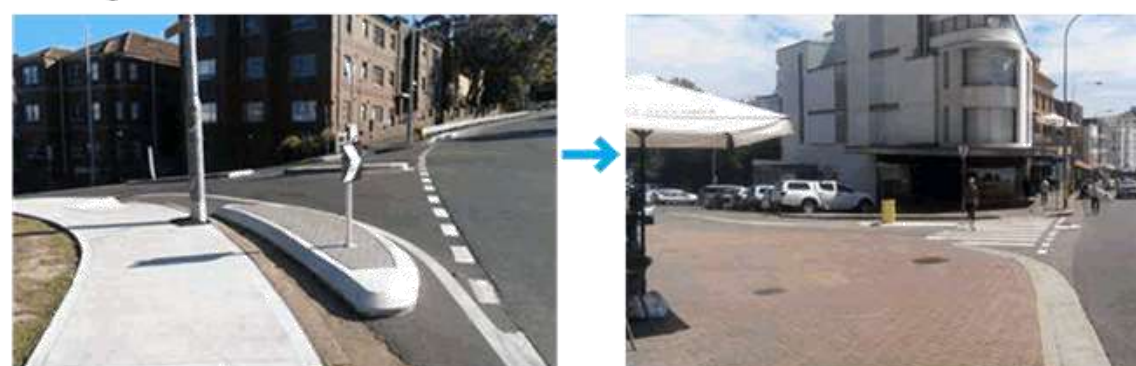
Kerb radii should be minimised to slow turning vehicles, minimise crossing width, and reduce pedestrian crossing time.

Kerb extensions



Kerb extensions should be used to slow turning vehicles, narrow the roadway (having a traffic calming effect), reduce pedestrian crossing distance and crossing times and improve visibility. They also create more space for pedestrians, landscaping, bike racks, public art, seating, bins etc.

Paving

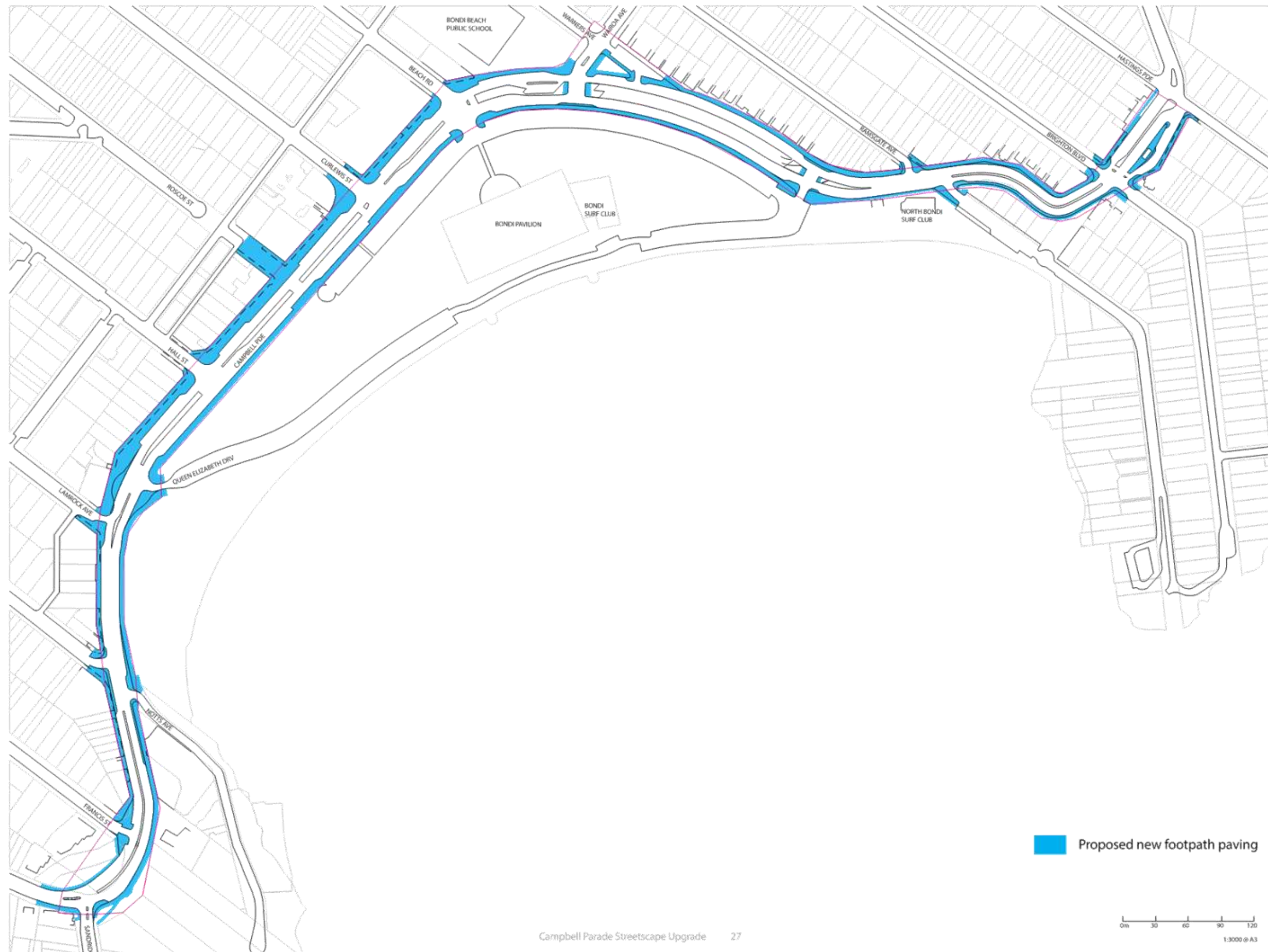


Footpath paving should be continuous to the kerb to make the corner spaces usable, and should maintain the same paving pattern around the corner to appear seamless.

Pedestrian crossings



Raised paved crossings should be used at non-signalised intersections to maintain a level walkway for pedestrians and slow vehicles. Where possible the crossing should have pedestrian priority as pictured above.



Footpath paving

Consistent new footpath paving is proposed to be installed the entire length of Campbell Parade on both sides. The existing paving comprises varying styles and quality with many areas in desperate need of replacement, and the areas in good condition appear somewhat bland and dated, not befitting of a world-class destination.

New paving will transform the streetscape, it will tie together the other design elements and reinforce the boulevard identity from South Bondi to North Bondi.

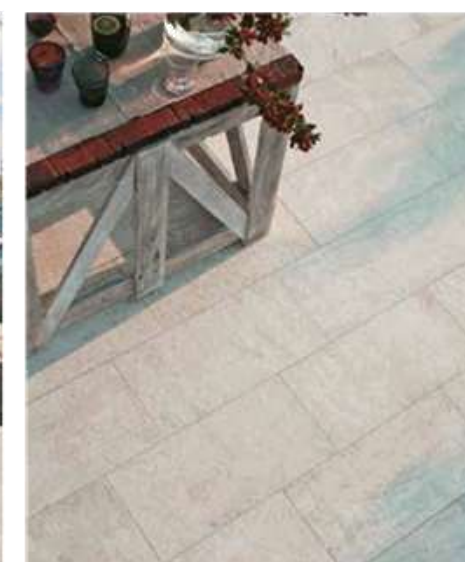
A light cream coloured paver in larger format (minimum 600x400mm) is proposed, which was strongly supported by residents and businesses in the community consultation. The colour tone should be more neutral for a classic timeless look, rather than a strong colour, and should have a pattern or aggregate to help mask any stains. A standard integral kerb with pigmented concrete is proposed to match the paver.

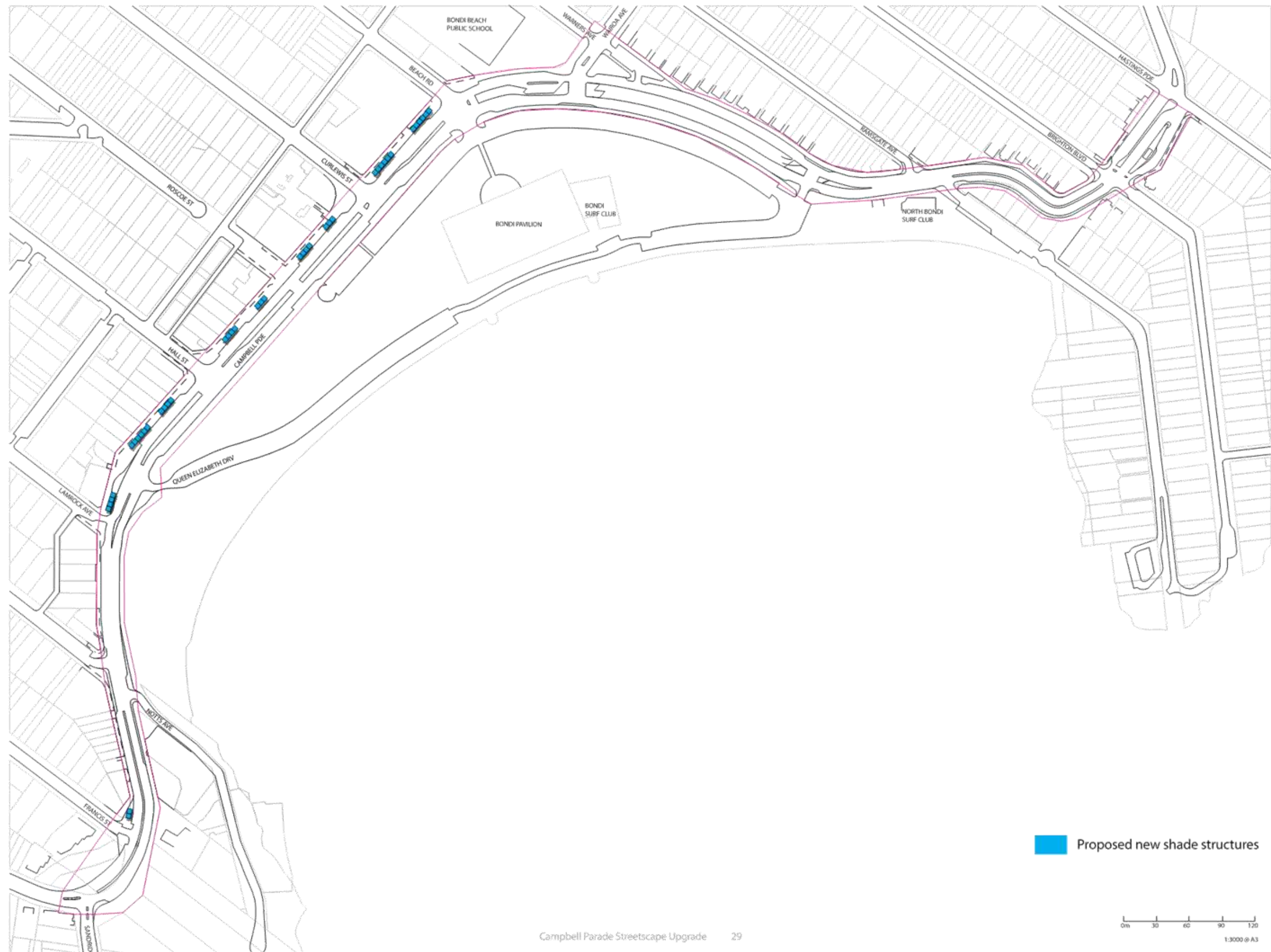
The paver and kerb specifications are to be determined by Council's design team through a competitive procurement process having regard to aesthetics, slip resistance, compressive strength, resistance to staining and salt, porosity, weatherability, supply availability and cost. Once determined, the specifications are to be included in the Public Domain Technical Manual as the standard for Campbell Parade.

Design and installation requires attention to detail such as pattern consistency, clean joints and paved utility lids (consolidated where possible), and should be complemented with a rigorous maintenance regime to keep the footpath in premium condition.



Indicative footpath paving for Campbell Parade.





Footpath shade structures

Footpath dining is an important component of the commercial streetscape adding visual interest and creating active street life. The existing footpath shade structures vary in quality and style, with most showing signs of age, rust and dirt. A key driver of the streetscape upgrade has been the desire to replace the structures with a consistent design that is:

- Unique to Bondi
- Complements the coastal character
- Open, light and maintains views to the beach
- Provides protection from the wind, rain and sun while recognising this is an outdoor space
- Avoids enclosure or obstruction of the footpath
- Durable and high quality
- Maintains a minimum 4m wide clear walkway area.

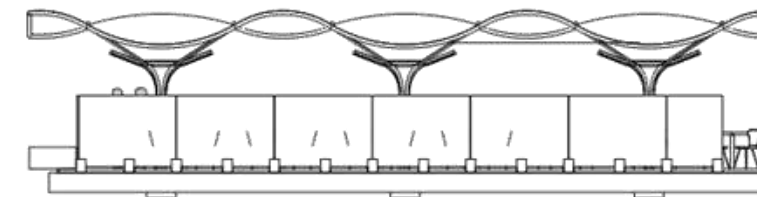
The proposed design is a modern take on the conventional umbrella structure, with slender central columns branching into a cantilevered flowing curved roof form. The design is distinctive yet subtle, and complements both the inter-war and modern architecture that exists on Campbell Parade. The design is also modular so can be arranged in different sizes to fit various locations along Campbell Parade while creating rhythm along the streetscape.

The design uses white steel tubing with translucent white nylon roof material and has integrated radiant heaters and adjustable ambient up-lighting. Electricity supply will be provided underground and metred separately. The roofs overhang 0.6m beyond seating areas on all four sides to ensure rain runoff does not impact users.

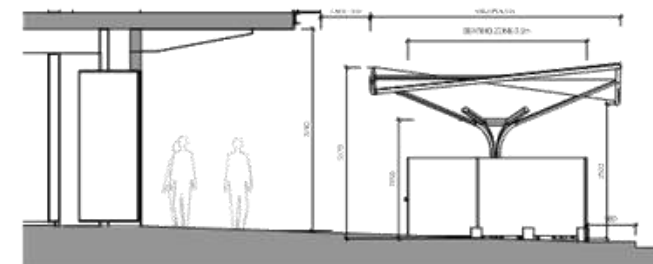
A 1.5m tall frameless glass balustrade with stainless steel feet is proposed along the street edge. For sections longer than 3 modules a 2m gap will be provided in the balustrade and seating areas to provide pedestrian access. The glass is to be kept free from signage and advertising, maintaining clear sight lines to the beach. Freestanding glass signage panels approximately 1.5m tall x 0.4m wide will set in the footpath adjacent to the walkway to identify the business leasing each seating area. Planter boxes will be placed at each end of the structures to add greenery and to demark the space.

Use of the space within the confines of the shade structures will generally be for restaurant/ cafe seating. This should comprise high quality furniture and encourage individual character and diversity in colour, form and layout, for example benches or couches in addition to tables and chairs. If any spaces become vacant, at the discretion of Council the shade structures may also be used for public seating, entertainment, exhibitions and other uses that add to street life.

The new design is to be trialled as part of Footpath Seating Pilot Project between Curlew St and Beach Rd, and after 6-12 months of use will be evaluated for functionality, aesthetics, durability and maintenance prior to being considered for broader use. At this time policy, leasing and commercial aspects will also be reviewed.



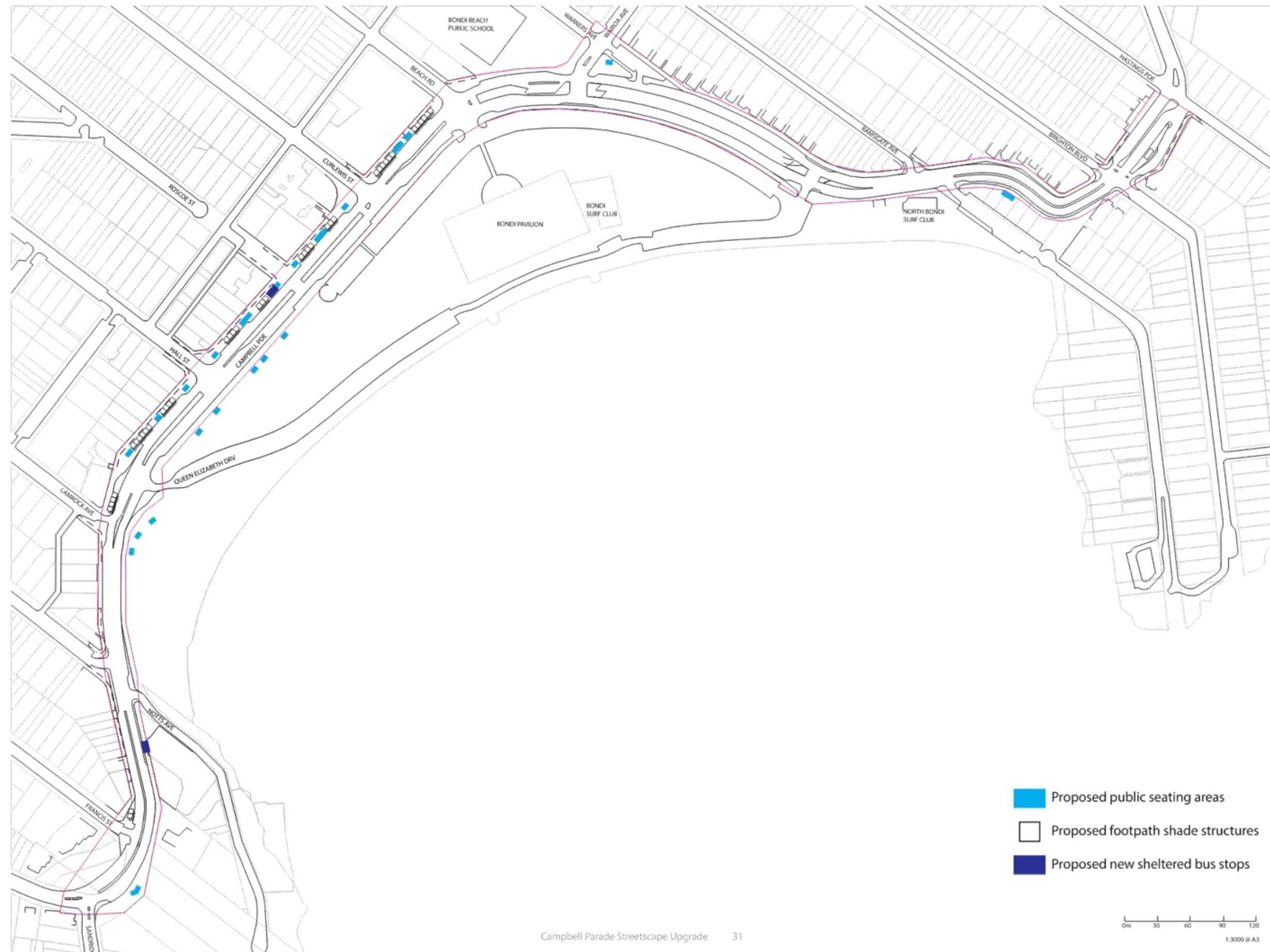
Front elevation



Side elevation



Indicative view of new shade structures.



Public seating

Public seating should offer beautiful sculptural elements that complement the space, are comfortable, durable and functional.

The majority of the public seating within the project area comprises a series of 27 public concrete bench seats with mosaic tile artworks located between Beach Road and Lamrock Avenue. Commissioned in 1997, the seats are in varying condition from poor to good and require substantial maintenance.

Council has also recently installed high quality custom-designed concrete and timber benches on the eastern side of Campbell Parade as part of the Bondi Park upgrades.

The seating survey found that the mosaic bench seats were rarely more than 25% occupied, suggesting there is a sufficient number of seats in this core area. An undersupply of seating was observed at bus stops on Campbell Parade near Notts Avenue and Rosoe Mall. The concept plan shows new sheltered bus stops at these two locations, and almost all the existing public seating areas retained.

When the footpaths are upgraded, some or all of the mosaic bench seats can be retained and restored with significant investment, and there is also the opportunity to replace the mosaics with new bench seats. As part of the Footpath Seating Pilot Project it has been agreed that the central mosaic seats are to be restored and the two benches at each end of the block which are in poor condition are to be removed and replaced with new public seating.

The design of this public seating combines the circular form of the mosaic seats with the timber used in the Bondi Park benches, but uses a steel frame to create the more open, lightweight feel desired for Campbell Parade. The new public seats will be evaluated for functionality, aesthetics, durability and maintenance prior to being considered for broader use. The Public Domain Technical Manual will then be updated with the recommended seat design for Campbell Parade.

The decision whether to retain or replace the mosaic seats in other areas will be determined at detailed design stage and involves a condition assessment, liaison with the artist and referral to the Public Art Committee in accordance with the deaccessioning guidelines.



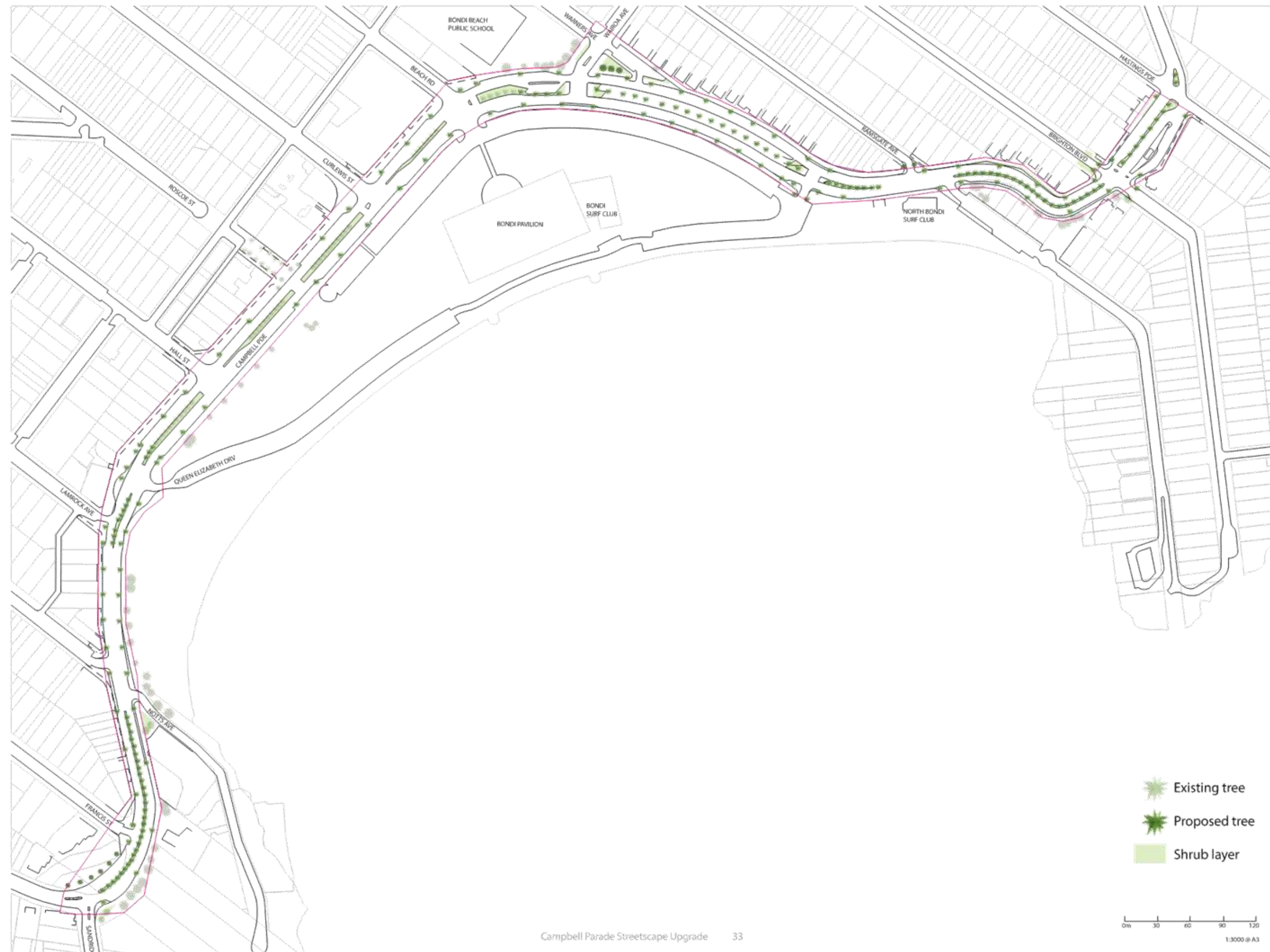
New public seating being trialled as part of the Pilot Project.



Existing mosaic bench seats on Campbell Parade.



New Bondi Park benches on eastern side of Campbell Parade.



Landscape

Formally arranged tall palm trees in the central median create a strong boulevard effect in the commercial core and have become part of the landscape character of Campbell Parade. The concept proposes a continuation of the palm trees in central median to extend the boulevard character the full length of Campbell Parade. The slender form of the palms make them suitable for the limited spaces and minimises any impacts to beach views from upper levels of buildings, and they are suitable for the harsh coastal environment.

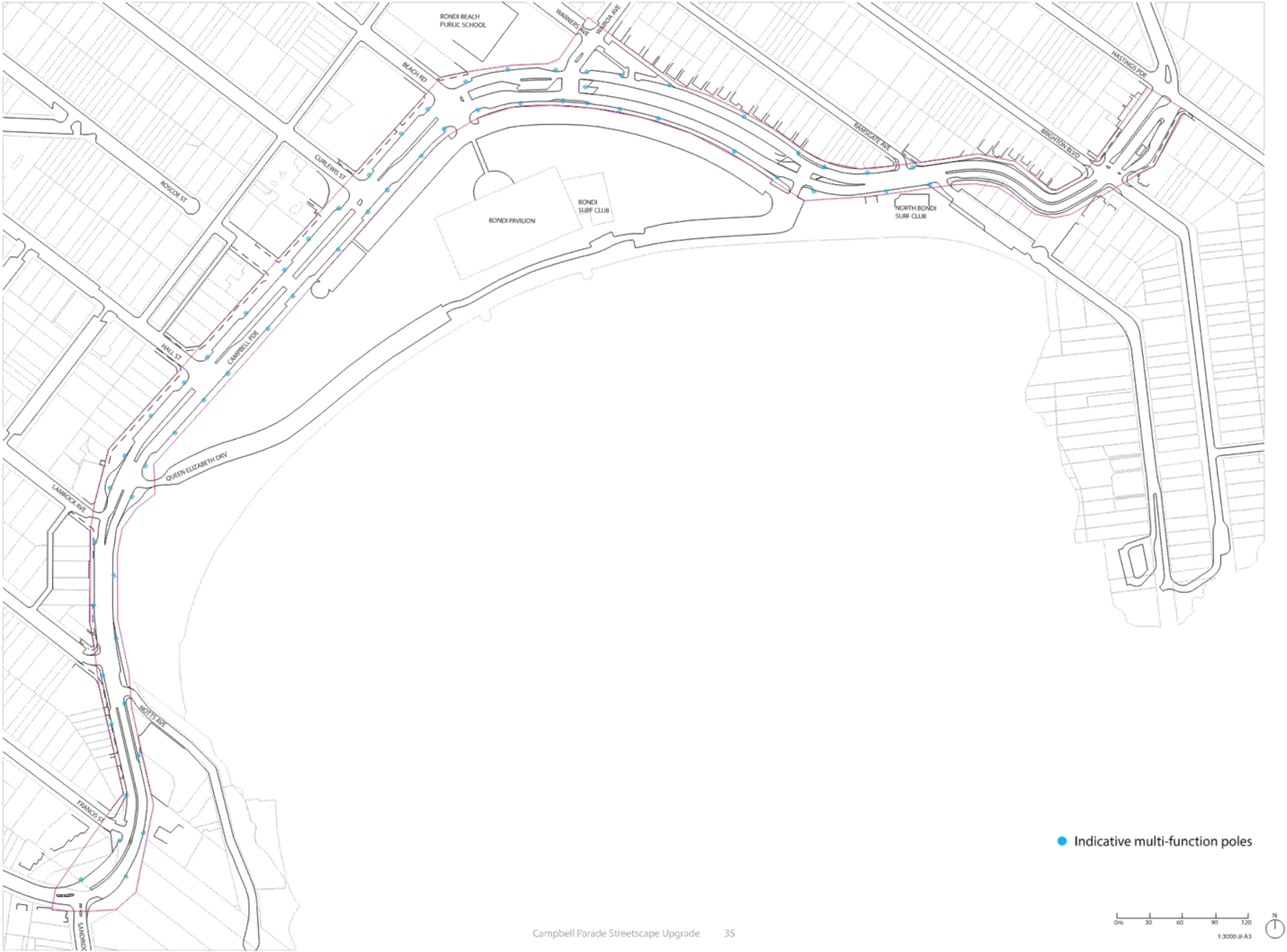
There is an almost complete lack of street trees and greenery along the footpath resulting in hotter, more exposed spaces that do not invite pedestrians to stay. The concept addresses this with trees located in kerb extensions and between parking bays to provide shade at the footpath. Having trees at the road edge also creates the appearance of a narrower roadway which has the effect of slowing traffic speeds.

In addition to trees, raingardens and planted areas should be incorporated in kerb extensions to minimise the extent of hard surfaces (for example the intersection of Warners Avenue and Campbell Parade). The central median, tree pits and raingardens are proposed to be planted with a native groundcover/ shrub layer that provides ground-level greenery with ecological value.

At detailed design stage the design of tree and garden locations will be refined in order to minimise impacts to views or parking, and the native shrub species will be selected. The design may use either kerbed tree pits or smaller tree grates/swales that are flush with the road surface in order to fit in smaller spaces. A feasibility analysis should also be undertaken to determine the appropriate water sensitive urban design solutions, including the capture and filtering of stormwater in tree pits and raingardens, and the use of underground screening and permeable pipe systems for stormwater treatment at appropriate locations.



Formally planted palm trees create a strong boulevard character.



Campbell Parade Streetscape Upgrade 35

Lighting

Good lighting is essential to help a street reach its evening potential. Night time activity on mainstreets is good for business, for socialising, and for safety. Lighting for pedestrian areas should be warm and create ambience using elegant lighting fixtures, as well as integrating lighting into seating, buildings and public art. Lighting can also be used to enhance building facades and introduce new colours.

Council has developed a concept to replace all streetlighting assets (both Ausgrid and Council-owned) with a Council-owned conduit and multi-function light pole (MFP) network to reduce streetlighting energy use, greenhouse gas emissions and achieve cost savings.

MFPs accommodate multiple elements including LED luminaires, traffic lights, signs, banners, CCTV and power supply, and can greatly reduce the number of poles and clutter that exists on the footpaths.

The Campbell Parade Streetscape Upgrade incorporates the MFP concept in order to minimise disruptions and avoid damaging or having to re-install expensive capital works later, and will be considered further at detailed design stage.

The new shade structures include integrated ambient up-lighting and radiant heaters which will be metred independently, and are envisaged to be run with a user-pays system. The details of the electricity connection, payment and management is being investigated as part of the Footpath Seating Pilot Project and will inform future construction of the shade structures.

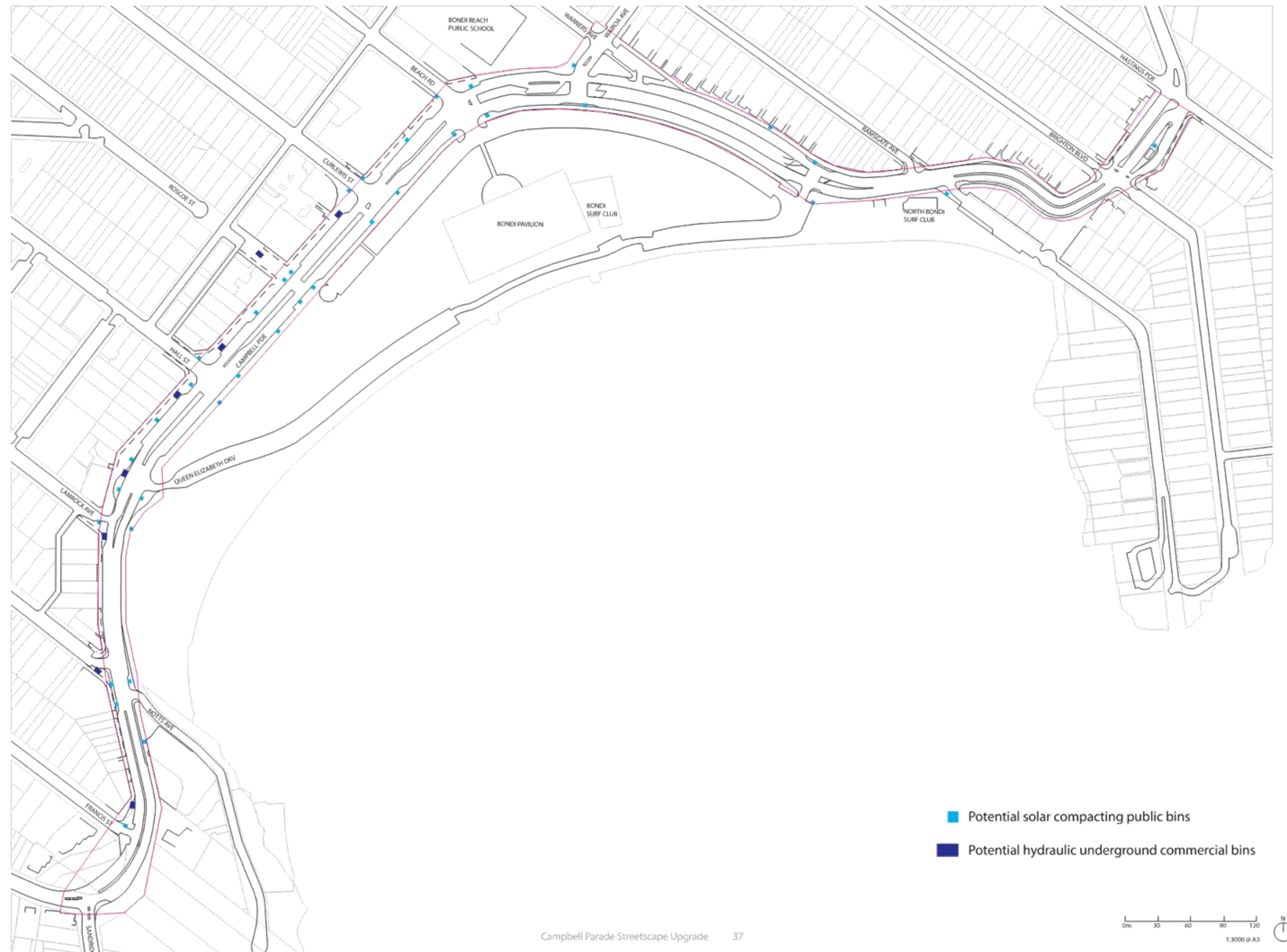
At detailed design stage, the recommendations of the Creative Lighting Strategy should also be incorporated to identify opportunities for lighting that adds to the atmosphere and appeal of the streetscape, feature lighting of trees and/or seats, playful coloured lighting and wayfinding lights.



Creative lighting in street furniture.



Indicative multi-function poles.



Waste management

Sustainable Waverley completed an extensive Bondi Beach Waste Management Study in 2015 to identify the optimal waste management systems for Bondi Beach.

Solar compacting bins were identified as the best short term solution as they have relatively low capital costs and require minimal site preparation works. The bins compact waste to a ratio of 5:1 also contain smart technology to provide alerts when they require collection. They will improve the efficiency of Council collection service, reduce the likelihood of overflow, support public place recycling and will improve the amenity of the beach.

The solar compacting bins are currently being trialled by Council and assuming successful, are intended to be implemented further. Indicative locations have been shown on the concept plan, which are subject to refinement at detailed design stage.

Solar compacting bins are intended for public waste and a key issue still exists with commercial bins being left on the footpath obstructing pedestrians and causing amenity and odour impacts on the street. As many commercial tenants have no laneway access for bin collection, either hydraulic or pneumatic underground bin systems should be considered for Campbell Parade.

Hydraulic bins use an underground platform for storing bins, which rises to ground-level during collection, whereas pneumatic systems transport waste underground via vacuum system to a central collection point. Hydraulic systems can be installed progressively and more cheaply, however pneumatic systems can deliver greater benefits in terms of capacity, lower ongoing costs and less impact of heavy vehicles on the road network.

Hydraulic bins have been shown indicatively on the concept, but require further evaluation at detailed design stage including the governance system for ownership and maintenance, and comparison against a pneumatic system.



Solar compacting bins.



Hydraulic underground bins.

Staging



Campbell Parade Streetscape Upgrade 39



Cost estimates

Table 1. Approximate cost estimates for streetscape upgrade by stage.

Item	Sandridge St - Lamrock Ave	Lamrock Ave - Hall St	Hall St - Curlew St	Curlew St - Beach Rd	Beach Rd - Ramsgate Ave	Ramsgate Ave - Brighton Ave	Brighton Ave - Hasting Pde	Total
New paving	\$1,060,940	\$588,200 + \$152,170 to replace poured concrete on beach side	\$835,045 + \$304,345 to replace poured concrete on beach side	\$266,180 + \$152,170 to replace poured concrete on beach side	\$410,230 + \$743,780 to replace new poured concrete	\$485,305	\$283,050	\$3,928,950 + \$1,352,465 to replace poured concrete on beach side
Kerbs	\$186,000	\$24,000	N/A	N/A	\$112,500	\$205,500	\$60,000	\$585,000
Raised crossings/ thresholds	\$100,000	\$50,000	N/A	N/A	\$50,000	\$100,000	\$250,000	\$550,000
Footpath seating shade structures	\$113,550	\$794,850	\$794,850	0 (Pilot Project by developer)	N/A	N/A	N/A	\$1,703,250
Street trees	\$360,000	\$114,000	\$48,000	\$36,000	\$414,000	\$210,000	\$84,000	\$1,266,000
Public seating	\$12,000	\$36,000	\$96,000	0 (Pilot Project by developer)	N/A	N/A	N/A	\$144,000
Bike lane	\$21,340	N/A	N/A	N/A	\$49,500	\$19,800	\$10,450	\$101,090
Bike racks	\$9,000	\$11,000	\$5,000	0 (Pilot Project by developer)	\$9,000	\$2,000	\$1,000	\$37,000
Relocate parking metres, signs etc	\$10,000	\$10,000	\$10,000	0 (Pilot Project by developer)	\$10,000	\$10,000	\$10,000	\$60,000
Consultants (eg. survey, detailed design and documentation)	\$50,000	\$75,000	\$75,000	\$50,000	\$50,000	\$50,000	\$50,000	\$400,000
Contingencies (10%)	\$192,283	\$170,305	\$186,390	\$35,218	\$110,523	\$108,261	\$74,850	\$877,829
Total	\$2,115,113	\$1,873,355	\$2,050,285	\$387,398	\$1,215,753	\$1,190,866	\$823,350	\$9,656,119

Assumptions:

- Paving: \$250/sqm to supply and install 600x400 pavers with concrete base and mortar bed.
- Kerbs: \$300/lin m to supply and install 150mm integral kerb and gutter.
- Raised crossings/ thresholds: \$50,000 each.
- Footpath seating shade structures: \$56,775 to supply and install 4mx4m module.
- Trees: \$6000/tree to supply and install 4m tree.
- Public seating: \$6000 to remove mosaic bench and \$6000 to supply and install new bench seat.
- Assumes additional bus shelters provided by STA/ JDC.
- Bike lane: \$55/lin m to mill and re-sheet roadway and supply and install 1.2m wide green paint and edge lines.
- Bike racks: \$500 per stainless steel hoop supplied and installed.
- Cost estimates exclude road resurfacing and relocation of services, drainage etc.

Table 2. Additional works proposed as part of streetscape upgrade, but subject to separate business cases and budget approval.

Item	Sandridge St - Lamrock Ave	Lamrock Ave - Hall St	Hall St - Curlewis St	Curlewis St - Beach Rd	Beach Rd - Ramsgate Ave	Ramsgate Ave - Brighton Ave	Brighton Ave - Hasting Pde	Total
Signalised intersections	\$500,000	\$750,000	N/A	N/A	\$1,500,000	N/A	N/A	\$2,750,000
Multi-function poles	\$260,000	\$160,000	\$200,000	\$120,000	\$460,000	N/A	N/A	\$1,200,000
Solar compactor public bins	\$77,000	\$66,000	\$110,000	\$55,000	\$77,000	N/A	\$11,000	\$396,000
Hydraulic commercial bins	\$360,000	\$240,000	\$360,000	N/A	N/A	N/A	N/A	\$960,000
Consultants (eg. survey, detailed design and documentation)	\$50,000	\$50,000	\$30,000	\$30,000	\$50,000	N/A	\$5,000	\$215,000
Contingencies (10%)	\$124,700	\$126,600	\$70,000	\$20,500	\$208,700	N/A	\$1,600	\$552,100
Total	\$1,371,700	\$1,392,600	\$770,000	\$225,500	\$2,295,700	N/A	\$17,600	\$6,073,100

Assumptions:

- Solar compacting bins: \$11,000 each supplied and installed.
- Hydraulic underground bins: \$120,000 each supplied and installed.
- Multi-function poles: \$20,000 each supplied and installed.

Return on investment

The shade structures generate income from the leasing of footpath space to commercial tenants. The payback period for the upfront capital expenditure of the shade structures has been tested under various scenarios below.

Estimated costs:

The estimated total capital cost of the proposed new shade structures (30 modules) is approximately \$1,700,000. This is based on the pro-rata cost estimates prepared for the Pilot Project. Maintenance costs for the structures is estimated at \$85,800 per annum. This is based on a weekly clean by a team of two using a high pressure hose and assumes \$150/hr x 2 employees including materials.

Projected income from footpath seating:

Currently Waverley Council leases 468sqm of footpath seating space to 31 businesses for a total of \$360,182pa. The footpath seating is leased at 2 different rates, \$850/sqm for footpath space along Campbell Parade between Lamrock Avenue & Beach Road and \$550/sqm for all other areas.

Given the enhanced infrastructure proposed to be provided, it is recommended that the lease fees for footpath seating under the shade structures be reviewed. Council has reviewed other comparable footpath seating areas around Sydney and also obtained an independent valuation. For example, a similar comparison is South Steyne Manly where a lease fee of \$1028/sqm applies for use of the footpath space. When the beachfront location combined with the new shade structures is taken into account, the footpath space under the shade structures has been valued at \$1100 – 1200 per sqm.

Several options have been provided to estimate future revenue which include increased lease fees under the shade structures - refer table 3 and 4. For all options the lease fee for areas outside the shade structures remains unchanged.

The projections suggest that the cost of the new shade structures can be fully recovered from the additional revenue generated over a period of 5 – 9 years depending on the lease fee charged, and is projected to generate additional income to Council within 10 years.

Any changes to footpath seating lease fees will be considered as part of the evaluation of the Footpath Seating Pilot Project and are subject to Council approval.

Table 3. Estimated revenue

Option	Footpath seating area	Income (pa) (includes deduction of maintenance costs for options 1-4)	Net change in income (pa) compared to existing
Existing	468sqm (ranging \$550-850 per sqm)	\$360,182	
Option 1	825sqm (\$850 per sqm under shade structures and \$550-850 per sqm elsewhere)	\$567,691	\$207,509
Option 2	825sqm (\$1,000 per sqm under shade structures and \$550-850 per sqm elsewhere)	\$646,741	\$286,559
Option 3	825sqm (\$1,100 per sqm under shade structures and \$550-850 per sqm elsewhere)	\$701,141	\$340,959
Option 4	825sqm (\$1,200 per sqm under shade structures and \$550-850 per sqm elsewhere)	\$755,541	\$395,359

Table 4. Estimated payback period and net financial effect

Option	Payback period (based on the additional revenue generated above existing situation and using a capital cost of \$1.76m)	Net financial effect over 10 years compared to current situation
Option 1	8.5 years	+ \$315,090
Option 2	6.25 years	+ \$1,105,590
Option 3	5.25 years	+ \$1,649,590
Option 4	4.5 years	+ \$2,193,590



Campbell Parade Streetscape Upgrade 45

Scope

The scope of the design review included:

- Full length of Campbell Parade, both sides
- Pedestrian and seating surveys
- Landscaping
- Shade Structures
- Restaurant seating
- Bins, lighting, poles and bike racks
- Footpath condition
- Pedestrian accessibility
- Public seating

The scope did not include building/ development controls, traffic, parking, or public transport.





1929



1960



1974

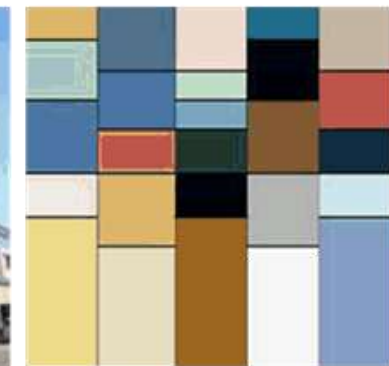
Campbell Parade over time...



The iconic topography and curve of the beach



Heritage listed buildings on Campbell Parade



Heritage colours (Waverley DCP)

Heritage

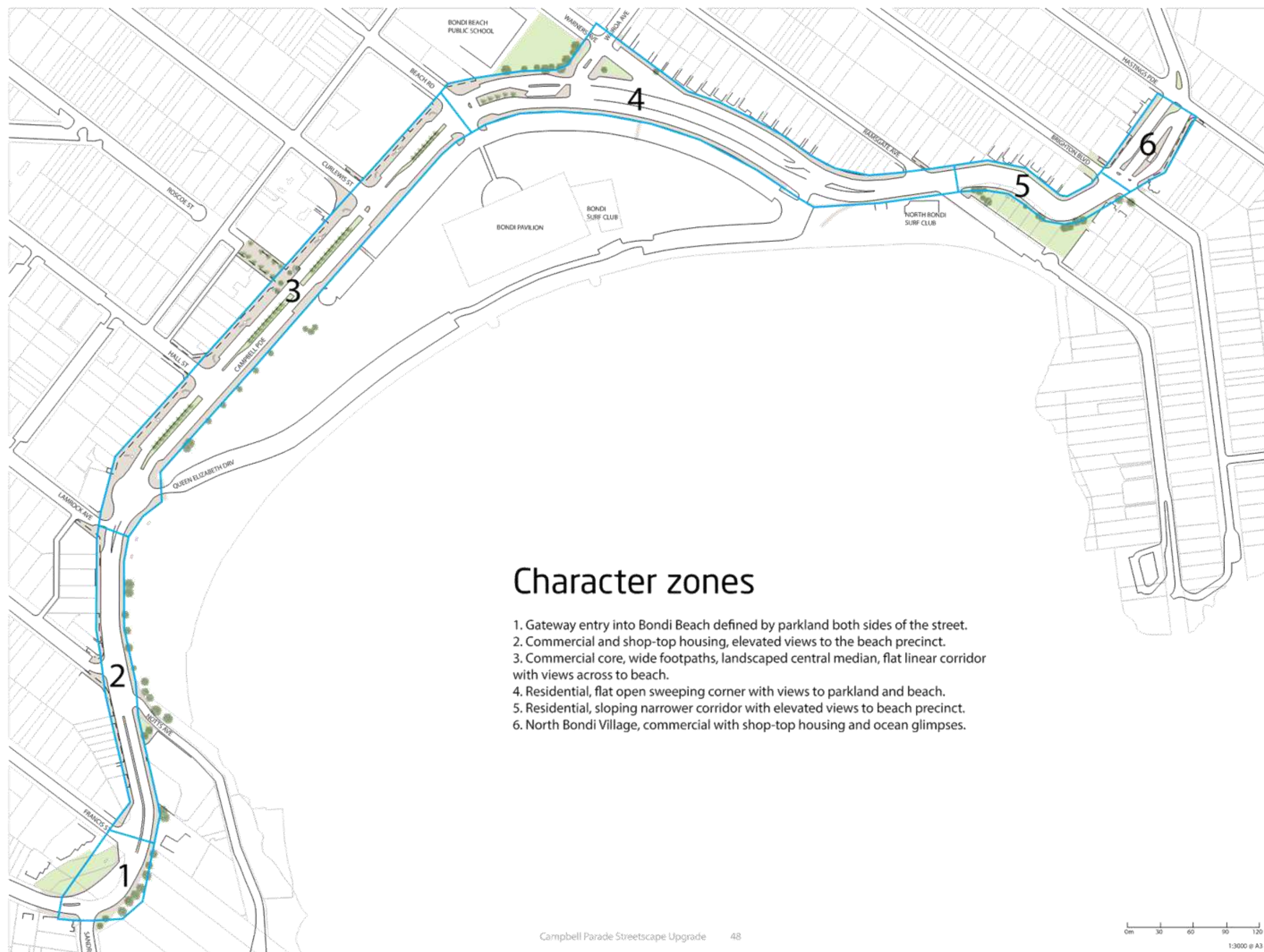
Campbell Parade has evolved radically over the last century. Recognised early on for its recreation appeal, a tram line was built to the largely undeveloped Bondi Bay in the early 1900's helping to fuel growth. During the Inter-War period (1915 - 1940) considerable development occurred along the length of Campbell Parade, and the Bondi Pavilion and major beach upgrade was completed in 1929. Much of the inter-war architecture and colour palette remains today and is a key defining character of Campbell Parade.

Following the closure of the tram in 1969, Campbell Parade transitioned to a more vehicle-oriented street in the 1970's resulting in a more barren landscape. In the 1990's masterplanning was undertaken for major streetscape enhancements including new wide footpaths and the iconic palm trees in the central median. The rejuvenated street vastly improved the experience for beach users and restaurants discovered the value of outdoor dining, building permanent structures on the footpath for year-round use.

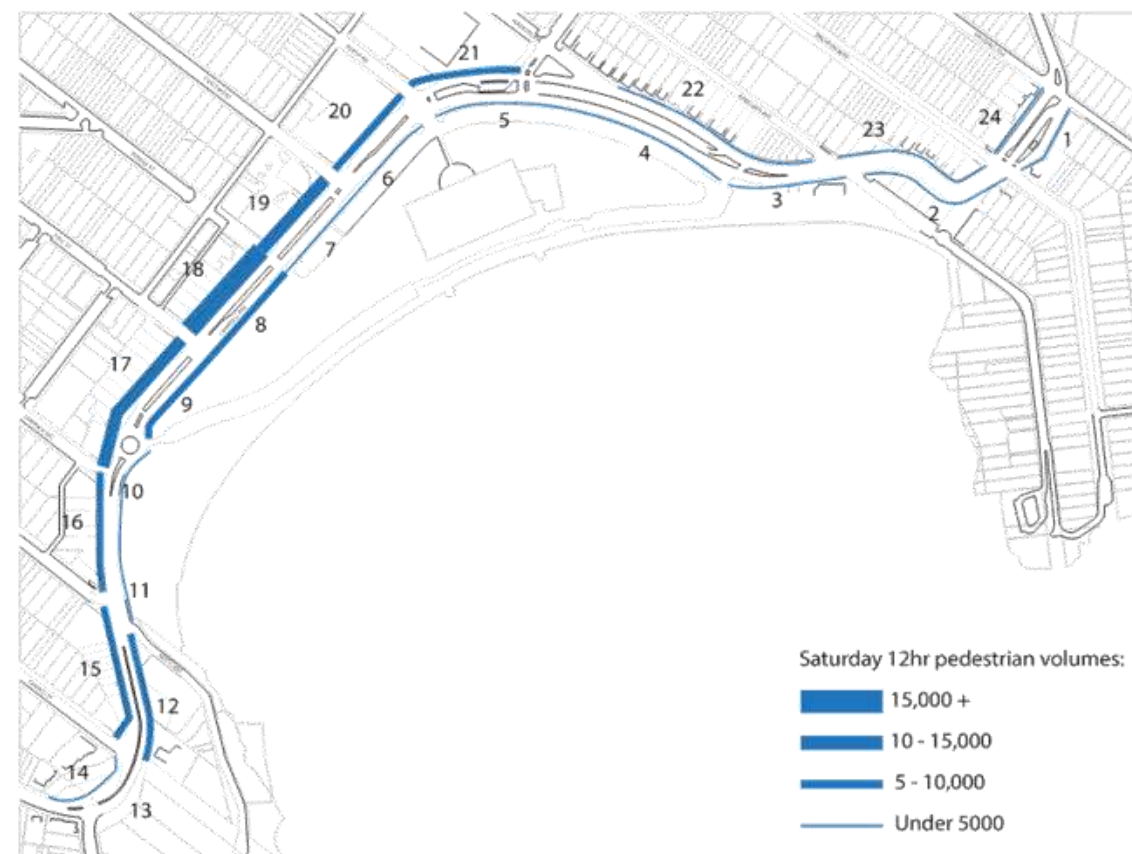
Since major exposure during the 2000 Sydney Olympics Bondi has continued to soar as one of the most visited tourism destinations in Australia, with an estimated 50,000 visitors per day in peak season. The beach also hosts major events such as City to Surf, Sculptures by the Sea, Festival of the Winds as well as popular TV shows such as Bondi Rescue.

While there are some significant new buildings and landscape works on Campbell Parade, the inter-war architecture, the open landscape of Bondi Park, the gently curved waterline, and the topography which creates a natural amphitheatre all remain extremely important elements of the heritage and cultural character of Bondi.

The Bondi Beach Cultural Landscape is listed on the Register of the National Estate, the National Heritage List and NSW State Heritage Register and is the only beach in Australia that has been given national listing. Under the Waverley LEP 20 buildings on Campbell Parade are listed as heritage items. Additionally the entire area of Campbell Parade and Bondi Beach is identified as a Heritage Conservation Area.



Pedestrian survey



**16,705
pedestrians
on Saturday**

(Saturday 7am - 7pm in Autumn
between Hall St - Roscoe Mall)

The majority of pedestrians were recorded between Francis St and Beach Road which corresponds to the areas with most retail and food/ beverage outlets.

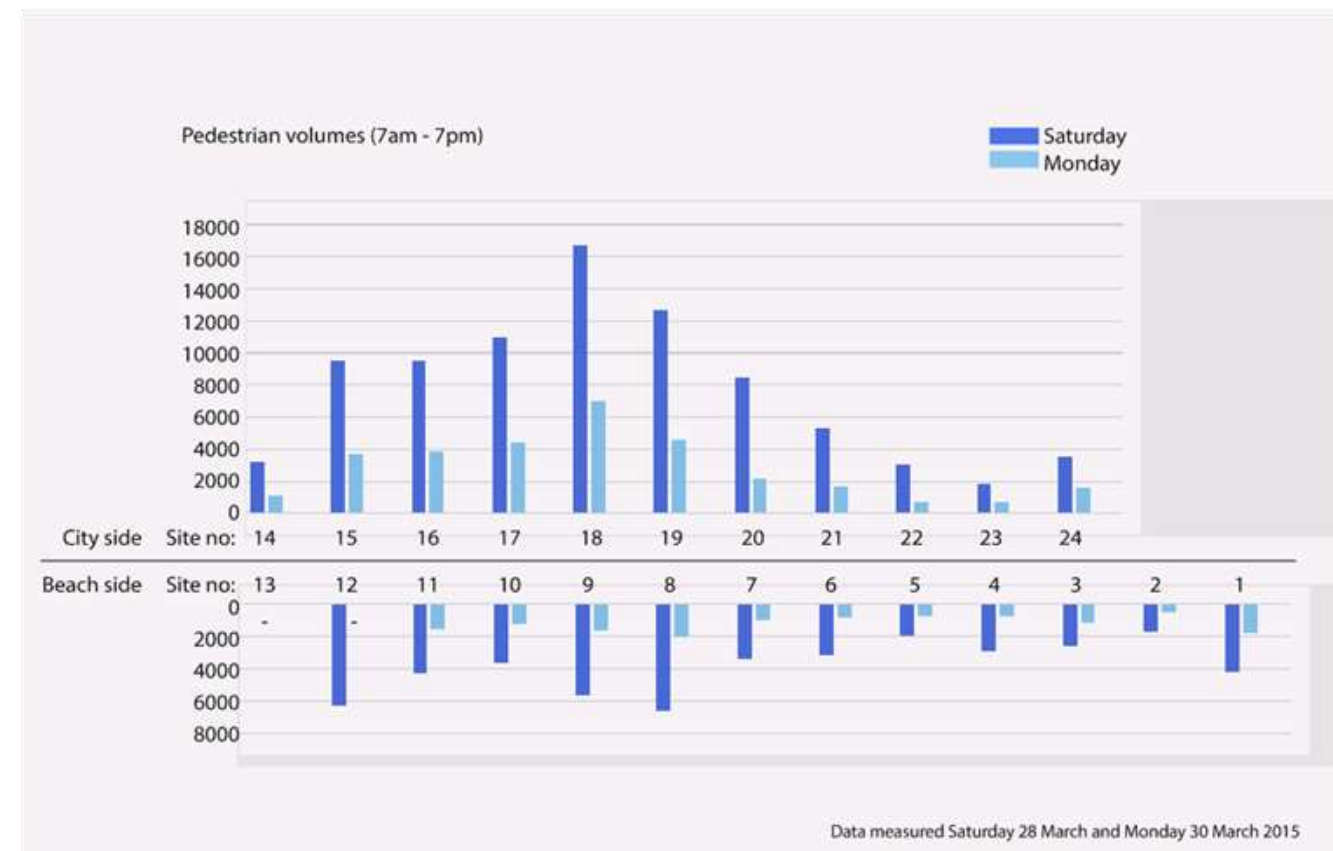
The highest pedestrian volumes were observed between Hall St and Roscoe Mall on both the Saturday and the Monday and numbers generally decrease the further north and south one travels from this area. This site is situated in the centre of the busy Hall St restaurant/ cafe strip and the central part of Bondi Beach and Pavilion, the two key destinations in Bondi, and also includes a key bus stop used by visitors to the beach.

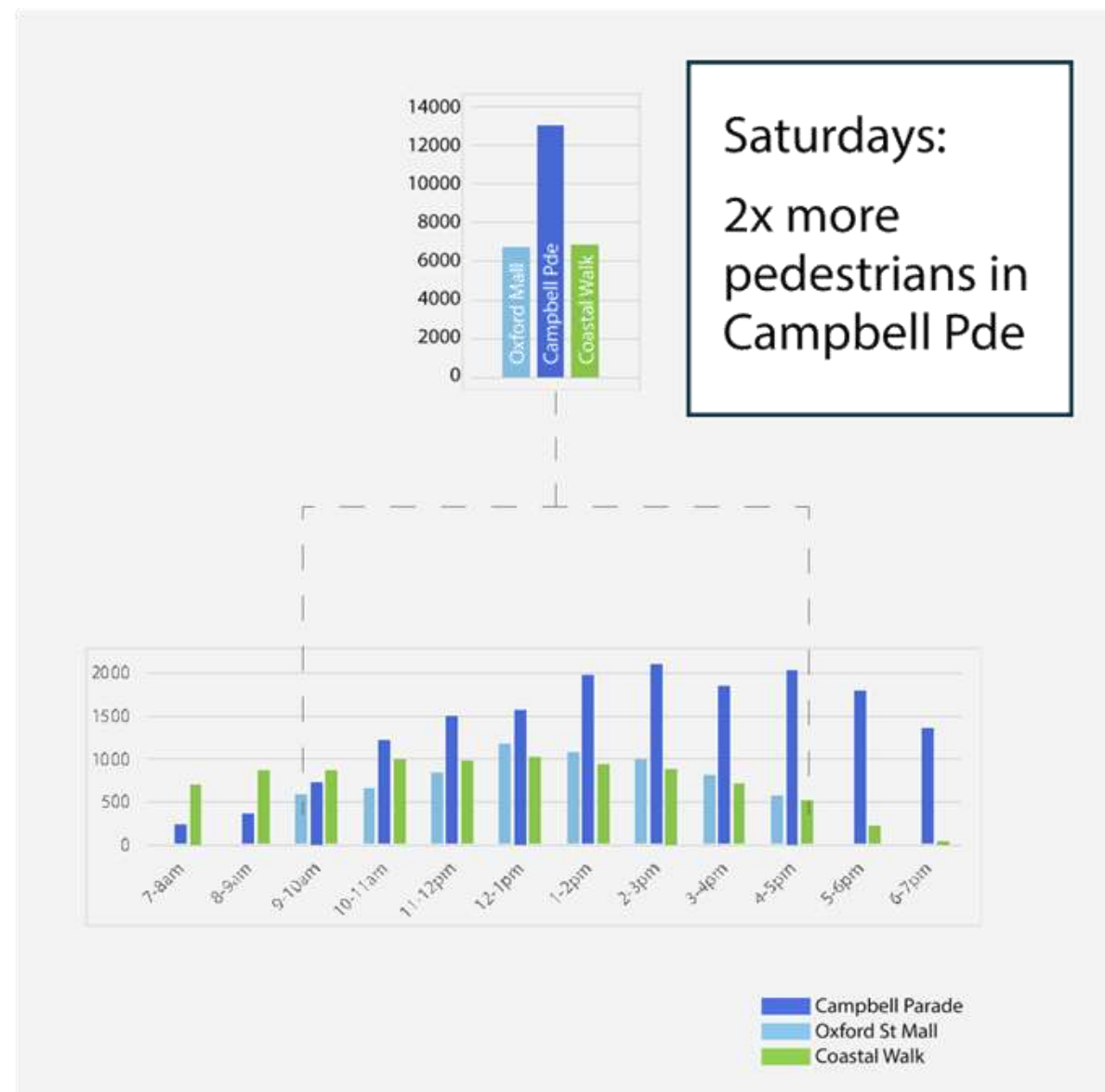
**2.5x more
pedestrians
Saturday
vs Monday**

Campbell Parade is clearly more of a weekend destination, with a peak of 16,705 pedestrians on Saturday (7am-7pm) compared to a peak of 7060 pedestrians on Monday.

All locations along Campbell Parade measured less than half the pedestrian volumes on Monday compared to Saturday.

Pedestrian numbers were higher on the town side of Campbell Parade compared to the corresponding site on the beach side, with the only exception being North Bondi Surf Club. This trend is likely because of pedestrians on the beach side using the promenade rather than the footpath on Campbell Parade.





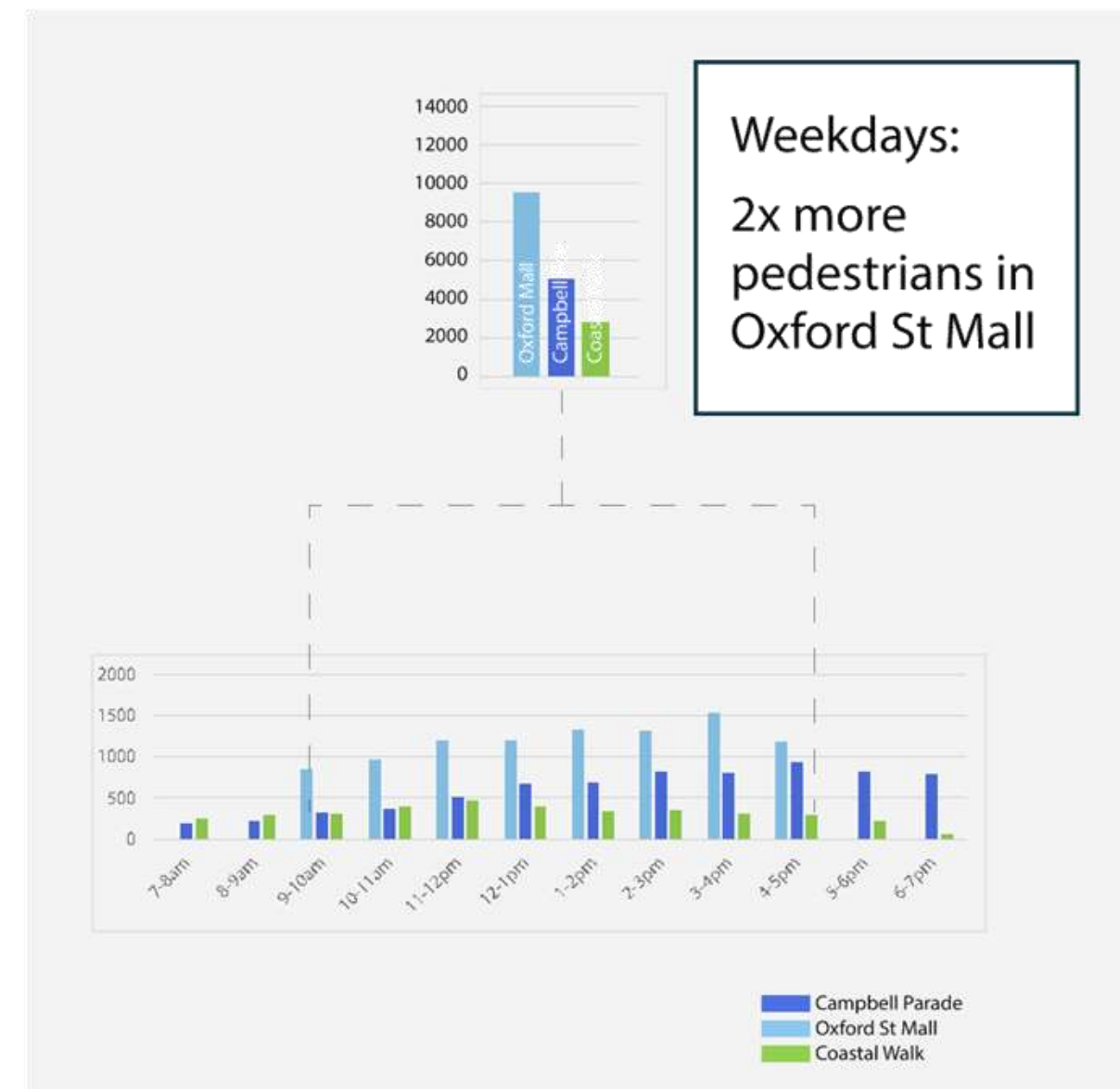
The pedestrian volumes have been compared to Oxford St Mall and the Bondi to Bronte Coastal Walk in order to get a better understanding of the unique trends occurring on Campbell Parade. As expected the tourism/ recreational aspect of Bondi Beach has a significant influence on the variation between weekdays and weekends.

On Saturdays between 9am-5pm Campbell Parade has more than double the number of pedestrians (12,963) compared to Oxford St Mall (6705) and the Coastal Walk (6862).

On a typical weekday Oxford St Mall is the busiest with 9510 pedestrians between 9am-5pm compared to 5066 on Campbell Parade and 2794 on the Coastal Walk.

On weekends Campbell Parade has higher volumes throughout the afternoon and into the evening. In contrast Oxford St Mall has more of a lunchtime peak and the Coastal Walk is busier in the mornings.

On weekdays all locations experience a steady flow of pedestrians throughout the day.



Note:
Oxford Mall: Surveyed at Grosvenor St entry, Saturday 27 August 2011 and 3 September 2011 (average used to get Saturday data) and Tuesday 6 September and 13 September 2011 (average used to get Weekday data).

Campbell Parade: Surveyed between Hall St – Roscoe Mall on north side, Saturday 28 March 2015 (24.5C sunny) and Monday 30 March 2015 (23.9C sunny), then scaled using parking data to estimate the summer flow.

Coastal Walk: Surveyed at Tamarama (Mackenzies Bay) Saturday 12 September 2015 (25.4C, sunny) and Monday 14 September 2015 (23.6C sunny)

Footpath condition

Within the commercial core (between Lamrock Avenue - Beach Road) the footpaths are wide and flat with generally good condition paving, ramps and kerbs and consistent use of materials. This creates a good foundation for pedestrians in the busiest areas.



Footpath adjacent to Bondi Park near Hall St



Footpath on commercial side near Hall St



Footpath near Curlewis St



Francis St Intersection



Between Sandridge St - Francis St



Between Notts Ave - Francis St



Between Brighton Blvd - Ramsgate Ave



Near North Bondi Surf Club

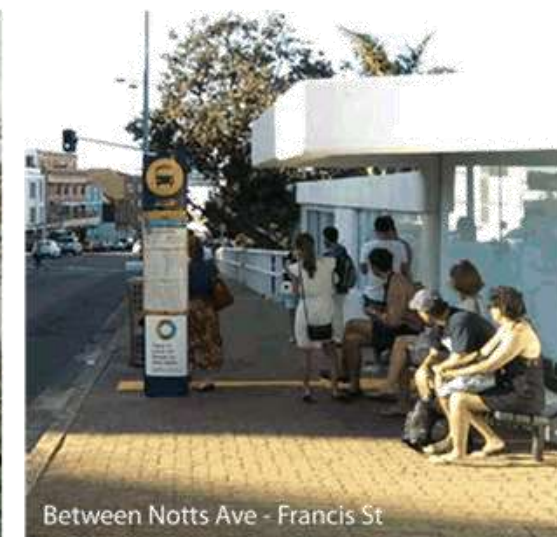


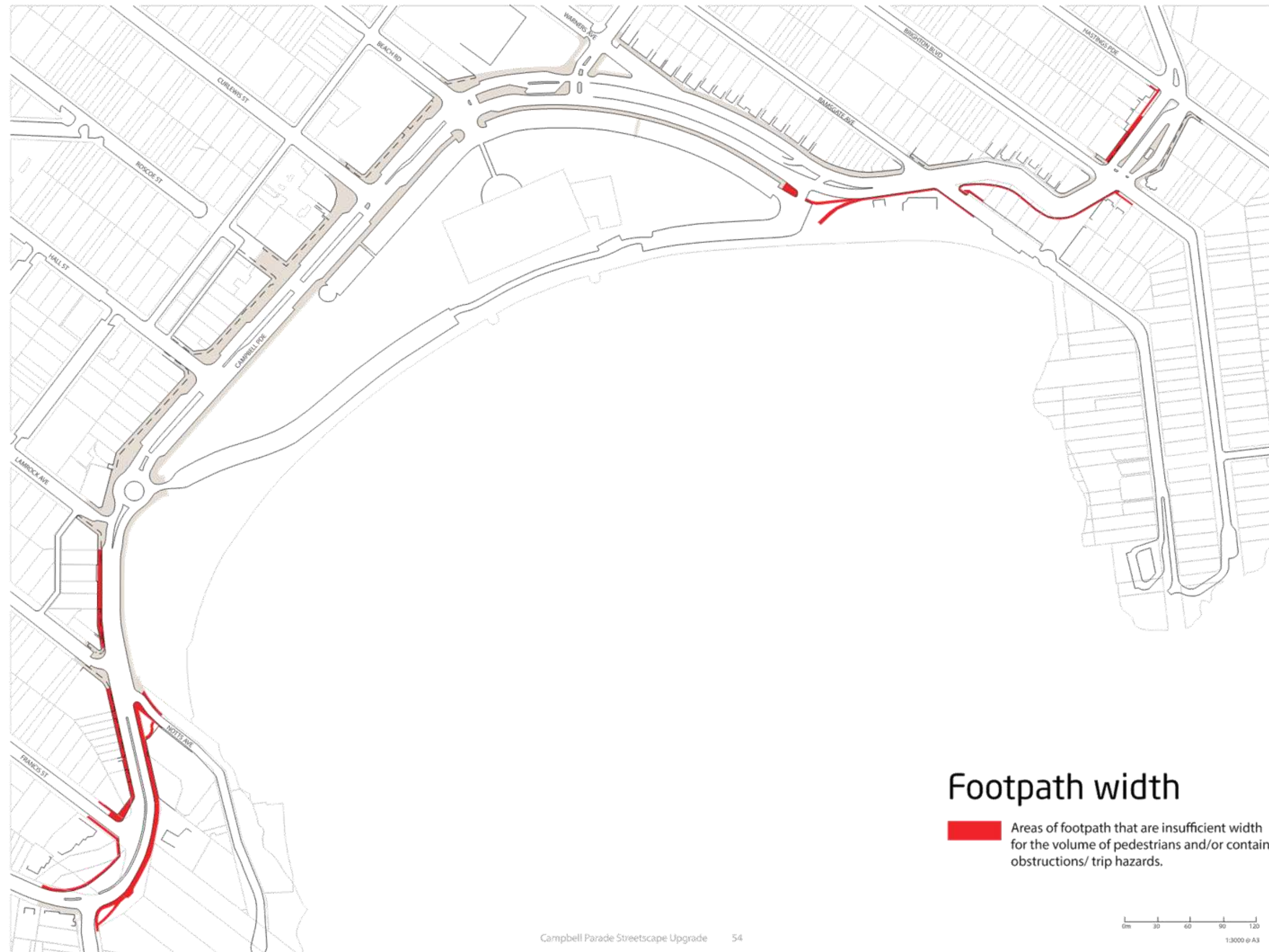
Between Sandridge St - Francis St

Outside of the commercial core many sections of footpath are insufficient width for the volume of pedestrians and/or contain obstructions/ trip hazards.

Footpath width

Several sections of footpath have insufficient width for the volume of pedestrians and/or contain obstructions/ trip hazards.





Footpath paving



Paving is reasonable quality in the commercial core, but is not exceptional. Consideration should be given to a modern larger format paver comparable to the best-practice examples shown in the introduction.



Outside the commercial core material choice appears ad hoc and repairs to footpaths often do not match the existing material.



Pedestrian crossings



Curlewis St intersection

Signalised crossings are provided throughout the commercial core with generous waiting space, good paving and wide ramps.



Sir Thomas Mitchell Rd intersection

Good zebra crossing - directly aligned with desire line, continuous extension of footpath, tight corner radius to slow turning vehicles, ramps provided (a raised crossing flush with the footpath is even better).



Wairoa Ave intersection

Poor zebra crossing - no kerb indents to alert and slow approaching traffic, crosses multiple lanes, confusing/ambiguous pedestrian refuges, contains trip hazards.



The southern section of Campbell Parade is extremely wide, has poor visibility, no pedestrian refuge for crossing, and many unsafe crossings regularly observed.



Unnecessarily wide intersection with oversized truncations.



Poor corner design - despite the addition of an island the corner is still too large to slow turning vehicles, does not increase footpath space, and does not complement or integrate well with the public domain.



This intersection has high volumes of pedestrians but the crossing distance is too wide and the poor kerb ramps and steep narrow footpaths present a trip hazard.



An example of good corner design - continuous extension of footpath, usable space, tight corner radius to slow turning vehicles, integrated with surrounding public space.

Pedestrian crossings (cont'd)



Near Lamrock Ave



Near Lamrock Ave

Uncontrolled pedestrian crossings could be reconsidered. Insufficient waiting space at the southern crossing (left image) due to busy bus stop.



Near Warners Ave



Near Warners Ave

There are no crossing points for 300m along this section of Campbell Pde, resulting unsafe crossings.



Sandridge St



Ramsgate Ave



Brighton Blvd

Diagonal intersections make excessively wide crossings - these could be reduced in width with kerb extensions.



Warners Ave

This intersection is 40m wide with no stop sign or design controls to slow vehicles.



Wairoa Ave

This zebra crossing has trip hazards and could be reduced in width with kerb extensions and pedestrian refuges.



Queen Elizabeth Drv

This intersection has recently been upgraded to extend the footpath and landscaping.



Near Lamrock Ave

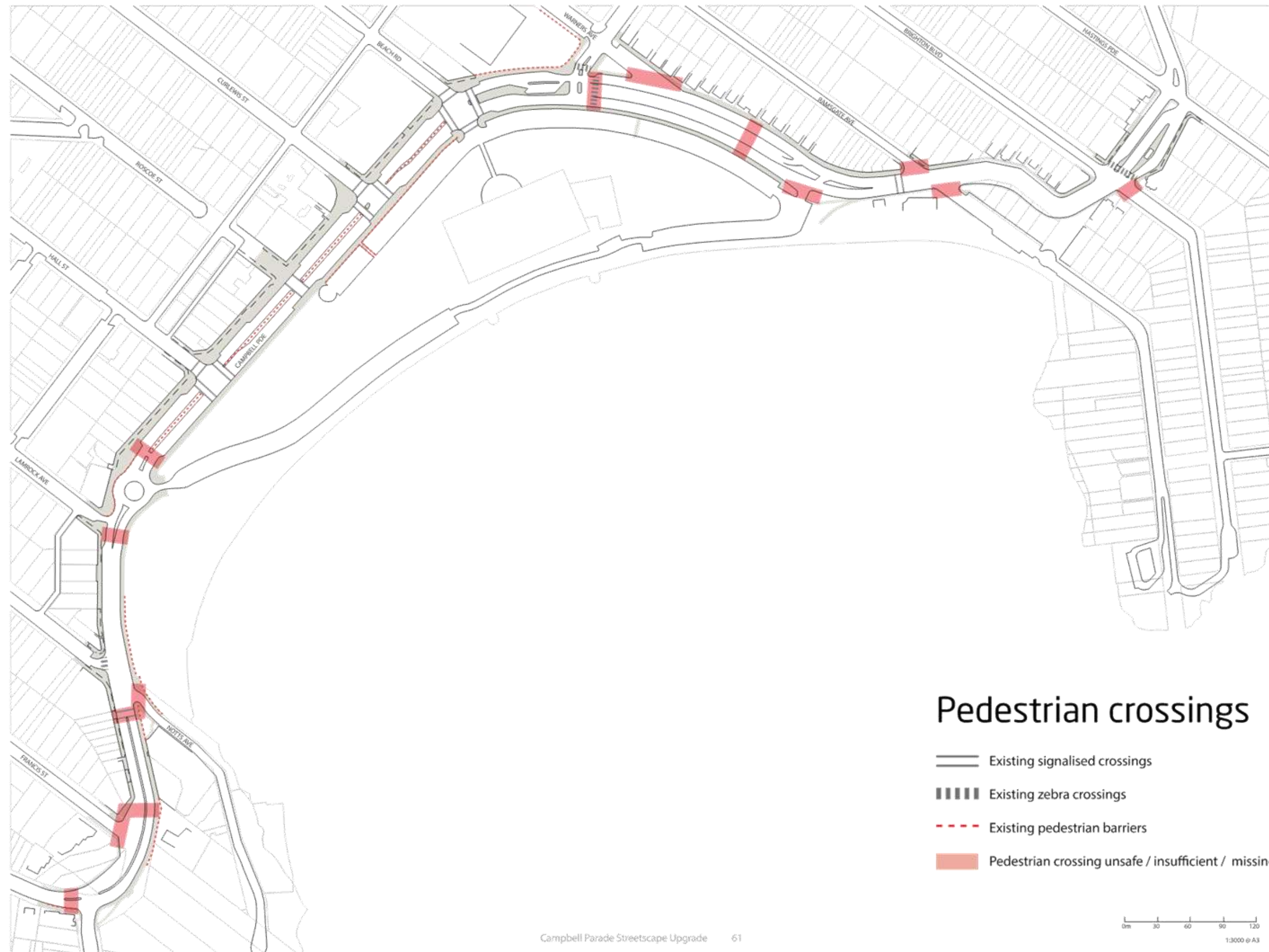


Near Lamrock Ave



Between Hall St - Curlewis St

Pedestrian barriers are not required on safe, people-friendly streets, however if deemed necessary the concrete barriers could be improved visually.



Campbell Parade Streetscape Upgrade 61



Public seating



Near Notts Ave



Near Hall St

Some bus stops have insufficient or no seating. The two pictured above experience high volumes of passengers and should be upgraded as a priority.



Near Hall St



Near Roscoe Mall



Between Hall St - Roscoe Mall

A series of 27 public bench seats with mosaic tile artworks exist between Beach Road and Lamrock Avenue. Commissioned in 1997, the seats are in varying condition from poor to good. Either all or some of the seats can be retained and maintained with further investment, and there is the opportunity for new public seats to be designed and installed. The survey undertaken as part of this review found the seats were never more than 25% occupied, suggesting a potential over-supply of seating in these areas.



Near Francis St



Near Sir Thomas Mitchell Rd



Near Roscoe Mall

There are a number of other styles of public seating which are currently ad hoc and do not provide the quality or amenity required for this important streetscape. The image on the left is key vista on arrival to Bondi Beach via Bondi Road and is a key opportunity for improvement.

The new seating being installed in Bondi Park (pictured), could provide the basis for a consistent material palette.

Restaurant footpath seating



Near Hall St



Between Lamrock Ave - Hall St



Near Lamrock Ave

Existing shade structures for footpath seating vary in style and quality. Central post are superior to the corner post. However all existing examples create an issue with roll down plastic blinds which blur the beach views, enclose the footpath too much, and are susceptible to dirt and deterioration resulting in detracting to the street amenity. A modern consistent design unique to Campbell Parade would greatly help to improve the overall appearance and strengthen local identity.



Between Lamrock Ave - Sir Thomas Mitchell Rd



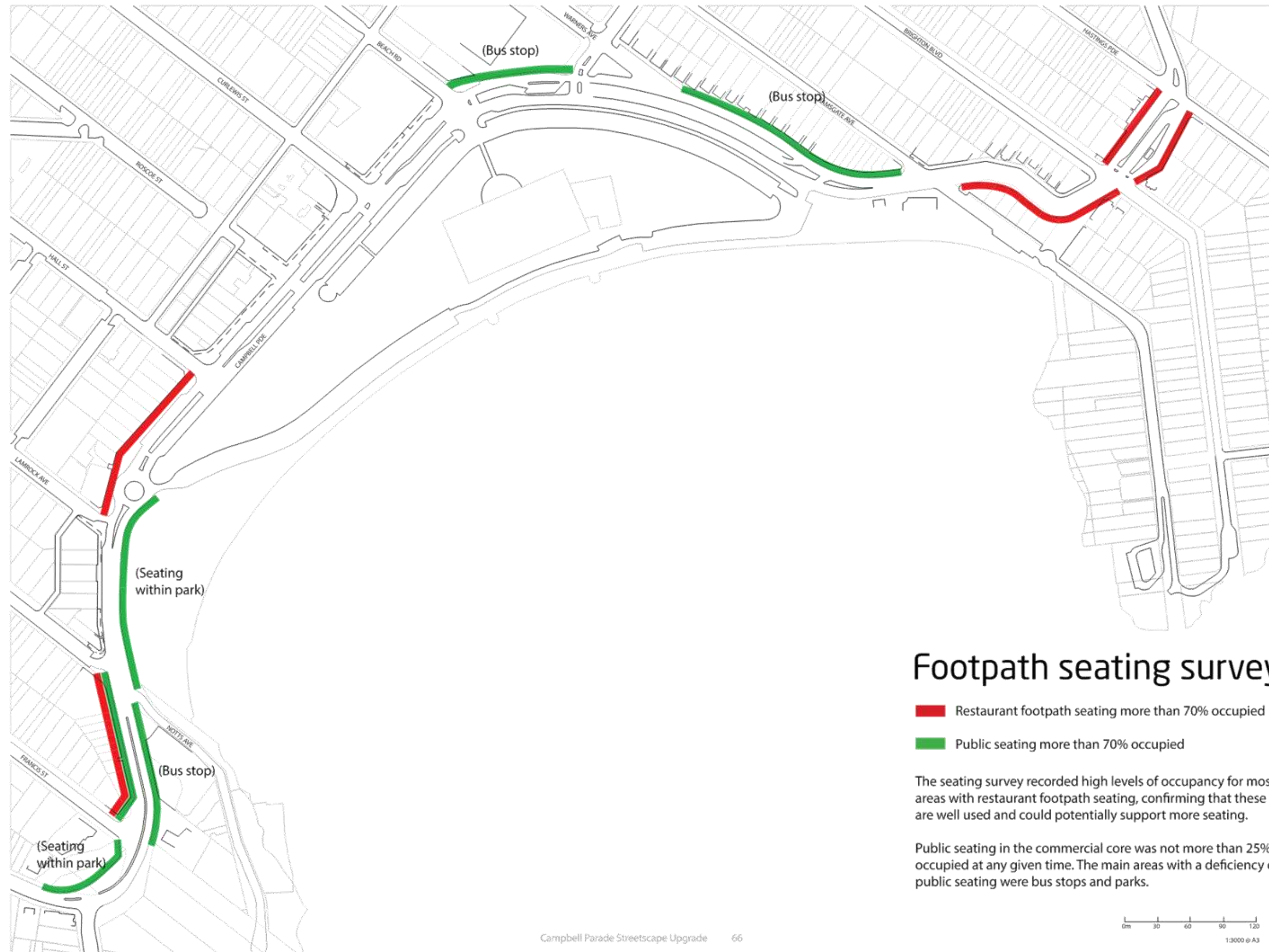
Near Sir Thomas Mitchell Rd



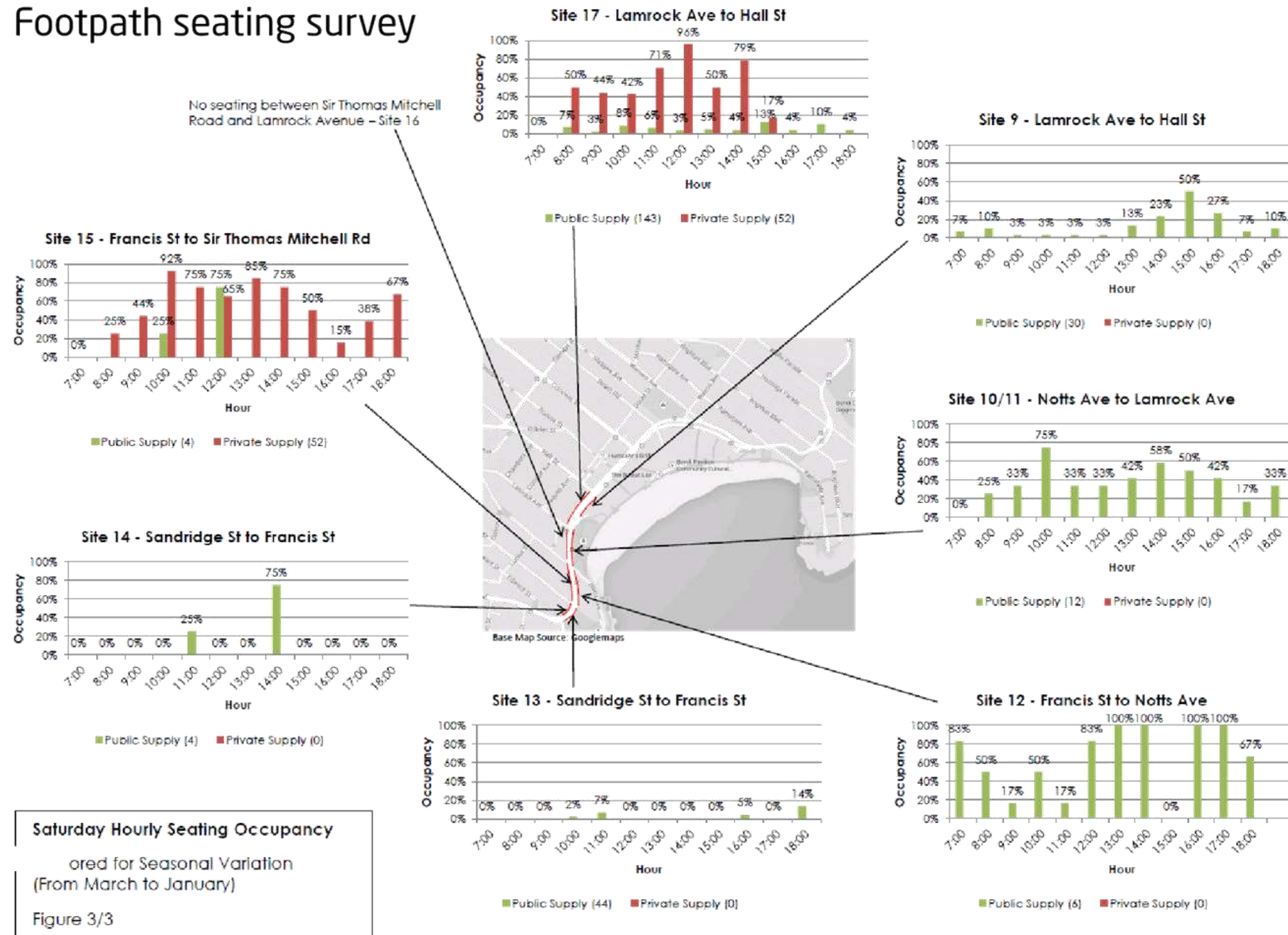
Near Ramsgate Ave

There are also a range of other footpath seating arrangements - under awnings, temporary umbrellas, and uncovered seating. These can be constrained by footpath width especially outside the commercial core area.

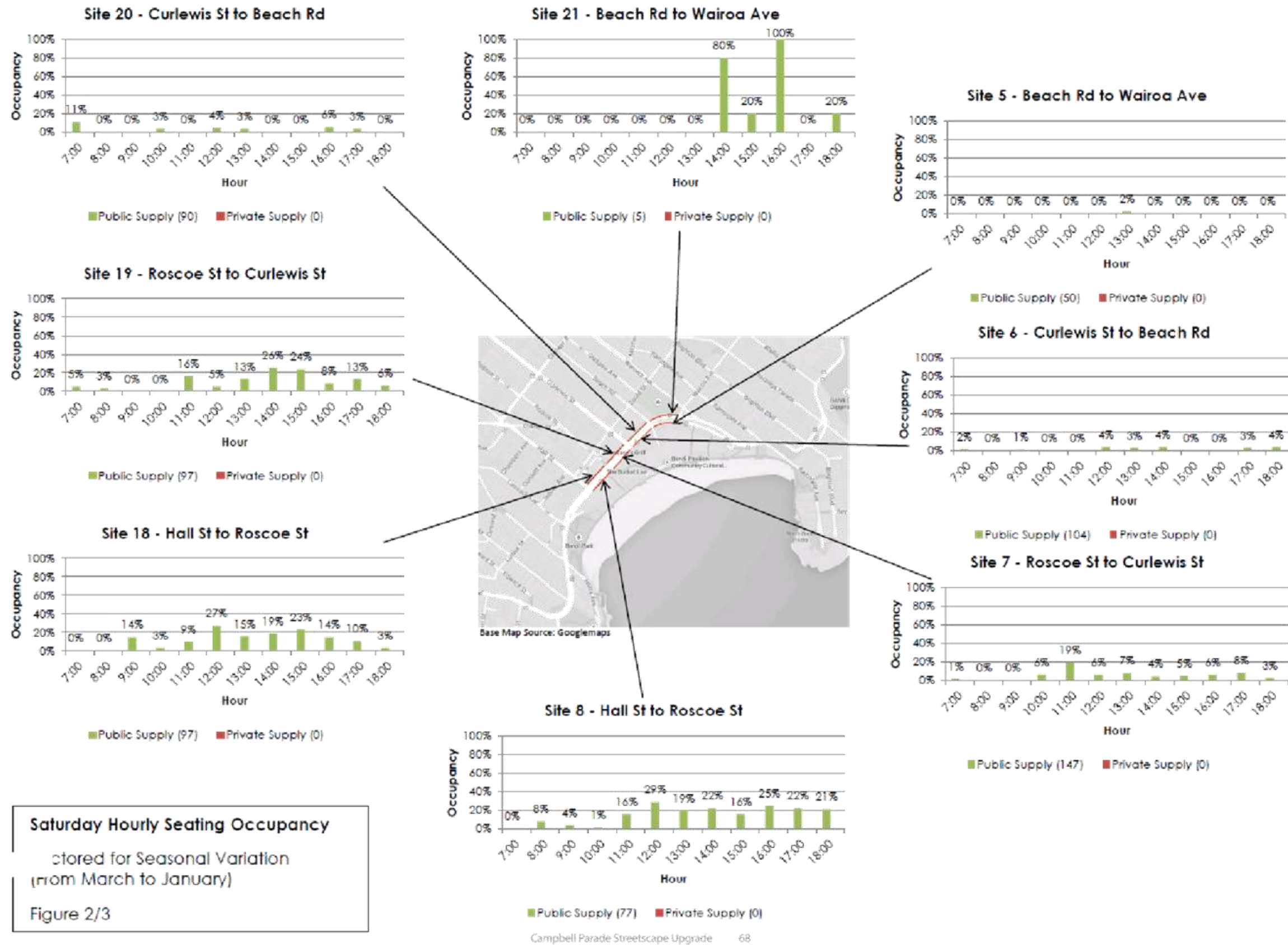


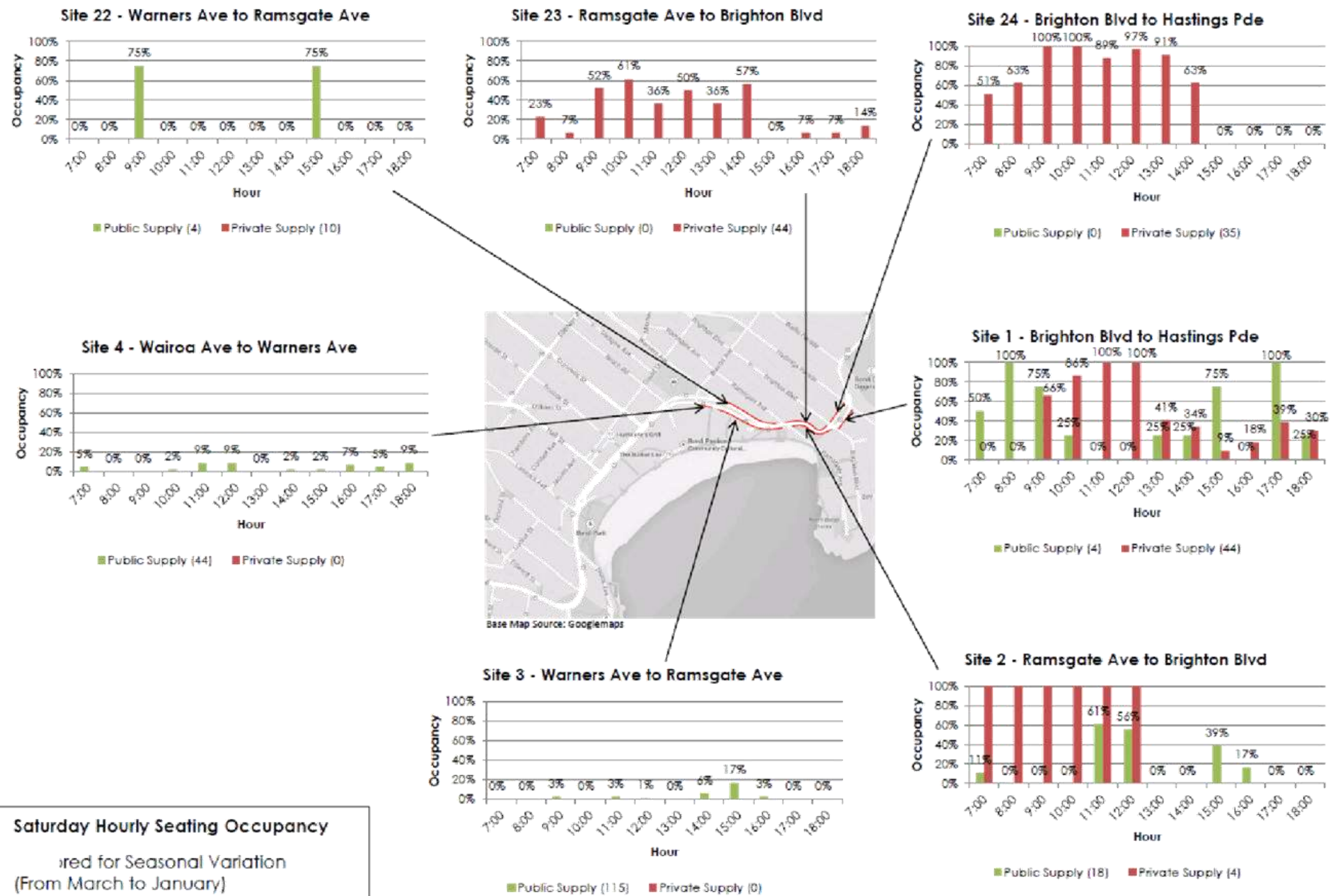


Footpath seating survey



Campbell Parade Streetscape Upgrade 67





Saturday Hourly Seating Occupancy

Adjusted for Seasonal Variation
(From March to January)

Figure 1/3

Cycling



Near Lamrock Ave



Near Hall St



Near Hall St



Near Roscoe Mall

While some bike racks are provided, more bike racks should be provided on each block near the end destination.

Continuous bike lanes are provided through the commercial core.



Near Francis St

There are no bike lanes in the southern half of Campbell Parade, but the wide roads could accommodate it.



Near Queen Elizabeth Drv

The bike lane is not continuous in North Bondi despite the road being wide enough.



Street trees

There is a lack of street trees and greenery outside the commercial core. The extension of palm trees in the central median the full length of Campbell Parade would help to create more coherent boulevard feel. Trees could also be located between parking bays with minimal impact to parking, and combined with rain gardens could help to address stormwater runoff more naturally.



Historically significant pine trees remain within Bondi Park and are well suited to the coastal conditions.



Formally arranged palm trees in the central median create a strong boulevard effect in the commercial core and have become a defining character of Campbell Parade.



The sections of Campbell Parade in North and South Bondi are devoid of trees and greenery, to the detriment of streetscape amenity. While some sections are exposed to winds, street trees are maintained in much harsher coastal climates around Australia. The introduction of regular street tree planting would be transformational to these areas.



Rubbish bins

There is a good provision of high quality uniformly designed bins along Campbell Parade, although some obstruct the footpath. Unfortunately at many locations there are not separate bins for recycling.

Many commercial tenants have no laneway access, so their bins are stored on the footpath for collection. These occupy precious footpath space, impact on the amenity of the street and smell bad, especially in the summer months. Screened bin areas may assist somewhat, but will occupy more footpath space and could present difficulties with numerous businesses sharing bin stores.

Consideration should be given to underground waste storage and transport technology for both public and private waste. This would free up footpath space, reduce the labour for collection, avoid overflows, and enable greater recycling.



Near Lamrock Ave



Near Lamrock Ave



Near Notts Ave



Near Lamrock Ave



Near Sir Thomas Mitchell Rd



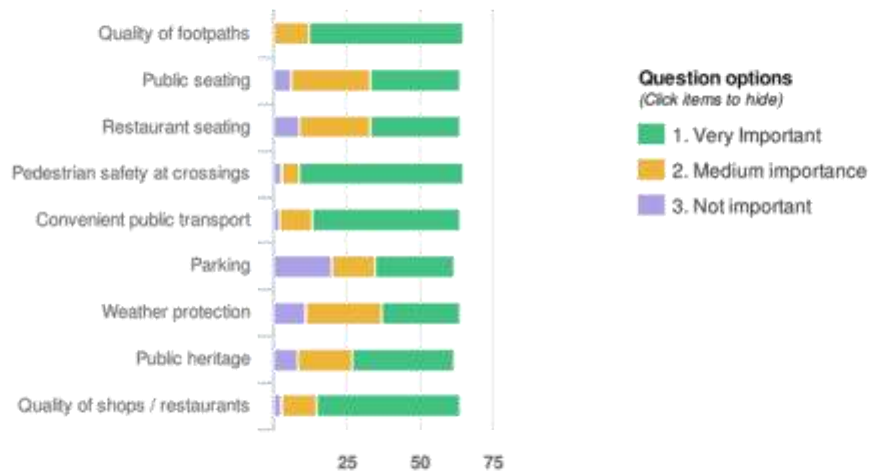


Attachment B - Community Consultation feedback

Online survey results:

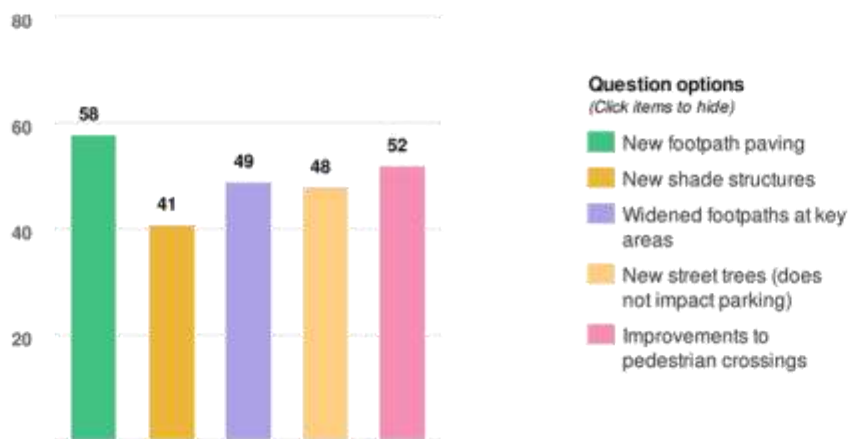
How important are the following issues on Campbell Parade:

Optional question



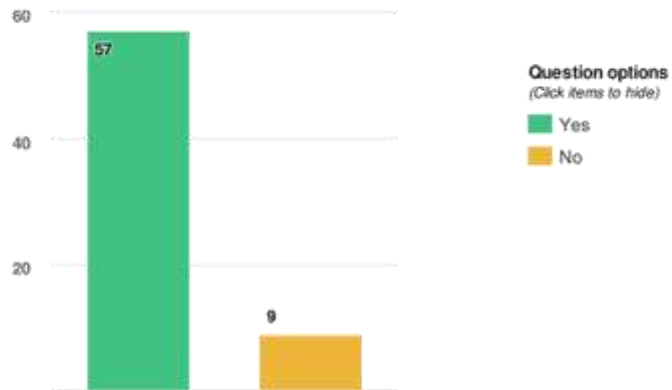
What elements of the proposed upgrades do you support?

Optional question



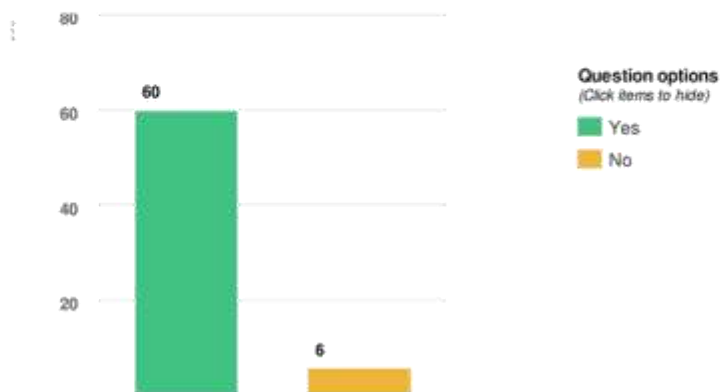
Do you think the proposed upgrades will improve the area?

Optional question



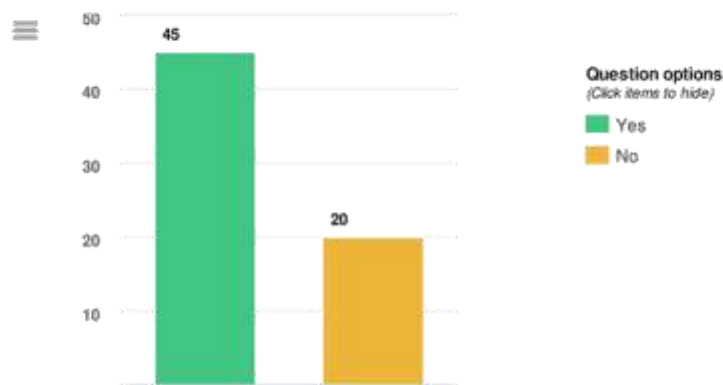
Do you think the proposed upgrades will make it safer for pedestrians?

Optional question



Would you (or your customers) be likely to visit more often or stay longer as a result of the proposed upgrades to Campbell Parade?

Optional question



Are you a:

Optional question

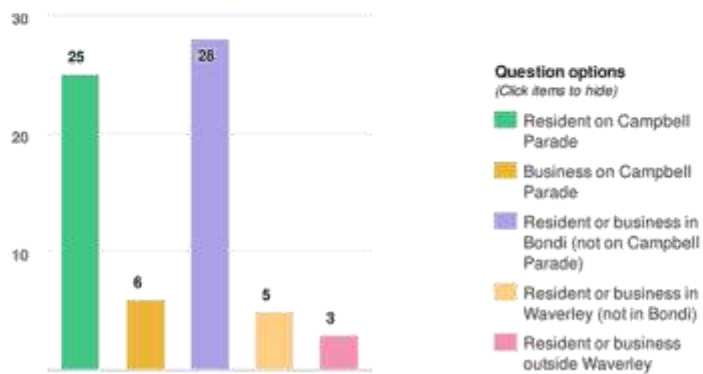


Table 1. Summary of community and business comments (via online surveys, written submissions and verbal feedback at information sessions/ meetings)

Issue	Officer comment
Outdoor dining/ shade structures	
Commercial footpath seating needs to be able to be closed in winter for weather protection.	The proposed shade structures provide a degree of wind protection with glass balustrades; have larger roof overhang for rain runoff; and have in-built heaters for warmth. The Pilot Project will enable the design to be tested year-round before consideration for further implementation.
The proposed glass balustrades will block the breeze when sitting at cafes and create a hot environment, may get scratched, dirty or vandalised, and concern about adequate maintenance and cleaning by Council (4 written submissions and several verbal comments).	The glass is intended to provide shelter from direct wind at seating level, yet allow enough airflow to avoid the air space heating up. The upward curve of the shade structure also allows more hot air to rise and vent out compared to traditional umbrellas. The structures also provide more roof overhang and shade to users than the existing structures. The Pilot Project will enable the design to be tested and refined as needed prior to consideration for further use. The applicant is responsible for cleaning and maintenance and this will also be monitored.
The cafes on Queen Elizabeth Drive do not use any type of enclosure even though they are subject to harsher weather - why should it be implemented on Campbell Pde? Why not ban the plastic sheets?	The existing food businesses have expressed a strong desire for some form of weather protection to outdoor seating to enable more use throughout the year.
The café seating design may not provide enough protection from wind and rain in winter – plastic roll-down blinds are preferred.	The Pilot Project seeks to balance openness to the beach and protection for users and will be tested, evaluated and refined prior to consideration for further implementation.
Council could consider fans and water mist as used in Europe to keep spaces cool.	The comfort of users will be tested as part of the Pilot Project and further cooling measures could be considered as a future refinement to the design.
Footpath seating already impedes pedestrian traffic flow, and usually extends beyond marked areas particularly onto bus stops.	The proposed footpath seating locations will maintain a 4m clear pedestrian walkway and are not located near bus stops. The new design will also help to define the permitted area.
I don't support the look of shade structures (3 submissions)	Council has approved the shade structure design for the Pilot Project and after 6-12 months Council will evaluate the design for potential use elsewhere.

I don't support shade structures on corner of Francis St as it will encourage people to loiter near residential area. (2 submissions)	While noise and amenity for residents must be protected, the vision for Campbell Pde is to be a commercial street with vibrant activity that complements the beach.
Cafés should be allowed / encouraged to surround outdoor eating areas with planter boxes.	The proposed design uses planter boxes at the ends to define spaces and add greenery. Planter boxes are not supported on the kerb side as they may create visual barriers to the beach.
Uniformity in design may be good but cafes should be able to have a selection of tables and chairs to use under the proposed new umbrellas.	Food outlets will be able to design the layout and furniture of footpath spaces to add character and diversity.
Uniform shade structures: great initiative, I am a strong supporter. They also need to be warm and cozy for winter use.	The Pilot Project will enable testing of the in-built heaters.
I was disappointed to see no proposed expansion of sidewalk dining on corner of Campbell Parade/ Lamrock Ave.	The report has been amended to propose replacement of the roundabout with a signalised intersection, which could provide space for increased footpath seating.
Ensure seating locations do not obstruct bin collection.	Noted. An improved waste collection system will also be considered at detailed design stage.
Umbrellas can be colourful and more interesting than the sails and much cheaper.	The proposed shade structures are intended to be unique to Bondi and of higher quality and durability than umbrellas.
We require clarification of the costs to Council of the footpath seating Pilot Project and whether it includes all other upgrades, not just the shade sails.	The developer is paying for the upfront costs associated with the Pilot Project, estimated to be around \$1m. Council has agreed to waive footpath seating licence fees for this area for 3 years up to a maximum of 40% of the total construction costs (a maximum of \$408,000). The project includes shade structures, public seating and landscaping. Further upgrades to the footpath paving, street trees, bins and lighting are proposed by Council with an estimated cost of \$580,000.
Clarification of the dimensions of the public footpath to be maintained and for a 'direct sell' area to be considered in the total width available for public movement within the public footpath area.	A 4m pedestrian walkway is proposed to be maintained adjacent to shopfronts. Direct sell areas to the footpath are not common, and can change over time as businesses change.
Clarification is required of the terms and agreement of removal of the upgrade works if community approval is not found.	At the end of the 3 year period (after consultation and evaluation) Council will decide whether to renew the footpath licence or require demolition of the structures at the developer's cost. This

	has been set out in a Deed of Agreement between the developer and Council.
Public Seating	
Suggest using the new Bondi Park public seating on the commercial side of Campbell Pde, but also with the mosaics on the lower concrete element.	Noted. The new Bondi Park seating may be a suitable replacement design in future, new public seating will be trialled in Pilot Project and evaluated for further use.
Mosaic benches: These are terrible and should go. I don't believe they fit with the street now.	Noted.
New public seating be more in line with the existing mosaic seating.	Noted. The design of new public seating will be trialled in Pilot Project and evaluated for further use.
Traffic	
Remove roundabout to QED and replace with right hand turn lane.	The design has been updated to show this.
Convert Campbell parade in a slow pedestrian friendly place. At the moment there are parts, like the segment between Francis St and Lamrock Ave, where crossing is dangerous and cars speed is inconsiderate. At the moment 4 lanes of cars plus two lanes of car park makes the Campbell Parade highway like, even with the upgrades proposed. Reduce volume of cars by limiting access and reducing traffic lanes to half, but improve public transport frequency and quality to balance that restriction: that would make a real difference. Until Campbell Parade overcome the car culture promoting a different kind of accessibility, all the upgrades won't solve the very reason that creates most of the problems in this area.	Noted. The vision is for a more pedestrian friendly street. The project scope was limited to the footpath/ seating areas and did not include traffic and public transport review, therefore major changes to traffic will be subject to separate investigations.
There needs to be traffic calming/ slowing at the corner of Hastings Road/ Campbell Pde. It is a dangerous corner because of the traffic volume, traffic speed, blind corner, vehicles doing U-turns here (including buses and trucks), large number of small children in this street; patrons at the café sit at this corner; there is a community book stall on this corner and we have not only children but elderly people who cross here.	Agreed, the concept has been amended to include traffic calming at Hastings Rd.
North Bondi has excessive traffic and often at high speeds with safety issues at the crossing (multiple submissions).	Noted.
Reducing to one lane each direction between Ramsgate Ave and Brighton Blvd will cause more congestion (3 submissions).	The proposed relocation of the single lane merge is within the same street block and does not change intersection design or traffic volume capacity of the road network, therefore is not expected to cause congestion.

Widening the footpath at Notts Ave would be detrimental to cars entering and exiting this busy street by not allowing 2 cars to exit simultaneously.	The design has been amended to propose signals at Notts Ave, which will create a safer and more efficient system vehicles and pedestrians.
Buses park at North Bondi taking up car bays and the bus u-turns are dangerous. Suggestion that buses should continue further north to turn and park (eg. at sewerage treatment plant).	Noted. STA, Sydney buses will be consulted further on this as part of detailed design.
40km/hr zone would be supported full length of Campbell Pde (multiple submissions).	Design has been amended to propose 40km/hr zone full length of Campbell Pde.
Parking	
Beach parking (QED) should be one way but in the opposite direction.	QED is part of the Bondi Beach POM and is outside the scope of this project. The intersections of QED with Campbell Pde will be adjusted as needed to suit the future traffic management for Bondi Beach as determined in the POM.
Need to maintain parking spaces for customers, delivery trucks and couriers in North Bondi (3 submissions).	Noted, no parking reductions are proposed.
Convert some bus zones in North Bondi to parking/loading.	STA, Sydney buses will be consulted further on this as part of detailed design.
Make more provision for motorbike parking.	Noted, motorbike parking will be considered in subsequent detailed design.
Suggestion for more parking to be provided at golf course, potentially underground.	Noted, but outside the scope of this project.
Convert the parking outside NoBo Eatery to motorbike parking as often large trucks or 4WDs park here and block beach views.	Noted, outside the scope of this project but can be considered in the subsequent detailed design stage.
Have always wanted to see Campbell Parade and Queen Elizabeth Road as pedestrian only streets. In the short term I suggest removing the ability to park on Campbell Parade.	While the project aims to improve the pedestrian experience, parking is still important for visitors and businesses and changes to parking are outside the scope of project.
Trees	
More plants and more attractive trees needed, especially along the centre of the road. The current appearance is unattractive. (2 written submissions and common verbal feedback)	Noted
Bondi streets around the foreshore are a mass of concrete, there should be far more trees planted wherever possible, not just artificial shade structures, and the street trees need better watering/maintenance.	Noted
Do not support the palm trees in North Bondi as they will blow over during storms, block views and create a safety hazard. Flowers and shrubs are more suitable. (7 submissions noted this)	Noted. The existing trees have withstood the harsh conditions in Bondi and in other coastal locations.

Concerned palm trees may impact views.	Noted. Palms have been selected as they are slender and have small canopies and enable views to be retained.
Trees not supported between car bays in North Bondi due to loss of parking and potentially block visibility of businesses.	Noted, trees are proposed generally in no-standing zones and are not intended to reduce parking. The location and design will be refined at detailed design stage to ensure this.
Low shrubs considered more suitable in North Bondi (as has been installed by cafes on 3 of the 4 corners).	Noted. A mix of low shrubs and trees are proposed to create greenery and shade. The species and locations will be refined at detailed design stage.
I prefer taller, more sturdy vegetation than grass verges.	Noted
Palm are not unique to create a distinct Bondi identity. Council could consider endemic flora or bush tucker that respects true heritage.	Palms are considered appropriate for the coastal boulevard context in terms of their form, durability and maintaining views. Native plants will be used in the shrub layer.
Palm trees are a suitable choice as they can withstand a fair amount of wind, they add a "beachy" feel, and they don't obstruct views too much. Any other kind of tree would completely block out views of the beach. However they should not be planted too close together to obstruct views and be maintained regularly as the fronds can look messy.	Noted
Consider native trees like Waratahs instead of palms.	Palms are considered appropriate for the coastal boulevard context in terms of durability and maintaining views. Native plants will be used in the shrub layer.
Consider using Tristaniopsis rather than palms	Palms are considered appropriate for the coastal boulevard context in terms of durability and maintaining views. Native plants will be used in the shrub layer.
I wholesale endorse your plan to add more green - I'd encourage you to go even further with palm trees, sidewalk plants, etc. One suggestion would be to consider also adding hanging plants (mounted to walls, the shade structures, or otherwise) and add planters between the road and footpath.	Noted. The landscaping has been considered to balance the spatial needs of users, however further greening could be considered over time and/or in detailed design stage.
Concern about adequate maintenance and watering of trees and landscape.	Noted, any new landscaping will require an appropriate maintenance regime.
More greening is needed. Council should replace the sandstone walls and earth fill around the roots of the historically significant pine trees as the soil is washing away from the roots at an increasingly alarming rate (Precinct comment).	Noted, this is outside the scope of this project and would be addressed as part of the Bondi Park POM works.
Footpath	
Footpath upgrades should use a light coastal colour paving/ concrete and needs adequate maintenance	Agreed. An appropriate maintenance regime will be established for the landscape/ infrastructure upgrades.

(written submission and common verbal feedback from businesses and residents).	
The paving at the north and south ends has been neglected since the 80's, especially around Francis St, this needs urgent attention.	Agreed
It is agreed that paving needs to be light and large pavers used wherever possible (Bondi Beach Precinct).	Agreed
Ensure new pavers are slip resistant – including barefoot/ thongs.	Agreed
I encourage the paving to be something more world-renown (e.g. Rio) than basic uniform colours/shapes.	The project aims to let the natural beach setting, postwar architecture and Bondi character to be the feature rather than introduce another focal element, therefore a more neutral paver is proposed which is timeless, yet still premium quality and befitting of the iconic beach.
Footpaths need to be wide and in good condition for wheel chairs (verbal feedback from elderly resident)	Agreed.
Pedestrian Crossings	
A pedestrian crossing is needed across Campbell Pde on south side of Lamrock Ave – it is very unsafe with large numbers of pedestrians crossing at this point which is a key bus stop (3 submissions noted this).	The design has been revised to propose a signalised intersection at QED, which would address this. Non-signalised pedestrian crossings are no longer permitted on multi-lane roads.
Create a widened main zebra crossing on Campbell Pde at Beach Road to link to the new main entrance of Bondi Pavilion.	This intersection is signalised, providing for safe pedestrian crossing. The entry treatment to Bondi Pavilion is outside the scope of this project.
The yellow markings for 40km/hr zone near Lamrock Ave get confused by tourists as a pedestrian crossing.	Agreed, the markings are proposed to be shifted as well as changed in appearance.
Campbell Parade pedestrian crossing at Wairoa Ave/Warners Ave definitely needs upgrading due to the presence of school children and visitors to the weekend markets – I have lost count of the number of times I have nearly been hit by cars failing to stop. It should be raised to slow/calm the traffic. The upgrade also needs to address visibility of pedestrians to drivers which is impeded by the parked tourist coaches and Sydney Buses.	The design has been amended to propose a signalised intersection at Wairoa Ave in order to improve pedestrian safety. Non-signalised pedestrian crossings are no longer permitted on multi-lane roads.
The existing pedestrian crossing at North Bondi bus terminus is unsafe and urgently needs safety improvement (multiple submissions note this).	Agreed. Options for raising the crossing and/or reducing the width of crossing will be investigated at the detailed design stage.
The pedestrian crossing at Notts Ave is supported to make this busy intersection safer for people crossing and slow down traffic.	Noted. The design has been revised to propose a signalised intersection to improve both pedestrian and vehicle safety.
Support for proposed pedestrian crossing on Brighton Ave (east side).	Noted

Several objections to proposed pedestrian crossing on Brighton Ave (west side) as it could cause congestion on Campbell Pde while cars wait to turn.	Noted. It is yet to be determined whether a raised threshold or pedestrian priority crossing is installed. Because Campbell Parade is already a single lane at this location, space should be provided for turning vehicles to wait for pedestrians without blocking the travel lane. To be addressed further at detailed design stage.
Cycling	
Whenever possible, separated bike ways or Copenhagen-style bike paths should be used.	Noted. The provision of separated bike ways would require the loss of either footpath, travel lane or parking and was outside the scope of the project.
Bike path: suggest separating it from the road with a small curb to make it feel safer.	The existing bike lanes are located between the parking lane and travel lane so a kerb is not possible. At detailed design stage it could be investigated whether there is space to relocate the bike lane to the kerb side (1.5m wide lane + 0.4m kerb/car door opening zone).
We should not encourage more cycling as it creates traffic conflicts.	Increased cycling and walking are actively encouraged by Council as it reduces pollution, reduces road congestion and increases personal health, amongst other benefits. The provision of bike lanes helps to reduce conflicts with traffic.
Bins	
Commercial bins are unsightly and smelly and need to go. Council could build a small "compound" for bins (noted in 3 written submissions and verbal feedback).	Agreed. New waste systems such as solar compacting bins and underground storage are being investigated as part of separate projects.
Council could collect bins at a set time daily early morning, rubbish bins must then be removed by set time daily (say 9am) and not put back on street till 5pm. Fines for business not complying.	Commercial waste can be collected by multiple operators making time coordination more difficult. New waste systems such as solar compacting bins and underground storage are being investigated as part of separate projects.
Almost unanimous resident and business support for solar compactor bins and underground refuse systems shown in brochures at feedback sessions.	Noted
Concrete walls	
The concrete wall and two pedestrian bridges should be painted or embellished with mosaics - at the moment all of this is grey and run down.	The wall and bridges are heritage listed, are covered by the Bondi Park POM and are outside the scope of this project.
The ugly concrete safety barriers near Lamrock Ave could be painted by local artists similar to the murals along the beach wall.	The design has been revised to convert the roundabout to signals, which would include removal of the concrete barrier.

Strong consideration given towards beautifying the corner section where Lamrock Avenue meets Campbell Parade with landscaping. This would give a much nicer impression to those arriving into Bondi from the south.	The design has been revised to convert the roundabout to signals and improve the footpath space.
I support planting next to the curved wall around roundabout – it will be a visual feature and prevent people jumping over the wall or sitting on it (3 submissions noted this).	The design has been revised to convert the roundabout to signals which would include removal of the concrete barrier.
Concrete and steel barriers by the roundabout need to go, they look menacing and prison-like.	The design has been revised to convert the roundabout to signals which would include removal of the concrete barrier.
General	
Majority of verbal feedback was supportive of the upgrades.	Noted
The quality of the businesses on Campbell Pde do not reflect the vibe of the rest of Bondi and are not world-class. Improved signage, seating and lighting would help improve this. Hastings St (Noosa) should be used as a reference.	Noted, however the business activity and operation is outside the project scope.
The quality and authenticity of the businesses has reduced in recent years, Bondi is losing its cosmopolitan character to become uniform, hipster and sterile.	Noted, however the business activity and operation is outside the project scope.
The quality of vendors on Campbell Pde is more of an issue than the footpath.	Noted, however the business activity and operation is outside the project scope.
The design elements need to retain a coastal feel, not too industrial or commercial like Barangaroo or Pyrmont.	Agreed
Please make Campbell Parade more of a community space. In the face of tourism, amenity for residents needs to be given priority.	The project seeks to address the needs of all users in a balanced manner.
Currently Campbell Pde appears derelict and unappealing making it difficult for quality business to be successful. Along with upgrading the streetscape and outdoor furniture I would also like to see the possibility of quality buskers as happens Byron Bay, to promote Bondi's bohemian culture and provide entertainment and attract tourists back to the main street of Bondi Beach.	Noted. Footpath activities such as busking is outside this project scope, but is being addressed as part of Council's Economic Development Strategy.
I would like to see the heritage character, and colour schemes of the buildings preserved, and the trend towards garish neon lighting prevented from spreading.	Noted, the heritage controls including colours are addressed in Council's LEP, and are outside the scope of this project.
I think the proposed upgrades will dramatically improve the appearance and attractiveness of Bondi Beach.	Noted
Need to create gateway entry when approaching from Bondi Road.	Noted

The overall look of the transformation should be clean and lush; cool yet timeless style. Something befitting Bondi.	Noted
It is about time Campbell Pde had an upgrade. It has the potential to be far more inviting & functional than what it is.	Noted
The roadway should be resurfaced as its cracked and bumpy.	Noted. The roadway is outside the scope of this project and will be addressed as part of Council's capital works program.
Suggestion to better use the grass hill on edge of Campbell Pde for seating, views.	Noted. This area falls within the Bondi Park POM and is outside the scope of the project.
The heritage building in bus depot should either be removed or repaired and upgraded (paint/ mural/ mosaic).	Noted. The future of this heritage item will be investigated further in the subsequent detailed design stage.
Upgrade the North Bondi bus depot including replacing the old shelter.	Noted. The future of this heritage item will be investigated further in the subsequent detailed design stage.
Much needed improvement to Campbell Parade. As a resident I feel it is very important to raise standard of streetscape and improve maintenance. Streets behind Campbell Parade serve as an entry to the beach and should also be included in an overall vision for upgrading the area. At present Roscoe Street and area around Hall Street look shabby and poorly cleaned.	Noted. The adjoining streets are outside the scope of this project but may be investigated as part of future projects.
Council should work with City of Sydney on their Infrastructure Australia submission for the Sydney Active Transport network.	Noted
Campbell Parade is in need of upgrades and has a lack of amenity, dominance by vehicles and visual pollution.	Noted
Don't make Bondi too glamorous.	Noted
Council needs to be innovative and find ways to ensure Campbell Parade has fine grain independent operators not multi nationals or large chains.	Noted, however the business activity and operation is outside the project scope.
I have seen Bondi Beach infrastructure, small businesses and buildings improve over the past 5 years. And I feel it has made a big difference for the community and me personally. Please keep up the good work. Bondi needs and deserves renovations. Thank you!	Noted
Concerned council will not maintain the improvements – landscaping, cleaning etc.	Noted, an appropriate maintenance regime will be established for the landscape/ infrastructure upgrades.
I think bars should have earlier closing hours to reduce the noise to residents.	Business activity and operation is outside the project scope.
We've lived through all of these suggestions in London and it made a MASSIVE difference in creating a pedestrian-friendly community and village feeling, even in the heart of the city. The consistent footpath paving, the reclaiming of the streets for greenery and the modernisation of seating as artwork, made the	Noted

city look fit for the 21st Century (whilst Bondi remains very entrenched in the 80's). You only have to look at the pictures to know that what currently exists is rundown and embarrassing for visitors who think Bondi is a world class destination. These changes will make us proud. Please do all of them now.	
The grass slope in south Bondi is full of rubbish, dog poo, cigarettes, is lumpy and is not maintained well.	Noted. This area falls within the Bondi Park POM and is outside the scope of the project.
I believe whatever is done should be world class.	Noted
I commend council for undertaking this initiative. It is long overdue but the approach and recommendations are on the whole very well done, and I am very supportive. I am supportive of spending whatever it takes to make a legendary and iconic street and will happily contribute my share via rates/taxes.	Noted
I would like to see a uniform lighting approach for nighttime which conveys warmth. Rather than just bright fluorescent lights, please consider something which has atmosphere. Eg tree lighting, Christmas lighting, mood lighting.	Noted. Lighting is being considered further as part of a separate project.
Noise from performance cars and motorbikes is a problem - speed bumps in the uphill stretch between Lamrock Ave and Francis St could reduce the ability to accelerate loudly.	Noted. The introduction of traffic calming is unlikely to address issues of excessively noisy vehicles, and is a matter for the Police.
Construction should be timed to minimise disruption to cars, buses, pedestrians and businesses. Eg. small stages and during winter	Agreed.

Table 2. Internal Council feedback (Sustainable Waverley, Open Space Planning, Sustainable Transport and Creating Waverley)

Issue	Officer comment
Support change to a light coloured paving treatment for Campbell Pde but use colour variation/ speckled stone to transition from darker side street treatments and help hide stains.	Paver colour, type, size and pattern will be finalised through competitive process.
Use same footpath pavement both sides of Campbell Pde and delete washed concrete.	The washed concrete is currently in good condition, however it is agreed that when replaced it should be consistent with the new paving specification.
As part of evaluation of pilot project Council needs to review: <ul style="list-style-type: none"> - Use by non-adjacent businesses, non-food businesses, and third parties (eg community group) - Allocation of space under structures - Outdoor dining outside of shade structures - Provision for waiter stations - Compliance with BCA such as toilets 	Noted and will be included in evaluation of pilot project

<ul style="list-style-type: none"> - Liquor licences - Plans of Management - Changes to DCP controls 	
Where new medium-large scale development is proposed, it should be a mandatory requirement that the pavement and kerb at the frontage of the site be upgraded (to Council specifications) as part of the development consent (excluding any VPA provisions). The Public Domain Manual / DCP should be upgraded to provide a trigger for effect (eg >\$2m or new mixed use/RFB development) to capture these.	Included in implementation section
Sandridge Street/ Bondi Road intersection – design kerb radii for heavy rigid vehicles including buses up to 12.5m in length turning in and out of Sandridge St; provide two lanes on western side of Sandridge St to allow for left and right turning vehicles; pedestrian refuges to comply with RMS Technical Directions; and maintain cycle lane on Bondi Rd. Note pedestrian refuge on Bondi Rd requires changes to guardrail and may not be possible due to minimum lane widths and subject to approval by RMS/ Waverley Traffic Committee. Parking lane width on north and west side of Bondi Rd may need to be retained at current width to provide manoeuvring space and visibility around the curving road.	Concept design has been updated to reflect comments, and will be further addressed at detailed design stage.
Francis St/ Bondi Road intersection – design kerb radii for medium rigid vehicles (8.8m length) turning in and out of Francis St.	To be addressed at detailed design stage.
Consider moving the pedestrian signals from the current midblock location to the Notts Ave intersection to improve safety for pedestrians and turning vehicles and improve accessibility to the zig zag stairs into south Bondi. Design kerb radii for medium rigid vehicles (8.8m length) turning in and out of Notts Ave. Also consider Sir Thomas Mitchell Rd as part of the intersection.	Concept design has been updated to reflect this.
Review the yellow honeycomb pattern threshold stencil at the start/end of the 40 km/h zone as it is often confused by some pedestrians as a crossing area.	Agreed – suggest brick paving or similar. Also suggest moving 40km/hr zone to south to Sandridge St and north to Hastings St.
Consider converting the Queen Elizabeth Drive roundabout to signals to improve safety of vehicles and pedestrians. The existing roundabout does not cater well for the movement of heavy vehicles including a large number of buses and larger coaches. There are also a significant number of pedestrians crossing Campbell Parade some 20m to the north of the roundabout in an uncontrolled way. Signals would enable the removal of the existing, aesthetically poor, concrete crash barrier (which people sit on dangerously); provide a significant increase in footpath area on the western side for outdoor seating; and reduce pedestrian conflicts on Queen Elizabeth Drive.	Concept design has been updated to reflect this.
Consider redesigning the existing, small traffic islands on Campbell Parade at the Hall and Curlewis Street intersections as the current islands are occasionally impacted by vehicles turning to the right out of those streets onto Campbell Parade.	To be addressed at detailed design stage.
Bus stops on Campbell Pde should be provided with indented/recessed bus bays designed in accordance with	On the west side of Campbell Pde this may impact outdoor

Austroroads and Australian Standards in order for buses to be fully clear of and not encroach out into the adjacent bike and travel lanes.	dining areas (eg. near Roscoe Mall). To be investigated further, including option of relocating bus stop to existing indented area.
Investigate closure of Warners Ave to Campbell Pde to avoid 'rat run' (needs to maintain driveway access to properties).	The concept design has been amended to incorporate this.
The Waverley Traffic Committee and RMS will not support non signalised pedestrian crossings on a carriageway with multiple lanes in the same direction. The pedestrian crossings as shown on Campbell Parade at Wairoa Avenue and at Warners Avenue will only be considered for approval if Campbell Parade is one lane only in each direction at the crossings. It is recommended the two crossings as proposed be deleted and crossing facilities be incorporated into a set of new traffic signals at Campbell Parade and Wairoa Avenue.	The concept design has been updated to include signals.
All car spaces in the centre of Campbell Parade to be designed in accordance with the relevant Australian Standards and be signposted to cater for the parking of vehicles under 6m only (ie. no coaches, caravans taking 2 spaces and/or overhanging into travel lanes).	Noted, to be addressed at detailed design stage.
Queen Elizabeth Drive (north) intersection with Campbell Pde to be designed to cater for eastbound traffic to execute U-turns without conflicting with vehicles exiting QED and Waverley Traffic Committee and RMS will not support non signalised pedestrian crossings on a carriageway with multiple lanes in the same direction.	The concept has been updated to show a signalised intersection in accordance with the Bondi Park POM.
Ramsgate Avenue (South) to be squared to Campbell Parade and kerb radii to cater for the swept wheel paths of a Heavy Rigid Vehicle (12.5m in length) both in and out of Ramsgate Ave.	Noted, to be addressed at detailed design stage.
North Bondi Bus terminus - discuss with State Transit Authority, Sydney Buses that the bus stops outside the shops on the western side of Campbell Parade not be used as a layover stop for buses due to impacts on business from blocking visibility, taking up customer parking and air pollution from idling buses.	Noted, to be addressed at detailed design stage.
North Bondi village - consider changes to split level footpath outside the shops on the western side of Campbell Parade to improve conditions for the mobility impaired when entering and exiting buses.	Noted, to be addressed at detailed design stage.
An independent, desktop, Road Safety Audit is to be carried out on all detailed design drawings prior to submission to the Waverley Traffic Committee.	Noted, to be addressed at detailed design stage.
Trief concrete kerbing or similar (higher than standard 150mm kerb) to be used on the edges of all landscaped, central median islands to prevent vehicles from entering onto the median in a crash and reduce the likelihood that pedestrians will use the landscaped medians as mid block crossing points.	Noted, to be addressed at detailed design stage.
Pedestrian barriers should be considered for installation in the landscaped median islands.	Crash barriers are only supported in special situations that warrant them, rather than as a standard approach.

All kerb blisters and islands are to be designed for the largest design vehicle using the roads in that area. All new kerb blisters and islands are to be designed to cater for the drainage of stormwater runoff from the road reserve.	Noted. In this regard footpath pavement to remain seamless to the kerb with no drainage channels through the kerb blister.
Considered preferable to not paint individual parking bays as painting the bays will require them to be painted in accordance with the Australian Standard which will result in fewer vehicles being parked particularly when small vehicles and motor bikes are occupying the spaces marked for large (B85, 4.91m long) vehicles.	Noted, to be addressed at detailed design stage.
Include underground screening and permeable pipe systems for stormwater treatment at appropriate points along Campbell Pde.	Noted, to be addressed at detailed design stage.
Raingarden at the end of Warners Ave is supported – a feasibility analysis will need to be undertaken to determine size.	Noted, to be addressed at detailed design stage.
Under-awning/ shade structure lighting will require an electricity supply and meter box for which we need to confirm ownership and account holder.	Noted, to be addressed at detailed design stage.
Include the upgrading of street lighting to multi-function poles and LED lighting.	Noted, has been added to the report, and to be addressed at detailed design stage.
Include cost estimates for screening and permeable pipe systems, raingardens and biofilter tree pits, Multi-Function Poles and LED's.	Tree pits and MFP's have been included, further details are currently unknown.
Solar compacting bins (for waste and recycling) are currently planned for installation at Bondi Beach and Park by the end of the 2016. Based on the monitoring and evaluation, consider the installation of additional bins along Campbell Parade.	Noted, has been added to the report, and to be addressed at detailed design stage.
Consider the use of hydraulic underground systems along Campbell Parade for both public and commercial waste. Also revisit the option of pneumatic underground system.	Noted, has been added to the report, and to be addressed at detailed design stage.
The majority of Campbell Parade is part of a DCP listed biodiversity corridor. Palms have limited habitat benefit and there would be significant benefit in having a range of vegetation types in the planter beds including a mid-story shrub layer.	Palms are considered appropriate for the coastal boulevard context in terms of durability, form, and maintaining views. Native plants will be used in the shrub layer.
Minimise paving wherever possible with additional plantings of groundcover and shrubs and where possible canopy trees to minimise heat island effect and reduce stormwater runoff.	Noted
Water Sensitive Urban Design including tree pits, swales, and bio-retention gardens should be considered in strategic locations for water quality improvements.	Noted, has been added to the report, and to be addressed at detailed design stage.
Investigate replacement of QED roundabout for pedestrian and cyclist safety.	The concept design has been amended to show a signalised intersection.
Where possible integrate single direction 1.5m cycle paths between the kerb and parking bays with 0.5m kerb separation. A compromise is bi-directional cycleway. A further compromise is for a separated single direction cycleway in uphill sections (with mixed cycle/travel lane on the downhill side).	The provision of separated bikeways was outside the scope of project. The option for separated lanes to be considered at detailed design stage.

Provide more secure bike parking opportunities.	Additional bike racks are shown on the concept plans.
Align capital works stages with character precincts. Suggested sub-precincts: Sandridge St to Notts Ave; Notts Ave to QED roundabout; QED roundabout to Beach Rd; Beach Rd to QED north exit; QED Nth Exit to Ramsgate Ave; Ramsgate Ave to Brighton Blvd.	Report has been updated to show character precincts. Capital works stages are by streetblock.
Clearly explain how this document relates to other Council Policies and Plans	This has been addressed in updated report.
Ensure consistent with Bondi Park, Beach + Pavilion Universal Access Study and recommend access consultant to provide advice on accessibility and universal access.	The report has been checked for consistency and access consultant to be engaged at detailed design stage.
Ensure consistent with Bondi Park PoM and recommendations and actions for Campbell Pde interface.	The report has been checked for consistency and updated as necessary.
There should be a clear distinction between where the road streetscape works end and where the Bondi Park starts (including design, management, maintenance responsibilities and differing regulations).	The study boundary has been added to all plans.
Clarify increased parking in central median (between Warners Ave – Ramsgate Ave) is only permitted if parking offset from beachfront (ie. no net change).	Report updated to address this.
Road cross sections with measurements should be included in analysis to demonstrate differences in corridor widths and opportunities for changes. E.g. road diet, inclusion of on or off road cycleways, integration of landscape or WSUD, etc.	Traffic, parking, cycling, public transport and road diets were outside the scope of project.
Ensure all side streets and major features are labelled on maps (Bondi Pavilion, Beach Park, Ramsgate Ave, etc). Add study boundary to all maps	Addressed in updated report.
Clarify what is happening to the existing art works on Campbell Parade including the mosaic seating.	Decision to restore or replace existing mosaic seats will be considered as part of detailed design of each stage, and will be subject to a condition report and deaccessioning process.
Upgrade triangle park at Wairoa Ave/ Warners Ave with landscaping and add tree pits to these roads	Noted, to be addressed at detailed stage
Create an identifiable welcome design feature in the open spaces around Francis St with public art and landscaping, welcome signage, references to history, surf, wayfinding, flag poles etc	Noted, to be addressed at detailed design stage
Increase width of footpath on Notts Ave.	Agreed but outside scope of project

**REPORT
CM/7.6/16.12**

Subject: Connected Corridors for Biodiversity

TRIM No.: A16/0664

Author: Sam McGuinness, Senior Environment Officer

Director: Peter Monks, Director Waverley Futures

RECOMMENDATION:

That Council:

1. Adopts the Connected Corridors for Biodiversity habitat corridor map attached to this report.
2. Commits to enhancing habitat connectivity within the mapped corridors by undertaking on-ground bush regeneration and habitat enhancement works and implementing targeted community engagement programs.

1. Executive Summary

This report presents a Sydney region map of habitat corridors that can be used to promote biodiversity conservation on public and privately-owned land. The project area encompasses 23 (pre-amalgamation) Councils which consist of all of the Sydney Coastal Councils Group (SCCG), the Southern Sydney Regional Organisation of Councils (SSROC) and Strathfield Council. The area expands from Palm Beach in the north to the Royal National Park in the south. The habitat map that has been created in the Waverley Local Government Area closely matches the habitat corridor mapping that is included in the current Waverley Development Control Plan 2012 (DCP). These habitat corridors were based on the Waverley Biodiversity Study undertaken in 2010 by the Australian Museum.

The aim of the project was to create these tools so that Council can facilitate increased habitat connectivity, and thereby increase resilience of biodiversity to climate change and other threats across the project area.

2. Introduction/Background

Habitat connectivity is essential for the long-term conservation of a diverse range of species and ecological communities. In developed areas like Sydney, habitat areas are significantly limited, fragmented and isolated. Therefore the potential for many fauna species to move between different habitats to feed and reproduce is restricted. Isolation and fragmentation also presents barriers for plant pollination, germination and dispersal. Over time this has resulted in dwindling population sizes, reduced genetic diversity, and adverse impacts on ecosystem function and health. Combined with threats to plant and animal population from disease, competition, predation, weeds and climate change, there are significant pressures on our local flora and fauna.

Despite significant habitat and vegetation loss in Sydney, there are many species and ecological communities that persist in the area. In the Waverley LGA this includes the endangered ecological community Eastern Suburbs Banksia Scrub at York Rd, Queens Park and remnant coastal heath along the coastline. Habitat also exists in street trees, local parks, schools and backyards.

To facilitate the conservation of our local fauna, the enhancement and improvement of local habitat corridors and habitat locations is required. The optimum way that this occurs is through an increase in vegetation with a diversity of established, shrubs, groundcovers and trees.

Habitat corridor map

The Connect Corridors for Biodiversity (CCB) habitat corridor map was prepared to guide the enhancement of habitat connectivity across the highly urbanised project area. While Waverley Council already has its habitat corridors mapped in the Development Control Plan, this project connects our corridors with those of our adjoining Councils and potentially creates a regional response to improving habitat.

The map also has the support of the Greater Sydney Commission's (GSC) Environmental Commissioner, and is being considered in preparation of the GSC District Plans and Green Grid. Consultation between the SSROC and the NSW Office of Environment and Heritage (OEH) is in progress regarding links between the CCB habitat corridor map and OEH's BioMap project, which identifies priority land for conservation investment.

Given the fragmented nature of habitats in the project area, the map includes land subject to varying uses, areas of both poor and high quality habitat and includes both public land and private property. Regardless of tenure, it should be noted that there are substantial opportunities within the mapped corridors for Councils to enhance existing or create new habitat features without compromising other land uses. This could occur as part of landscaping associated with new developments.

Connected Corridors for Biodiversity good practice guide

Most Councils in Sydney have well-developed programs focused on the management of bushland reserves, wetlands, waterways and other habitats on public land, but private property can play a vital role in providing 'stepping stones' of habitat that provide connectivity between larger habitat areas. As part of this project a *CCB Good Practice Guide* document will be completed by SSROC in December 2016 to summarise and share the lessons learned from projects to improve habitat connectivity that have proven successful in Sydney and elsewhere, and that have the potential to be more widely implemented.

Other benefits

It should be noted that, as well as its intrinsic value, there is growing recognition globally of the importance of urban biodiversity because it:

- delivers vital ecosystem services including maintenance of oxygen in and absorption of pollutants from the air, soil enrichment, water purification, plant pollination, food production, pest control, climate regulation, decomposition of organic waste, and erosion control
- enhances the liveability of urban areas by improving visual and recreational amenity, and contributing to the health and well-being of urban residents – regular contact with the natural world has been found to help lower stress, boost immunity, heighten creativity, improve cognitive function, and assist in recovery/rehabilitation from illness and injury
- can significantly enhance property values, given the desirability of access/proximity to 'natural' areas such as bushland, wetlands, waterways, foreshore and coastal areas, and other green space
- assist in reducing the Urban Heat Island effect through natural vegetation reducing local temperatures and creating micro-climates.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
20 th September 2016	CM/7.7/16.09	<p>That Council actively promotes Street Gardens and plantings in other public domain contexts in Waverley and any new merged Council, by developing directions and SMART targets, an Action Plan, and a Communications Strategy in consultation with the Environmental Sustainability Advisory Committee (ESAC) to include consideration of the following promotional ideas:</p> <ul style="list-style-type: none"> • Council's 'Local Connections' project approach • Trial of 'Adopt a Street Garden' and 'Adopt a Street Garden Rebate' programs • Bi-annual street garden awards • Low cost plant provision • Design & planting assistance • Demonstration street gardens, and any other initiatives.

4. Discussion

The Connected Corridors for Biodiversity map identifies that Waverley's main habitat corridor is the coastal corridor which runs the extent of our coastline. This habitat corridor connects and continues north to South Head and south to La Perouse. The other identified habitat corridors connect coastal habitat locations at Diamond Bay, Tamarama, Bronte and Waverley Cemetery through to Neilsen Park, Waverley Park and Queens Park/Centennial Park respectively. These corridors are fragmented but contain many 'stepping stones' that would assist animals in travelling along the corridor. In 2016 Council undertook a major project of native plantings adjacent to our buffer vegetation. At key sites such as Diamond Bay, Eastern Reserve, Rodney Reserve, Tamarama and Calga Reserve, the amount of native vegetation is being increased to provide habitat.

In managing the coastal habitat corridor and our local parks, the role of weeds species in providing habitat must be recognised. Introduced species such as *coprosoma* (shiny leaf) and *lantana*, provide excellent habitat for local birds such as the Superb Fairy Wren. While Council actively manages weeds, we do so in a manner that maintains habitat wherever possible. It is important that other habitat becomes established before weeds that are habitat are removed.

Waverley Council's DCP 2012 currently requires properties in habitat corridors to include a Landscape Plan when they submit a development application. This Plan must include a minimum of 50% native plants which will assist in the provision of habitat for local fauna. There is scope in future to improve this control so that it is able to create an ongoing increase in habitat quality and quantity wherever possible.

Council Officers actively work with the community to promote increased habitat on private properties through a number of programs including the Habitat Stepping Stones Program. This program commenced in 2015 through the Australian Research Institute for Environment and Sustainability at Macquarie University. It enables local residents to pledge to create habitat on their property and provides them with the information on how to do this including what plant species would be suitable. Council Officers are also working on a number of programs which will increase habitat such as the promotion of Street Gardens, Street Tree planting and other parks plantings.

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: E6 A network of parks and coastal reserves, street trees and other plantings provides a habitat for a thriving local ecology.
- Strategy: E6c Increase the quantity and quality of habitat cover on private and public properties..
- Deliverable: Encourage native plantings on public / private property in identified habitat corridors.

6. Financial impact statement/Timeframe/Consultation

Endorsing the Connected Corridors for Biodiversity Map will not have any impact to Council's budget. Council through the current adopted DCP has already endorsed these corridors for a number of years.

7. Conclusion

The Connected Corridors for Biodiversity map outlines habitat corridors on a Sydney wide basis. This map provides a regional response for Councils to focus where habitat should be improved so as to increase the amount and diversity of fauna in Sydney.

8. Attachments:

1. Connected Corridors for Biodiversity Map Eastern Suburbs



**REPORT
CM/7.7/16.12**

Subject: Draft Bondi Junction Evening, Culture and Entertainment Strategy

TRIM No.: A16/0262

Author: Yanos Fill-Dryden, Senior Landscape Architect

Director: Peter Monks, Director Waverley Futures

RECOMMENDATION:

That Council:

1. Authorises the public exhibition of the Draft Bondi Junction Evening, Culture and Entertainment Strategy attached to this report for a period of 28 days.
2. Notes that the public exhibition for the Draft Bondi Junction Evening, Culture and Entertainment Strategy period will be launched with a 'pop-up' event titled 'After Dark in the Junction'.
3. Notes that a report will be presented to Council following the public exhibition period, which summarises the outcomes of the public exhibition and includes a revised Bondi Junction Evening, Culture and Entertainment Strategy for formal adoption.

1. Executive Summary

This report provides a summary of the Draft Bondi Junction Evening, Culture and Entertainment Strategy, prepared by Village Well on behalf of Waverley Council. The strategy will coordinate events and cultural programs, economic development actions and urban design initiatives to help Bondi Junction evolve into an active, engaging and safe place for families, youth and the elderly to meet and enjoy into the evening.

Shaping Waverley is seeking Council's authorisation to exhibit the Draft Bondi Junction Evening, Culture and Entertainment Strategy for public comment for a period of 28 days. The public exhibition period will be launched with a pop-up event titled 'After Dark in the Junction'. After Dark in the Junction will provide an opportunity for stakeholders and the community to engage with, test and provide feedback on multiple recommendations from the Draft Bondi Junction Evening, Culture and Entertainment Strategy. After Dark in the Junction will run for up to 14 days and focus on increasing evening activity in Oxford Street Mall. Additional sites may be incorporated into the After Dark in the Junction, subject to suitability, including; the Boot Factory forecourt, Spring Street, Gray Street and the Eastgate carpark.

Following public exhibition, the outcomes of the engagement process and recommendations will be tabled to Council for final determination.

2. Introduction/Background

The Draft Bondi Junction Evening, Culture and Entertainment Strategy was created in response to previous strategic recommendations from both the Bondi Junction Complete Streets Project and the Waverley Economic Development Strategy, as well as extensive community feedback from previous engagement processes.

In 2014 Council adopted the Bondi Junction Complete Streets Report, which included the following actions relating to evening activity in Bondi Junction:

- Develop a Night Activation Strategy for Oxford Mall, which includes night markets, concerts, performances, buskers, free footpath leasing for restaurant seating at night and creative lighting of sails; and
- Investigate closing Gray Street at night for increased restaurant seating and for pop-up events.

In 2015 Council adopted the Waverley Economic Development Strategy, which included the following actions relating to evening activity in Bondi Junction:

- Encourage increased diversity in night time economy of Bondi Junction.

The Waverley Economic Development Strategy acknowledges the need for night time activation that supports the local community along with greater collaboration between Waverley Council, the Bondi and Districts Chamber of Commerce and local business.

Community feedback about evening activity in Bondi Junction was captured during the Bondi Junction Complete Streets Report consultation process (2013) and the Bondi Junction Vision Community and Stakeholder Engagement Process (2014). These views included:

- After-hours activity in Bondi Junction is less than expected for a major centre;
- Oxford St Mall, the heart of the Bondi Junction, closes down after 6pm with few businesses trading and no regular evening events or attraction;
- Bondi Junction centre has a lower level of night time use (9%) and perceived safety (60%), when compared with the day (90%, 99%);
- Low evening usage and perceptions of safety are commonly attributed to anti-social behaviour emanating from larger entertainment venues in the area;
- Bondi Junction is deficient in a variety of evening options such as quality restaurants, cafes and family friendly events and attractions that allow for diverse experiences for all ages; and
- That improved evening economy must include a variety and more frequent outdoor dining choices, relaxed parking rates after 5pm and more inclusive public spaces to hold cultural events.

To address these strategic recommendations and community views the scope of the Draft Bondi Junction Evening, Culture and Entertainment Strategy extends beyond Oxford Street Mall and incorporates all of Bondi Junction.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council Meeting 4 February 2014	OCRD.3/14	That Council: 1. Endorse the Bondi Junction Complete Streets Project Report (as amended per Council minutes of September 2013 FESP committee) with the following amendments:
Operations Committee Meeting 7 July 2015	OC/5.2/15.07	That Council: 1. That Council adopt the Draft Waverley Economic Development Strategy 2015 (Attachment 1) subject to amendments

4. Discussion

The Draft Bondi Junction Evening, Culture and Entertainment Strategy was prepared by placemaking consultancy Village Well on behalf of Waverley council. The draft strategy establishes a vision, objectives and actions for evening activation of Bondi Junction. The vision builds on three existing place themes that characterise Bondi Junction in the evening; 'Health and Wellbeing', 'Fun and Playful' and 'Food as the Drawcard'. The objectives of the draft strategy are;

Image: Improve the image and branding of evening activity at Bondi Junction

Diversity: Increase the diversity of evening land uses across the precinct

Policy: Streamline processes to support new and existing traders

Public Life: Increase night-time street life

Safety: Improve amenity and safety for all users during evening hours

The draft strategy also includes a detailed action plan which identifies indicative costs, timeframes and responsibilities for delivery of the strategy's draft recommendations. Key recommendations from the action plan are:

Place Curator and Coordinator Function - A place curator function is recommended to simplify processes; coordinate events and activations; and actively develop relationships with internal and external stakeholders.

Alfresco Dining Incentives - Incentivising evening alfresco dining will bring activity onto the streets and increase perceptions of activity and safety within Bondi Junction.

Public Art – The introduction of public art into the evening experience at Bondi Junction will create landmarks, assist wayfinding and add a sense of intrigue for visitors.

Promoting 'After Dark at the Junction' - Bondi Junction must be repositioned as an attractive evening destination, both throughout the week and on weekends.

Entertainment and Live Music - Bondi Junction has an opportunity to address a Sydney-wide challenge in supporting more live music and other forms of cultural entertainment.

Leasing Mix & Extended Trading Hours - Create a long term Leasing Strategy that approaches the precinct holistically and provides a balance of land uses that are active throughout the evening and support the development of a strong identity for Bondi Junction.

Trader Group & Cross Promotion - Gauge interest in forming an incorporated traders association to become eligible for Council grants and other streams of funding to support the organisation and production of evening events.

Talent Incubation - Expand existing small business support programs and build on opportunities to foster local talent.

Transport & Access Improvements - Bondi Junction could further enhance the health and wellbeing focus by better facilitating walking and cycling.

Partnerships and Relationships with Key Stakeholders - Initiate a regular forum with key stakeholders which focuses on developing a successful evening culture in Bondi Junction.

Outdoor Fitness - Investigate the creation of well-lit area/s where small, local health businesses can run exercise classes and one-off events to bring activity onto the streets and increase perceptions of activity and safety within Bondi Junction.

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: L1 Waverley's economy is vibrant and robust and supports the creation of a variety of jobs and business opportunities.

Strategy: L1a Reinforce Bondi Junction's role as a regional centre and a focus for retail, hospitality, business, commercial and professional services and entertainment activities..

Deliverable: Initiatives implemented to encourage visitation and stimulate economic activity

6. Financial impact statement/Timeframe/Consultation

The cost of Village Well's consultancy services were \$54 960.

The remaining project budget of \$30 000 has been allocated to the strategy launch event and completing the strategy. Potential funding sources for the recommendations contained in the strategy have been identified in the action plan. These sources will be confirmed following the public exhibition period.

Timeframe

The key milestones are:

December 2016	Council approval for public exhibition
---------------	----------------------------------------

March 2017	Launch of Pilot Project and public exhibition period (to be confirmed)
April 2017	Review of submissions
May 2016	Report to Council for adoption

Consultation

The following consultation was undertaken at the inception and development stages of the Draft Bondi Junction Evening, Culture and Entertainment Strategy:

- Workshops with Councillors, and council staff and stakeholders
- Kitchen table conversations with local traders

Workshops focused on developing a vision for Bondi Junction's evening activity, understanding the current challenges / opportunities and identifying potential activations and strategies to encourage night-time activation throughout Bondi Junction in the future.

Kitchen table conversations were undertaken with six key traders and stakeholders in Bondi Junction. These conversations were informal discussions around the existing evening culture in Bondi Junction, the opportunities and challenges and what people would like to see happening in the future. Each conversation took between 30 minutes to an hour to complete.

A detailed summary of this consultation process is contained in Appendix C.

Further consultation has included:

- Two presentations at the Waverley Business Forum to promote engagement with the strategy
- A preliminary meeting with local police to discuss the aims and objectives of the strategy.

If approved by council, the Draft Bondi Junction Evening, Culture and Entertainment Strategy will be placed on public exhibition for a period of 28 days. This exhibition period is planned for late summer and will be launched with a pop-up event titled 'After Dark in the Junction'. Council will collect public feedback on both the draft strategy and the pop-up event through multiple engagement methods. These methods are currently being prepared in conjunction with Council's Communications team. All feedback will collated and reported back to Council. Feedback will be incorporated into the final Bondi Junction Evening, Culture and Entertainment Strategy wherever possible.

7. Conclusion

The Draft Evening, Culture and Entertainment Strategy provides the strategic means to develop Bondi Junction over the next 10 years as an evening destination that is economically viable, culturally exciting and safe.

8. Attachments:

Nil

**REPORT
CM/7.8/16.12**

Subject: Waverley Artist Studios intake for February 2017

TRIM No.: A15/0089

Author: Matthew Fallon, Manager Cultural Programs
Elizabeth Reidy, Curator & Visual Arts Coordinator

Director: Rachel Jenkin, Acting Director, Waverley Life

RECOMMENDATION:

That Council approves :

1. The following artists for placement in the Waverley Artist Studios in February 2017 intake: Greg Semu, Newell Harry, Phil James, Nicola Smith and Anna John.
2. The following artists for the reserve list in the Waverley Artist studios intake for February 2017: Rebecca Gallo, Koji Ruyi and Cam Scott are placed on reserve for the February 2017 - January 2018 Waverley Artist Studios.
3. The period of residence for those artists to be extended from 6 months to 12 months (February 2017-January 2018) on a trial basis with the results and benefits of the extended period to be reported to Council.

1. Executive Summary

This report provides information on Waverley Artist Studios to date and summarizes applications proposed for the studio period commencing February 2017.

Following a selection process for the new intake a shortlist was provided to the Waverley Public Art Committee. The committee has recommended that Council endorse:

1. Greg Semu, Newell Harry, Phil James, Nicola Smith and Anna John for placement in February 2017.
2. Rebecca Gallo, Koji Ruyi and Cam Scott as reserved placements for February 2017 intake for the Waverley Artist Studios.

2. Introduction/Background

Based at the Bondi-Waverley School of Arts the Waverley Artist Studio program has run for 7 years. The Waverley Artist Studios offer five rent-free workspaces where resident artists are able to develop new work and continue their creative practice. The artists enter into an agreement with Council to provide community activities including:

- Open Studio Days
- Tutoring school holiday programs
- Developing and implementing public programs and exhibitions in Waverley Library Galleries and Bondi Pavilion Gallery

- Conducting artist talks with our seniors and schools groups.

Artists also agree to acknowledge the support of Waverley Council when the work produced during residence is exhibited.

The studio program to date has supported 41 artists. These are newly established artists, many of whom have gone on to exhibit in a growing list of Australia's most recognised institutions including the former including the Museum of Contemporary Art, Art Gallery of NSW, Museum of Old and New (MONA), Queensland Art Gallery, artspace Sydney, National Gallery of Victoria, National Portrait Gallery, Sydney Biennale. Underbelly Arts and numerous international galleries and Biennales.

Former Waverley Studio Artists have won the Archibald prize, and NSW Travelling Fellowship, been finalists in the Moran Prize, John Fries Prize, Sulman Prize, Wynne Prize, Redlands Konica Minolta Prize, The Anne Landa Prize for new media, and the recipients of Creative Fellowships from the Australia Council for the Arts.

The studio program has developed a reputation for excellence in the art community and has become a highly competitive artist residence opportunity, it also reflects very well on Waverley Council as a supporter of emerging artists.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council Meeting 17 May 2016	CM /7.6 /16.5	That Council endorses the recommendations that: 1. Caroline Garcia, Greg Semu, Tully Arnot, Alex Kiers and Adam Norton are offered a place in the August 2016 - January 2017 Waverley Artist Studios. 2. Leahlani Johnson, Natasha Frisch and Elyssa Sykes-Smith are placed on the waiting list for the August 2016 - January 2017 Waverley Artist Studios.
Operations Committee 6 October 2015	OC/5.4/15.10	The Council endorses the recommendation that; 1. Donna Hewitt, Dominic Kirkwood, Megan Hale, Marina De Bris and Jacqueline Buttersworth are offered places in the February – July 2016 Waverley Artist Studios 2. Josephine Skinner, Rafaela Pandolfini and Elyssa Sykes Smith are placed on a waiting list of the August 2015 – January 2016 Waverley Artist Studios
Operations Committee 5 May 2015	OC/5.3/15.05	The Council endorses the recommendation that; 1. Jamil Yamani, Michaela Gleave, Ramesh Mario, Kevin Platt and Kevin McKay are offered places in the August 2015 – January 2016 Waverley Artist Studios 2. Kirsten Fredericks, Andrew Christie and Nicola Smith are placed on a waiting list of the August 2015 –January 2016 Waverley Artist Studios

4. Discussion

The Waverley Public Art Committee recommends the following five artists are offered places in the studios, with the sixth, seventh or eighth to be placed on reserve:

Allocated Studio:

1. *Greg Semu*: Eastern Suburbs based conceptual photographer and community engagement artist
2. *Newell Harry*: Eastern Suburbs based cross media conceptual artist
3. *Phil James*: Eastern Suburbs based ceramics and conceptual painter
4. *Nicola Smith*: Eastern Suburbs based painter
5. *Anna John*: Eastern suburbs based installation and new media artist

On Reserve:

1. *Rebecca Gallo*: installation artist
2. *Koji Ruyi*: installation artist
3. *Cameron Scott*: street artist and designer

Feedback from previous artists in the program is that the time constraints of 6 months residency is too short to deliver successfully on outcomes required by Council and to produce major works. A 12 month residency would allow the artist to implement all required outcomes. While the artist studios are in high demand it is considered that 12 months would be a better timeframe to deliver on outcomes and therefore Council Officers recommend that the February 2017 intake be extended from 6 months to 12 months. This would mean it would finish in January 2018.

Due to the high demand of the studios this extended period would be considered a trial period which would be carefully monitored to establish benefits. Results of this trial would be reported back to Council for consideration.

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:	C6 Arts and cultural activities foster an involved community and a creative environment.
Strategy:	C6c Foster and create opportunities in the creative sector to retain local artists and cultural providers in Waverley..
Deliverable:	Support, advice and affordable and accessible venues provided to assist artists and others to hold arts and cultural events and activities .

6. Financial impact statement/Timeframe/Consultation

Artists are provided with in kind support from Council through the use of the artist spaces at the Waverley Woollahra Art School and staff time in delivering the project. There are no direct costs to Council in running the Waverley Artist Studios. Subject to Council's approval this group of artists would move into the studios in February and remain in the studios until 31 January 2018.

On Thursday 29 September 2016 a panel consisting of the staff members of Waverley Council's Visual Arts Team, along with two former Waverley Studios Artists marked applications received in response to the call for applications. The panel graded 55 applications.

On Monday 24 October 2016 the Waverley Public Art Committee reviewed the top eight applications. Subject to Council's approval this group of artists would move into the studios on 1 February and remain in the studios until 31 January 2018. This extended period would be regarded as a trial aimed at increasing community engagements with the studio artists.

The 2017 program is trailing a twelve month studio period to increase community engagement with the studio artists. This will be reviewed by staff in consultation with past and current studio artists prior to the 2018 Call for Applications.

7. Conclusion

The recommendations for artists to be included in the February 2017 intake for the Artists in Residence program are made on the expertise of the Waverley Public Art Committee with the assistance of professional advice from Council staff and external assessors.

8. Attachments:

Nil

REPORT
CM/7.9/16.12

Subject: Petition - Increase height of fences fronting 20-32 Carrington Road, Waverley

TRIM No.: DA-351/2016

Author: Al Johnston, Governance and Internal Ombudsman Officer

Director: Peter Brown, General Manager

RECOMMENDATION:

That the petition requesting Council to increase the standard height of fences fronting 20-32 Carrington Road, Waverley be forwarded to the Executive Manager, Shaping Waverley for appropriate action.

1. Executive Summary

Council has received a petition containing 9 signatures from residents of 20, 22, 24, 26 and 32 Carrington Road requesting Council to increase the standard height of fences fronting 20-32 Carrington Road, Waverley.

The petition reads as follows:

"We the undersigned are the Resident/Owners of properties from 20 to 32 Carrington Road, Waverley. We request Waverley Council to increase the standard fence height from 1200mm to 1800mm. This is due to increased noise pollution, pedestrian traffic, significant traffic hazards, rubbish, dirt and debris".

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

2. Introduction/Background

Council accepts written petitions from persons who have a direct 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 D16/102092.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Nil.	Nil.	Nil.

4. Discussion

Nil.

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: G2a Promote and require strategic directions that are inclusive and reflect the views of the community.

Deliverable: A Community Strategic Plan that is inclusive.

6. Financial impact statement/Timeframe/Consultation

N/A.

7. Conclusion

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

8. Attachments:

Nil

REPORT
CM/7.10/16.12

Subject: Petition - Retention of bus stops in Macpherson Street, Waverley

TRIM No.: A02/0225-02

Author: Al Johnston, Governance and Internal Ombudsman Officer

Director: Peter Brown, General Manager

RECOMMENDATION:

That the petition requesting Council to retain the bus stops between Albion Street and Leichhardt Street on both sides of Macpherson Street, Waverley and to cease further granting of street parking spots to St Catherine's be forwarded to the Executive Manager, Creating Waverley for appropriate action.

1. Executive Summary

Council has received a petition containing 111 signatures from residents of Macpherson Street, Waverley. The petition reads as follows:

"This petition is in response to St Catherine's acquisition of yet another parking spot in Leichhardt Street for pick up/drop off and its intention to acquire three more parking spots in Macpherson Street.

We the undersigned petition the Mayor and Councillors of Waverley to retain the bus stops between Albion Street and Leichhardt Street on both sides of Macpherson Street, Waverley and to cease further granting of street parking spots to St Catherine's which lessen the residents' parking amenities".

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

2. Introduction/Background

Council accepts written petitions from persons who have a direct 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 D16/16128.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Nil.	Nil.	Nil.

4. Discussion

Nil.

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: G2a Promote and require strategic directions that are inclusive and reflect the views of the community.

Deliverable: A Community Strategic Plan that is inclusive.

6. Financial impact statement/Timeframe/Consultation

N/A

7. Conclusion

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

8. Attachments:

Nil

REPORT CM/7.11/16.12



Subject: Petition - Retain Pottery Studio in its current location in the Bondi Pavilion

TRIM No.: A15/0272

Author: Al Johnston, Governance and Internal Ombudsman Officer

Director: Peter Brown, General Manager

RECOMMENDATION:

That the petition requesting Council to retain the pottery studio in its current location in the Bondi Pavilion be forwarded to the Director, Waverley Life for appropriate action.

1. Executive Summary

Council has received a petition containing 235 signatures, the majority of which are from Waverley residents. The petition reads as follows:

"Save Bondi Pavilion as a community & cultural centre and keep the Pottery Studio as it is within the Bondi Pavilion.

Pottery at the Bondi pavilion provides a unique combination of a stunning physical environment connection to community and the practice of pottery. This combination has cumulative benefits for the health of everyone involved, including children, the disabled, those suffering from mental health problems and the elderly.

Removing the Pottery Studio they will be taking away a facility that cannot be duplicated within the Waverley area.

Health Benefits. Ease of access and Plenty of Parking. Community members connecting with each other.

There does not appear to be any logic in relocating these studios away from the Bondi Pavilion when they work so well in their current place.

Furthermore the additional expense in moving them and replacing them with toilets is unjustified, as the current toilets throughout the Pavilion with a proper upgrade and proper management will do the same job. Moving the main toilets also has the drawback of congesting the side passage between the Pavilion and the Bondi Surf Life Saving Club, and creating an unsafe entry point due to the Surf Club activities in this area, and the councils' depot operations. There are currently toilets in the back North East corner which council currently use as staff (male) toilets/showers/ lockers. These toilets have not been used by the public for many years most likely due to public concerns many years ago regarding public safety issues. The toilet space has not been maintained and has not been utilized effectively most likely due to the temporary council depot that has grown quite dramatically, and is completely out of place in the current location.

Please give us your support to Save the Bondi Pavilion from the development that plans to remove the Pottery Studios.

Action Requested: We, the undersigned, petition the Mayor and Councillors of Waverley to retain the pottery studios at their current location in the Bondi Pavilion”.

It is recommended that the petition be referred to the Director, Waverley Life for appropriate action.

2. Introduction/Background

Council accepts written petitions from persons who have a direct 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 D16/116185.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Nil.	Nil.	Nil.

4. Discussion

Nil.

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: G2a Promote and require strategic directions that are inclusive and reflect the views of the community..

Deliverable: A Community Strategic Plan that is inclusive.

6. Financial impact statement/Timeframe/Consultation

N/A

7. Conclusion

It is recommended that the petition be referred to the Director, Waverley Life for appropriate action.

8. Attachments:

Nil

REPORT CM/7.12/16.12



Subject: Investment Portfolio Report – October 2016

TRIM No.: A03/2211

Author: Francesco Rombola, Executive Manager Financial Waverley

Director: Peter Brown, General Manager

RECOMMENDATION:

That Council:

1. Receives the investment Portfolio Report – October 2016.
2. Notes that all investments have been made in accordance with the requirements of section 625 of the Local Government Act 1993 and directions from the Minister for Local Government, including Ministerial Investment Orders and Council's Investment Policy.

1. Executive Summary

For the month of October 2016, Council's Investment Portfolio accounted \$304,639 of interest, while for the financial year to date Council's Investment Portfolio has accounted \$1,312,097 of Interest.

The Interest on Investment budget for the 2016 / 2017 Financial Year was adopted by Council at the June 21st 2016 Council meeting and was set at \$2,678,258 for the 2016 - 2017 Financial year. At the Council meeting of November 15 2016, as part of the First quarter review the budgeted amount increase to 3,033,258 an increase of \$355,000 or 13.25%.

The interest income for the month of October 2016 of \$3,033,258 is 10.04% the amended forecast of \$3,337,110, while the year to date figure of \$1,312,097 is tracking at 43.26%.

These figures show that Council's investment portfolio is tracking well, and that at this early stage Council is on track to meet its budget.

2. Introduction/Background

Clause 212 of the *Local Government (General) Regulation* requires that Council be provided with a written report setting out details of all money that the Council has invested under section 625 of the *Local Government Act 1993* and certifying that these investments have been made in accordance with the Act, regulations, Ministerial Investment Orders and Council's Investment Policy.

The following table below illustrates the monthly interest income received by Council and how this tracks against the original budget and any quarterly adjustments.

Month	Original Budget (\$,000)	Actual Monthly (\$,000)	Actual YTD (\$)	Tracking YTD Original Budget %
July	2,678,258	273,497	273,497	10.21

August	2,678,258	231,708	505,205	18.86
September	2,678,258	502,254	1,007,459	37.62
Q1 Amendment	\$355,000			
October	3,033,258	304,639	1,312,097	43.26

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council Meeting 15 November 2016	CM/7.6/16.11	That Council: 1. Receives the investment Portfolio Report – September 2016. 2. Notes that all investments have been made in accordance with the requirements of section 625 of the Local Government Act 1993 and directions from the Minister for Local Government, including Ministerial Investment Orders and Council's Investment Policy.
Q1 Budget Review - September 2016 (A03/0346)	CM/7.3/16.11	That Council: 1. adopts the variations to the Operating and Capital budgets in accordance with Attachment 1 and Attachment 2 to this report, with the following amendments: 2. Delete the \$48,000 increase to Art Services and associated \$22,300 Cultural Programs increase. 3. Allocate \$70,300 to the Centralised Reserve, for future allocation to the Bondi Pavilion Upgrade & Conservation Project, to be allocated to equipment for the pottery studio, recording studio and gallery/exhibition space.

4. Discussion

For the month of October 2016 Council's cash investment portfolio accounted interest earnings of \$304,639 or 10.04% of the full year Quarter One amended budget of \$3,033,258.

Council's investment portfolio posted a Marked-to-Market return in October 2016 of 2.75% pa versus the AusBond Bank Bill Index benchmark return of 1.73% pa. Based on the 'yield only' calculation (Weighted Return of Investments) the portfolio posted a return of 3.06% pa.

The 2.75% Marked-to-Market return is a calculated figure supplied by our external independent investment advisors. It is derived by discounting future cash flows by the bank bill swap rate (adjusted for the bank's credit rating), to gain a net present value of the investments and in turn an annual rate of return. In the instance of the interest rate being higher than the adjusted swap rate, the annual rate of return is skewed by investments made within that period, as the margin produces an inflated net present value which unwinds as the investment advances to maturity. This therefore adversely affects the performance calculation in later months despite no impact on actual interest earned.

Over the last 12 months, Council's investment portfolio has exceeded the AusBond bank bill index benchmark by 0.58% pa (2.73% vs 2.14% pa)

Portfolio Value

Council's investment portfolio, as at 31 October 2016, has a current market value of \$148,906,433 which represents a premium of \$1,067,174 above the \$147,839,259 face value of the portfolio with the portfolio generating a 2.83% average purchase yield. The table below provides a summary by investment (asset) type.

Asset Group	Face Value	Current Value	\$ Gain / (Loss)	Average Purchase Yield
Fixed Rate Bonds	\$1,500,000	\$1,535,798	\$ 35,798	6.00%
Cash Accounts	\$7,197,491	\$7,197,491	\$0	1.05%
Floating Rate Notes	\$ 23,000,000	\$ 23,228,804	\$228,804	2.91%
Floating Rate Term Deposits	\$3,000,000	\$3,016,438	\$ 16,438	4.00%
Managed Funds	\$9,141,768	\$9,141,768	\$0	1.90%
Term Deposits	\$ 104,000,000	\$ 104,786,133	\$786,133	2.94%
	\$ 147,839,259	\$ 148,906,433	\$ 1,067,174	2.83%

Analysis

Attached to this report is the Summary of Investment Portfolio, as prepared by Council's independent financial advisor, Prudential Investment Services Corp, for the period ending 30 October 2016.

Included in that report is a table showing that Council's investment portfolio, over the last twelve months, has exceeded the AusBond bank bill index benchmark by 0.57% pa (2.76% vs 2.19% pa), and for the month of October 2016 it has exceeded the AusBond bank bill index by 1.11% pa (2.85 to 1.74). The Portfolio achieved the stated benchmark measure 'Rate of return on cash exceeds AusBond Bank Bill Index' as illustrated in the table below:

Month	Portfolio Last 12 months %	Benchmark Last 12 months %	Variance %
Nov 15	1.67	2.05	-0.38
Dec-15	2.38	2.28	0.10
Jan-16	3.27	2.39	0.88
Feb-16	2.38	2.26	0.12
Mar-16	2.42	2.36	0.06
Apr-16	2.99	2.45	0.54
May-16	2.62	2.30	0.32
Jun-16	2.63	2.02	0.61
July-16	3.43	2.06	1.38
Aug-16	3.21	2.01	1.20
Sep-16	2.85	1.74	1.11
October	2.75	1.73	1.01
Average % return Over the last 12 months	2.73	2.14	0.58

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: G5 Waverley is financially sustainable with revenue and resources required to support implementation of the community's plans and to provide infrastructure performance and services our community needs.
- Strategy: G5a Promote and advocate the provision of financial reporting systems in an accurate, timely, transparent and honest manner to ensure sustainability of public assets and resources..
- Deliverable: Financial advice and coordination to ensure Council meets overall budget performance targets provided.

6. Financial impact statement/Timeframe/Consultation

As at 30 October 2016, Council is on track to achieve budget for the 2016 - 2017 year.

This report has been prepared in consultation with Council's Management and Systems Accountant, Financial Strategist and Council's independent financial advisers, Prudential Investment Services Corp.

7. Conclusion

Council's investment portfolio has accounted \$304,639 in interest income for the month of October 2016, and \$1,312,097 for the financial year to date. Council is on track to achieve the June 15th Q1 amended budget amount of \$3,033,258 for the 2016 - 2017 financial year.

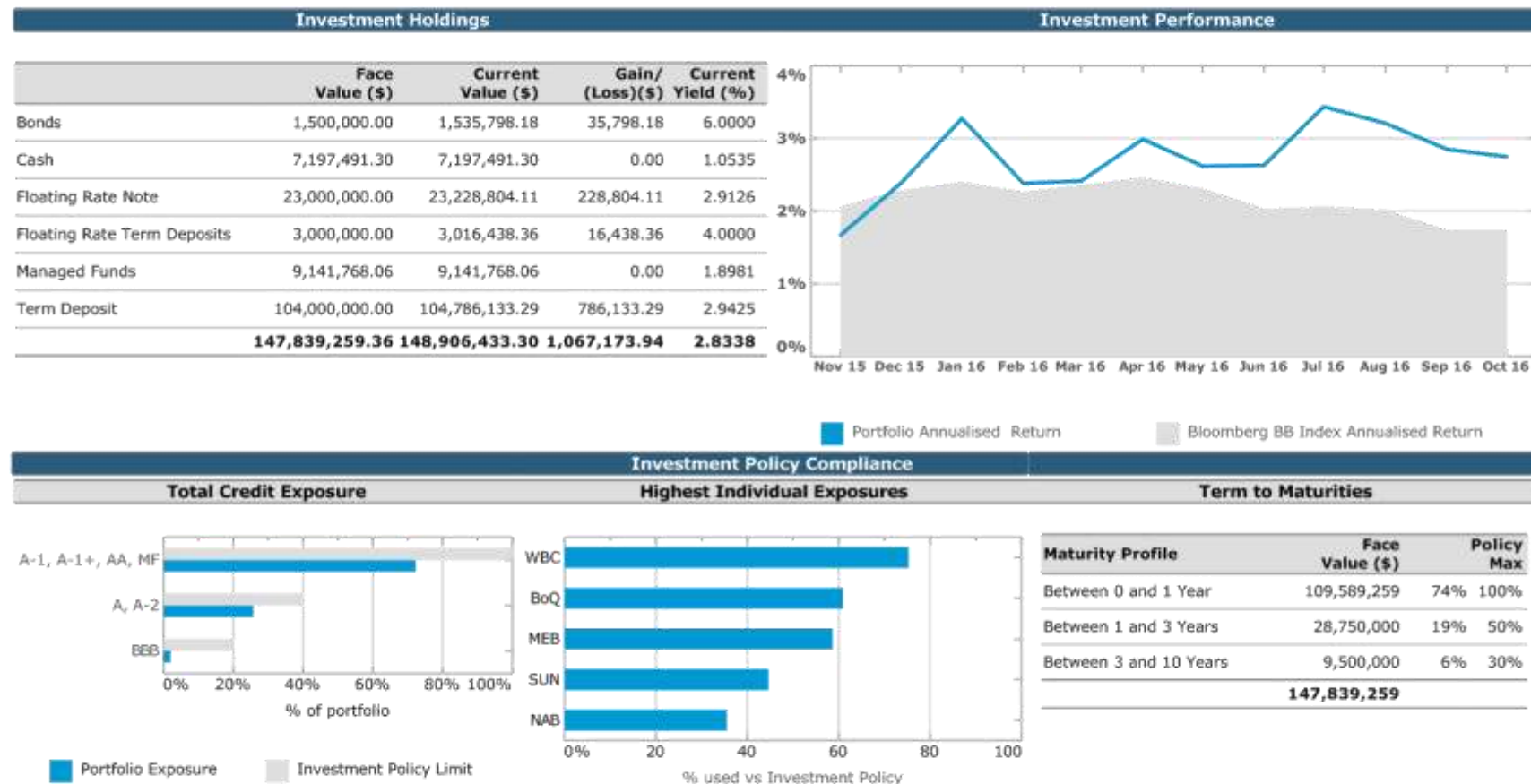
8. Attachments:

1. Waverley Council - Summary of Investment Portfolio - October 2016



Investment Summary Report October 2016

Waverley Council Executive Summary



Waverley Council

Investment Holdings Report



Cash Accounts							
Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference	
3,850,000.00	1.1000%	Commonwealth Bank of Australia	A-1+	3,850,000.00	120789	24hr Call	
318,452.55	1.0000%	Commonwealth Bank of Australia	A-1+	318,452.55	120794	General Funds	
64,766.03	1.0000%	Commonwealth Bank of Australia	A-1+	64,766.03	120795	Trust Funds	
1,067,764.23	1.0000%	Commonwealth Bank of Australia	A-1+	1,067,764.23	120796	Cemetery Funds	
1,710,317.00	1.0000%	Commonwealth Bank of Australia	A-1+	1,710,317.00	120797	Depositor Funds	
15,591.76	1.0000%	Commonwealth Bank of Australia	A-1+	15,591.76	120799	Library CP	
121,818.43	1.0000%	Commonwealth Bank of Australia	A-1+	121,818.43	120800	Eastgate CP	
32,434.99	1.0000%	Commonwealth Bank of Australia	A-1+	32,434.99	120801	Hollywood Av CP	
16,346.31	1.0000%	Commonwealth Bank of Australia	A-1+	16,346.31	370151	Library Gift	
7,197,491.30	1.0535%			7,197,491.30			

Managed Funds							
Face Value (\$)	Current Yield	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
2,001,449.81	1.3310%	New South Wales T-Corp	MF	Strategic Cash Facility	2,001,449.81	411310	Builder Deposits
7,140,318.25	2.0571%	New South Wales T-Corp	MF	Cash Facility	7,140,318.25	505262	
9,141,768.06	1.8981%				9,141,768.06		

Term Deposits										
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency Reference
2-Nov-16	2,000,000.00	2.9400%	National Australia Bank	A-1+	2,000,000.00	31-May-16	2,024,808.77	533745	24,808.77	AtMaturity
16-Nov-16	2,500,000.00	3.0000%	Suncorp Bank	A-1	2,500,000.00	15-Jun-16	2,528,561.64	533820	28,561.64	AtMaturity
23-Nov-16	3,500,000.00	2.9500%	Suncorp Bank	A-1	3,500,000.00	20-Jun-16	3,537,905.48	533840	37,905.48	AtMaturity
5-Dec-16	1,500,000.00	3.1000%	Westpac Group	A-1+	1,500,000.00	5-May-16	1,522,931.51	533530	22,931.51	AtMaturity
5-Dec-16	1,500,000.00	3.1000%	Westpac Group	A-1+	1,500,000.00	5-May-16	1,522,931.51	533531	22,931.51	AtMaturity
14-Dec-16	3,000,000.00	2.9000%	Westpac Group	A-1+	3,000,000.00	3-Aug-16	3,021,452.05	534098	21,452.05	AtMaturity
20-Dec-16	4,500,000.00	3.0500%	National Australia Bank	A-1+	4,500,000.00	20-Mar-15	4,584,606.16	503203	84,606.16	Annually

Waverley Council
Investment Holdings Report



Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
20-Dec-16	4,000,000.00	2.9600%	Suncorp Bank	A-1	4,000,000.00	23-Jun-16	4,042,494.25	533901	42,494.25	AtMaturity	
20-Dec-16	4,500,000.00	3.0400%	Commonwealth Bank of Australia	A-1+	4,500,000.00	20-Mar-15	4,546,099.73	503206	46,099.73	SemiAnnually	
4-Jan-17	2,000,000.00	2.9400%	National Australia Bank	A-1+	2,000,000.00	31-May-16	2,024,808.77	533746	24,808.77	AtMaturity	
4-Jan-17	2,000,000.00	2.9500%	National Australia Bank	A-1+	2,000,000.00	6-Jul-16	2,019,073.97	534010	19,073.97	AtMaturity	
18-Jan-17	5,000,000.00	3.0000%	Suncorp Bank	A-1	5,000,000.00	20-Jun-16	5,055,068.49	533841	55,068.49	AtMaturity	
31-Jan-17	2,500,000.00	2.7000%	ME Bank	A-2	2,500,000.00	31-Aug-16	2,511,465.75	534195	11,465.75	AtMaturity	
8-Feb-17	3,000,000.00	2.7000%	ME Bank	A-2	3,000,000.00	9-Sep-16	3,011,761.64	534324	11,761.64	AtMaturity	
7-Mar-17	3,000,000.00	2.7500%	Credit Union Australia	A-2	3,000,000.00	7-Sep-16	3,012,431.51	534304	12,431.51	AtMaturity	
15-Mar-17	1,500,000.00	2.7000%	ME Bank	A-2	1,500,000.00	12-Oct-16	1,502,219.18	534447	2,219.18	AtMaturity	
29-Mar-17	3,000,000.00	3.1200%	ME Bank	A-2	3,000,000.00	29-Mar-16	3,055,647.12	533370	55,647.12	AtMaturity	
29-Mar-17	3,000,000.00	2.7000%	National Australia Bank	A-1+	3,000,000.00	28-Sep-16	3,007,545.21	534369	7,545.21	AtMaturity	
12-Apr-17	2,500,000.00	2.7700%	Bank of Queensland	A-2	2,500,000.00	12-Oct-16	2,503,794.52	534448	3,794.52	AtMaturity	
19-Apr-17	1,000,000.00	3.2000%	ME Bank	A-2	1,000,000.00	21-Apr-16	1,017,008.22	533432	17,008.22	AtMaturity	
26-Apr-17	3,500,000.00	2.9000%	National Australia Bank	A-1+	3,500,000.00	20-Jul-16	3,528,920.55	534050	28,920.55	AtMaturity	
3-May-17	3,000,000.00	2.7500%	Bank of Queensland	A-2	3,000,000.00	19-Oct-16	3,002,938.36	534458	2,938.36	AtMaturity	
10-May-17	3,000,000.00	2.7500%	Bank of Queensland	A-2	3,000,000.00	31-Oct-16	3,000,226.03	534470	226.03	AtMaturity	
24-May-17	3,000,000.00	2.8000%	Bank of Queensland	A-2	3,000,000.00	19-Aug-16	3,017,030.14	534155	17,030.14	AtMaturity	
31-May-17	2,000,000.00	2.9500%	Bendigo and Adelaide Bank	A-2	2,000,000.00	31-May-16	2,024,893.15	533747	24,893.15	AtMaturity	
2-Aug-17	2,500,000.00	2.8000%	National Australia Bank	A-1+	2,500,000.00	3-Aug-16	2,517,260.27	534099	17,260.27	AtMaturity	
9-Aug-17	3,000,000.00	3.0000%	Westpac Group	A-1+	3,000,000.00	9-Aug-16	3,020,712.33	534115	20,712.33	AtMaturity	
24-Aug-17	3,000,000.00	3.0000%	Westpac Group	A-1+	3,000,000.00	24-Aug-16	3,017,013.70	534165	17,013.70	AtMaturity	
27-Sep-17	2,750,000.00	3.0000%	Westpac Group	A-1+	2,750,000.00	20-Sep-16	2,759,493.15	534345	9,493.15	Annually	
18-Oct-17	3,000,000.00	3.0000%	Westpac Group	A-1+	3,000,000.00	18-Aug-16	3,018,493.15	534151	18,493.15	Annually	
25-Oct-17	2,500,000.00	3.0000%	Westpac Group	A-1+	2,500,000.00	12-Oct-16	2,504,109.59	534449	4,109.59	Annually	
20-Dec-17	2,750,000.00	3.0000%	Westpac Group	AA-	2,750,000.00	20-Sep-16	2,759,493.15	534347	9,493.15	Annually	
24-Jan-18	2,750,000.00	3.0000%	Westpac Group	AA-	2,750,000.00	20-Sep-16	2,759,493.15	534348	9,493.15	Annually	

Waverley Council

Investment Holdings Report



Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
11-Apr-18	2,750,000.00	3.0000%	Westpac Group	AA-	2,750,000.00	20-Sep-16	2,759,493.15	534346	9,493.15	Annually	
24-Aug-18	3,000,000.00	3.1000%	Westpac Group	AA-	3,000,000.00	24-Aug-16	3,017,580.82	534166	17,580.82	Annually	
26-Sep-18	4,000,000.00	3.1000%	Westpac Group	AA-	4,000,000.00	20-Sep-16	4,014,268.49	534344	14,268.49	Annually	
26-Aug-19	2,000,000.00	3.2000%	Westpac Group	AA-	2,000,000.00	24-Aug-16	2,012,098.63	534167	12,098.63	Annually	
104,000,000.00		2.9425%			104,000,000.00		104,786,133.29		786,133.29		

Floating Rate Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
10-Jun-21	3,000,000.00	4.0000%	Commonwealth Bank of Australia ¾yr@4.00% then 3moBBSW+1.08%	AA-	3,000,000.00	10-Jun-16	3,016,438.36	533800	16,438.36	12-Dec-16	
3,000,000.00		4.0000%			3,000,000.00		3,016,438.36		16,438.36		

Floating Rate Notes											
Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
28-Nov-16	2,000,000.00	2.9800%	ME Bank Snr FRN (Nov16) BBSW+1.25%	A-2	2,000,000.00	28-Nov-13	2,011,417.53	402974	10,450.41	28-Nov-16	
17-May-17	3,000,000.00	2.9550%	BEN Snr FRN (May17) BBSW+1.20%	A-2	3,007,948.76	12-Sep-13	3,028,748.63	398449	18,458.63	17-Nov-16	
19-Oct-18	2,500,000.00	2.5300%	CBA Snr FRN (Oct18) BBSW+0.78%	AA-	2,500,000.00	19-Oct-15	2,510,477.74	510101	2,252.74	19-Jan-17	
14-Nov-18	2,000,000.00	3.0267%	BEN Snr FRN (Nov18) BBSW+1.27%	A-	2,004,260.00	5-Feb-14	2,028,256.03	420520	12,936.03	14-Nov-16	
10-May-19	7,000,000.00	2.7717%	WBC Snr FRN (May19) BBSW+1.00%	AA-	7,000,000.00	11-Mar-16	7,090,459.39	533331	44,119.39	10-Nov-16	
7-Apr-20	3,000,000.00	3.0800%	NPBS Snr FRN (Apr20) BBSW+1.35%	BBB+	3,000,000.00	7-Apr-15	3,006,238.77	504013	6,328.77	9-Jan-17	
12-Apr-21	1,500,000.00	3.1300%	SUN Snr FRN (Apr21) BBSW+1.38%	A+	1,500,000.00	12-Apr-16	1,518,412.60	533415	2,572.60	12-Jan-17	
18-May-21	2,000,000.00	3.2250%	BoQ Snr FRN (May21) BBSW+1.48%	A-	2,000,000.00	18-May-16	2,034,793.42	533605	13,253.42	18-Nov-16	
23,000,000.00		2.9126%			23,012,208.76		23,228,804.11		110,371.99		

Waverley Council
Investment Holdings Report



Fixed Rate Bonds											
Maturity Date	Face Value (\$)	Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield	Reference
15-Feb-17	1,500,000.00	6.0000%	NAB Snr Bond (Feb17) 6.00%	A-1+	1,483,470.00	15-Feb-12	1,535,798.18	336188	19,076.09	6.2601%	
	1,500,000.00				1,483,470.00		1,535,798.18		19,076.09	6.2601%	

Waverley Council

Accrued Interest Report



Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Bonds								
NAB Snr Bond (Feb17) 6.00%	336188	1,500,000.00	15-Feb-12	15-Feb-17	0.00	31	7,581.52	6.00%
					0.00		7,581.52	6.00%
Cash								
Commonwealth Bank of Australia	120789	3,850,000.00				31		
Commonwealth Bank of Australia	120794	318,452.55				31		
Commonwealth Bank of Australia	120795	64,766.03				31		
Commonwealth Bank of Australia	120796	1,067,764.23				31		
Commonwealth Bank of Australia	120797	1,710,317.00				31		
Commonwealth Bank of Australia	120799	15,591.76				31		
Commonwealth Bank of Australia	120800	121,818.43				31		
Commonwealth Bank of Australia	120801	32,434.99				31		
Commonwealth Bank of Australia	370151	16,346.31				31		
Floating Rate Note								
ME Bank Snr FRN (Nov16) BBSW+1.25%	402974	2,000,000.00	28-Nov-13	28-Nov-16	0.00	31	5,061.92	2.98%
BEN Snr FRN (May17) BBSW+1.20%	398449	3,000,000.00	17-Sep-13	17-May-17	0.00	31	7,529.18	2.96%
CBA Snr FRN (Oct18) BBSW+0.78%	510101	2,500,000.00	19-Oct-15	19-Oct-18	17,107.50	31	5,599.86	2.64%
BEN Snr FRN (Nov18) BBSW+1.27%	420520	2,000,000.00	10-Feb-14	14-Nov-18	0.00	31	5,141.24	3.03%
WBC Snr FRN (May19) BBSW+1.00%	533331	7,000,000.00	11-Mar-16	10-May-19	0.00	31	16,478.33	2.77%
NPBS Snr FRN (Apr20) BBSW+1.35%	504013	3,000,000.00	7-Apr-15	7-Apr-20	25,066.85	31	7,963.56	3.13%
SUN Snr FRN (Apr21) BBSW+1.38%	533415	1,500,000.00	12-Apr-16	12-Apr-21	12,665.75	31	4,086.99	3.21%
BoQ Snr FRN (May21) BBSW+1.48%	533605	2,000,000.00	18-May-16	18-May-21	0.00	31	5,478.08	3.23%
					54,840.10		57,339.16	2.94%

Waverley Council

Accrued Interest Report



Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Floating Rate Term Deposits								
Commonwealth Bank of Australia	533800	3,000,000.00	10-Jun-16	10-Jun-21	0.00	31	10,191.78	4.00%
					0.00		10,191.78	4.00%
Managed Funds								
New South Wales T-Corp	411310	2,001,449.81	1-Nov-15	31-Dec-16	0.00	31	1,449.81	1.33%
New South Wales T-Corp	505262	7,140,318.25	30-Jun-15	31-Dec-16	0.00	31	12,338.03	2.06%
					0.00		13,787.84	1.95%
Term Deposit								
National Australia Bank	533373	3,900,000.00	30-Mar-16	5-Oct-16	62,603.01	4	1,324.93	3.10%
National Australia Bank	533422	2,500,000.00	13-Apr-16	12-Oct-16	38,643.84	11	2,335.62	3.10%
Bank of Queensland	533423	2,500,000.00	13-Apr-16	12-Oct-16	39,267.12	11	2,373.29	3.15%
Commonwealth Bank of Australia	511203	2,500,000.00	20-Nov-15	19-Oct-16	67,028.77	18	3,612.33	2.93%
ME Bank	533682	3,000,000.00	20-May-16	19-Oct-16	36,854.79	18	4,364.38	2.95%
Bank of Queensland	533369	3,000,000.00	29-Mar-16	26-Oct-16	53,761.64	25	6,369.86	3.10%
National Australia Bank	533745	2,000,000.00	31-May-16	2-Nov-16	0.00	31	4,993.97	2.94%
Suncorp Bank	533820	2,500,000.00	15-Jun-16	16-Nov-16	0.00	31	6,369.86	3.00%
Suncorp Bank	533840	3,500,000.00	20-Jun-16	23-Nov-16	0.00	31	8,769.18	2.95%
Westpac Group	533530	1,500,000.00	5-May-16	5-Dec-16	0.00	31	3,949.32	3.10%
Westpac Group	533531	1,500,000.00	5-May-16	5-Dec-16	0.00	31	3,949.32	3.10%
Westpac Group	534098	3,000,000.00	3-Aug-16	14-Dec-16	0.00	31	7,389.04	2.90%
National Australia Bank	503203	4,500,000.00	20-Mar-15	20-Dec-16	0.00	31	11,656.85	3.05%
Commonwealth Bank of Australia	503206	4,500,000.00	20-Mar-15	20-Dec-16	0.00	31	11,618.63	3.04%
Suncorp Bank	533901	4,000,000.00	23-Jun-16	20-Dec-16	0.00	31	10,055.89	2.96%
National Australia Bank	533746	2,000,000.00	31-May-16	4-Jan-17	0.00	31	4,993.97	2.94%

Waverley Council Accrued Interest Report



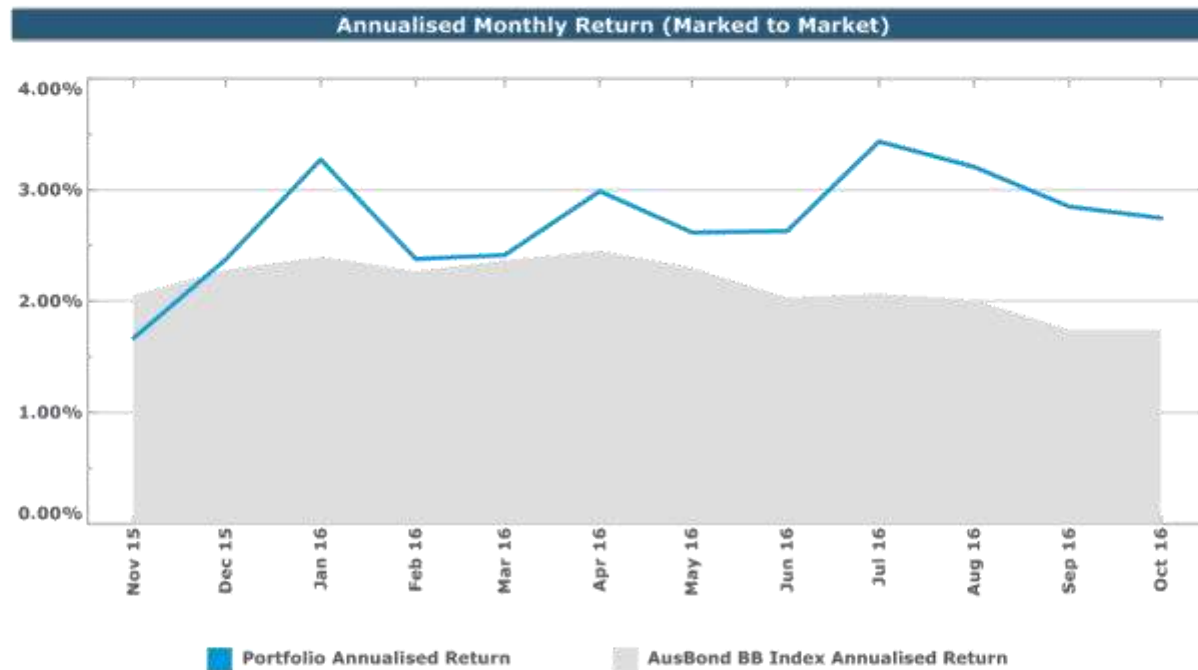
Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
National Australia Bank	534010	2,000,000.00	6-Jul-16	4-Jan-17	0.00	31	5,010.96	2.95%
Suncorp Bank	533841	5,000,000.00	20-Jun-16	18-Jan-17	0.00	31	12,739.73	3.00%
ME Bank	534195	2,500,000.00	31-Aug-16	31-Jan-17	0.00	31	5,732.88	2.70%
ME Bank	534324	3,000,000.00	9-Sep-16	8-Feb-17	0.00	31	6,879.45	2.70%
Credit Union Australia	534304	3,000,000.00	7-Sep-16	7-Mar-17	0.00	31	7,006.85	2.75%
ME Bank	534447	1,500,000.00	12-Oct-16	15-Mar-17	0.00	20	2,219.18	2.70%
ME Bank	533370	3,000,000.00	29-Mar-16	29-Mar-17	0.00	31	7,949.59	3.12%
National Australia Bank	534369	3,000,000.00	28-Sep-16	29-Mar-17	0.00	31	6,879.45	2.70%
Bank of Queensland	534448	2,500,000.00	12-Oct-16	12-Apr-17	0.00	20	3,794.52	2.77%
ME Bank	533432	1,000,000.00	21-Apr-16	19-Apr-17	0.00	31	2,717.81	3.20%
National Australia Bank	534050	3,500,000.00	20-Jul-16	26-Apr-17	0.00	31	8,620.55	2.90%
Bank of Queensland	534458	3,000,000.00	19-Oct-16	3-May-17	0.00	13	2,938.36	2.75%
Bank of Queensland	534470	3,000,000.00	31-Oct-16	10-May-17	0.00	1	226.03	2.75%
Bank of Queensland	534155	3,000,000.00	19-Aug-16	24-May-17	0.00	31	7,134.25	2.80%
Bendigo and Adelaide Bank	533747	2,000,000.00	31-May-16	31-May-17	0.00	31	5,010.96	2.95%
National Australia Bank	534099	2,500,000.00	3-Aug-16	2-Aug-17	0.00	31	5,945.21	2.80%
Westpac Group	534115	3,000,000.00	9-Aug-16	9-Aug-17	0.00	31	7,643.84	3.00%
Westpac Group	534165	3,000,000.00	24-Aug-16	24-Aug-17	0.00	31	7,643.84	3.00%
Westpac Group	534345	2,750,000.00	20-Sep-16	27-Sep-17	0.00	31	7,006.85	3.00%
Westpac Group	534151	3,000,000.00	18-Aug-16	18-Oct-17	0.00	31	7,643.84	3.00%
Westpac Group	534449	2,500,000.00	12-Oct-16	25-Oct-17	0.00	20	4,109.59	3.00%
Westpac Group	534347	2,750,000.00	20-Sep-16	20-Dec-17	0.00	31	7,006.85	3.00%
Westpac Group	534348	2,750,000.00	20-Sep-16	24-Jan-18	0.00	31	7,006.85	3.00%
Westpac Group	534346	2,750,000.00	20-Sep-16	11-Apr-18	0.00	31	7,006.85	3.00%

Waverley Council
Accrued Interest Report



Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Westpac Group	534166	3,000,000.00	24-Aug-16	24-Aug-18	0.00	31	7,898.63	3.10%
Westpac Group	534344	4,000,000.00	20-Sep-16	26-Sep-18	0.00	31	10,531.51	3.10%
Westpac Group	534167	2,000,000.00	24-Aug-16	26-Aug-19	0.00	31	5,435.62	3.20%
					298,159.18		263,866.44	2.96%
Grand Totals					352,999.28		352,766.74	2.95%

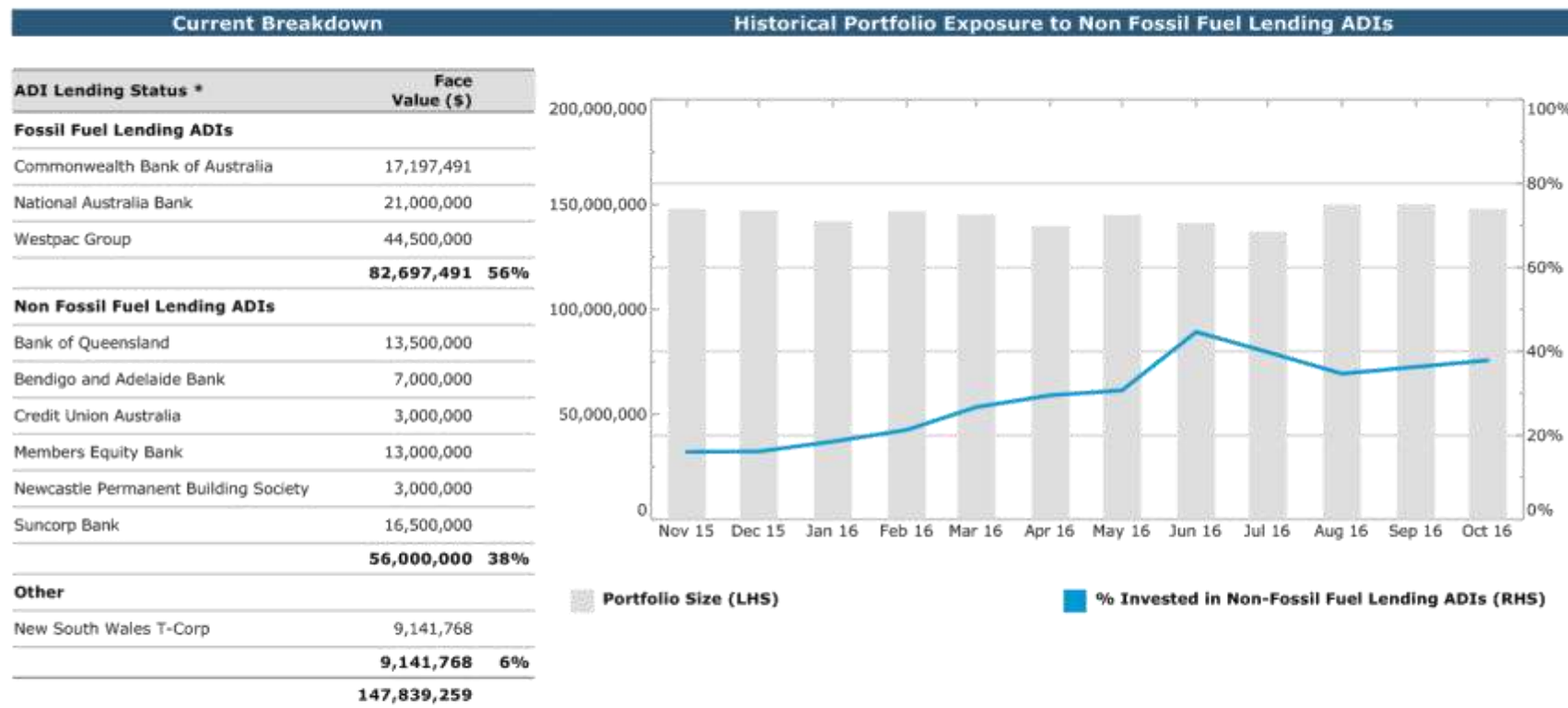
Waverley Council
Investment Performance Report



Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
Oct 2016	2.75%	1.73%	1.01%
Last 3 Months	2.94%	1.83%	1.11%
Last 6 Months	2.92%	1.98%	0.94%
Financial Year to Date	3.06%	1.88%	1.18%
Last 12 months	2.73%	2.14%	0.58%

Waverley Council

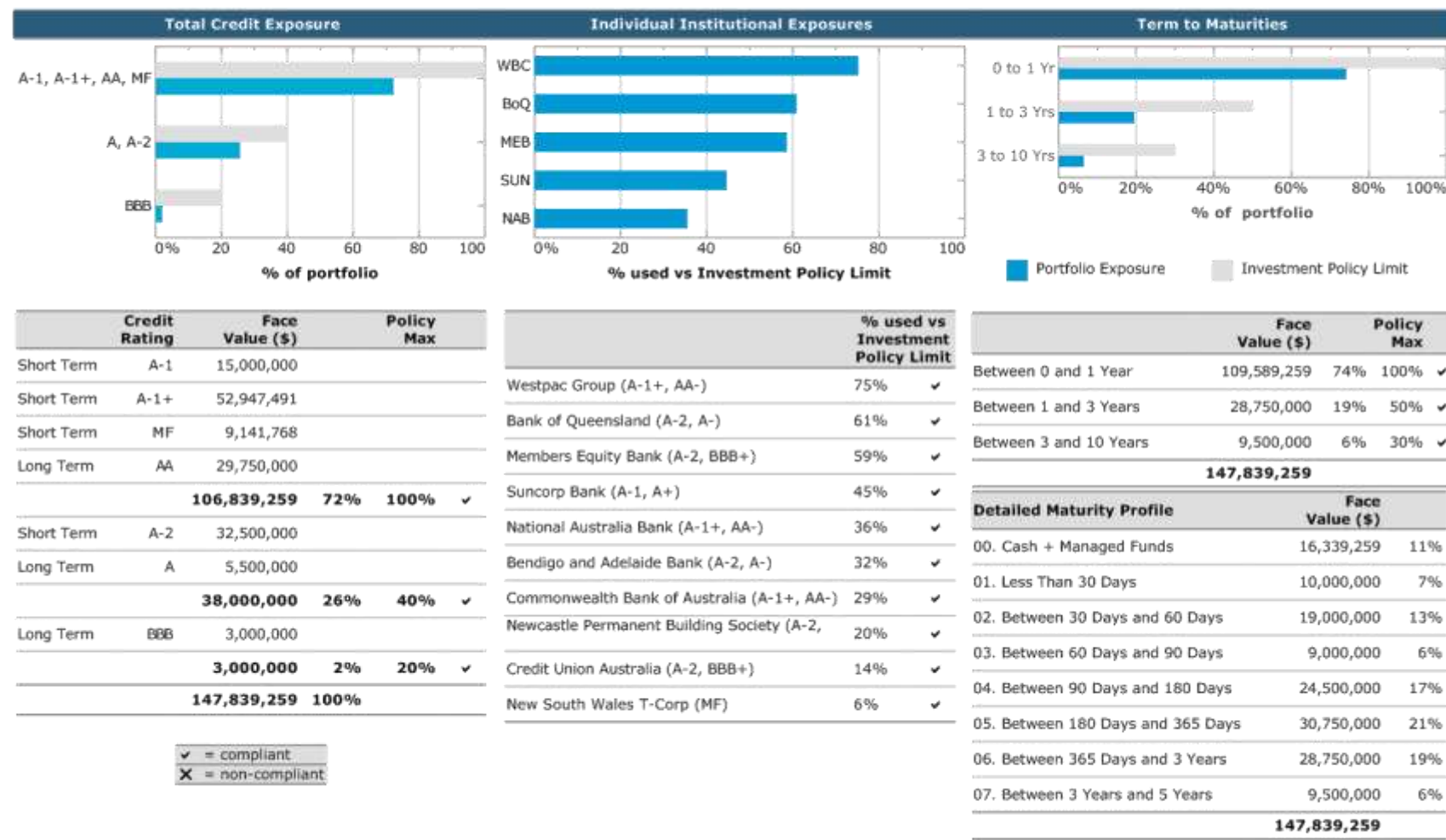
Environmental Commitments Report



* source: <http://www.marketforces.org.au>

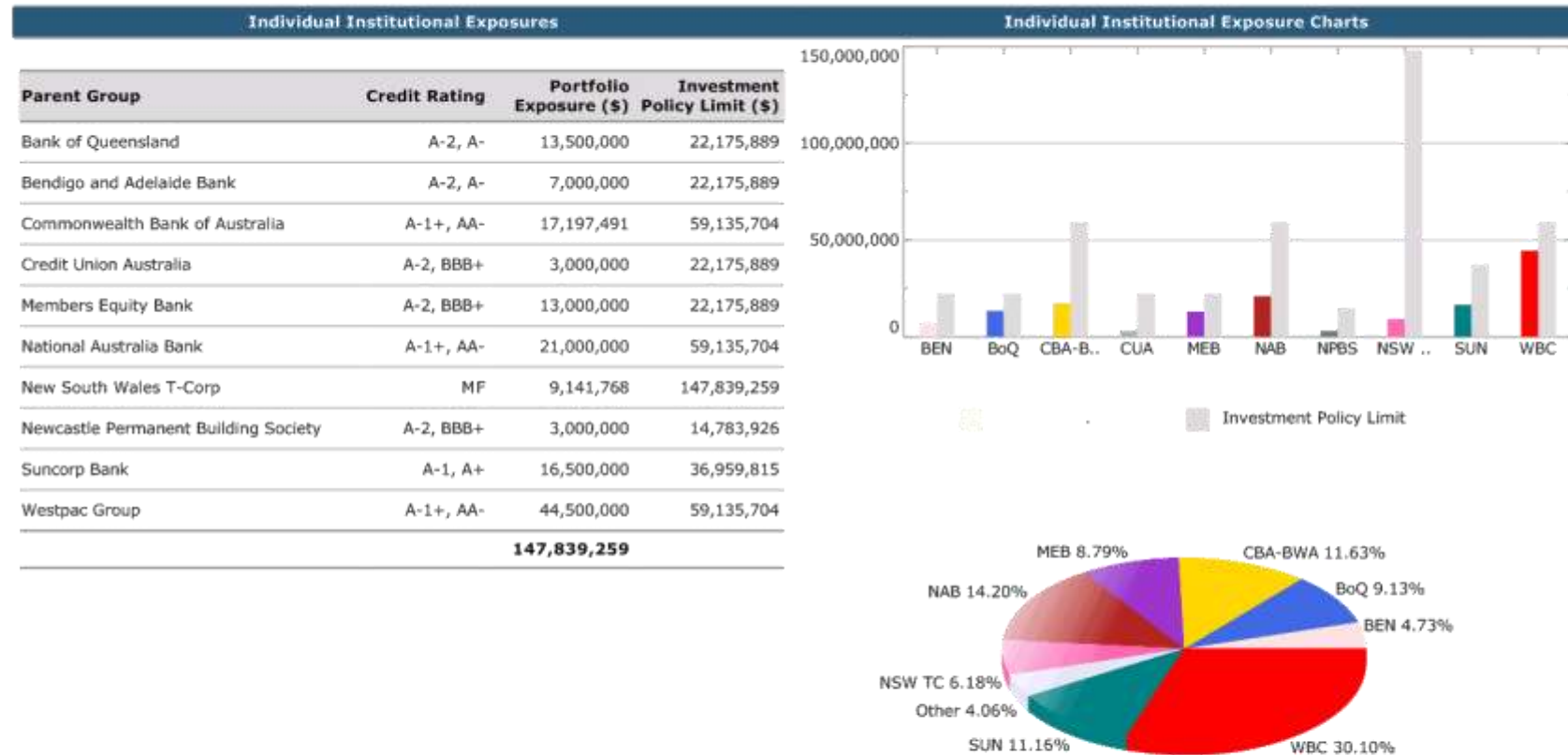
Waverley Council

Investment Policy Compliance Report



Waverley Council

Individual Institutional Exposures Report



Waverley Council
 Cash Flows Report

Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
5-Oct-16	533373	National Australia Bank	Term Deposits	Interest - Received	62,603.01
		National Australia Bank	Term Deposits	Maturity Face Value - Received	3,900,000.00
				<u>Deal Total</u>	<u>3,962,603.01</u>
				Day Total	3,962,603.01
7-Oct-16	504013	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	25,066.85
				<u>Deal Total</u>	<u>25,066.85</u>
				Day Total	25,066.85
12-Oct-16	533415	Suncorp Bank	Floating Rate Note	Coupon - Received	12,665.75
				<u>Deal Total</u>	<u>12,665.75</u>
	533422	National Australia Bank	Term Deposits	Interest - Received	38,643.84
		National Australia Bank	Term Deposits	Maturity Face Value - Received	2,500,000.00
				<u>Deal Total</u>	<u>2,538,643.84</u>
	533423	Bank of Queensland	Term Deposits	Interest - Received	39,267.12
		Bank of Queensland	Term Deposits	Maturity Face Value - Received	2,500,000.00
				<u>Deal Total</u>	<u>2,539,267.12</u>
	534447	ME Bank	Term Deposits	Settlement Face Value - Paid	-1,500,000.00
				<u>Deal Total</u>	<u>-1,500,000.00</u>
	534448	Bank of Queensland	Term Deposits	Settlement Face Value - Paid	-2,500,000.00
				<u>Deal Total</u>	<u>-2,500,000.00</u>
	534449	Westpac Group	Term Deposits	Settlement Face Value - Paid	-2,500,000.00
				<u>Deal Total</u>	<u>-2,500,000.00</u>
				Day Total	-1,409,423.29
19-Oct-16	510101	Commonwealth Bank of Australia	Floating Rate Note	Coupon - Received	17,107.50
				<u>Deal Total</u>	<u>17,107.50</u>
	511203	Commonwealth Bank of Australia	Term Deposits	Interest - Received	67,028.77
		Commonwealth Bank of Australia	Term Deposits	Maturity Face Value - Received	2,500,000.00
				<u>Deal Total</u>	<u>2,567,028.77</u>
	533682	ME Bank	Term Deposits	Interest - Received	36,854.79

Waverley Council
 Cash Flows Report

Current Month Cashflows

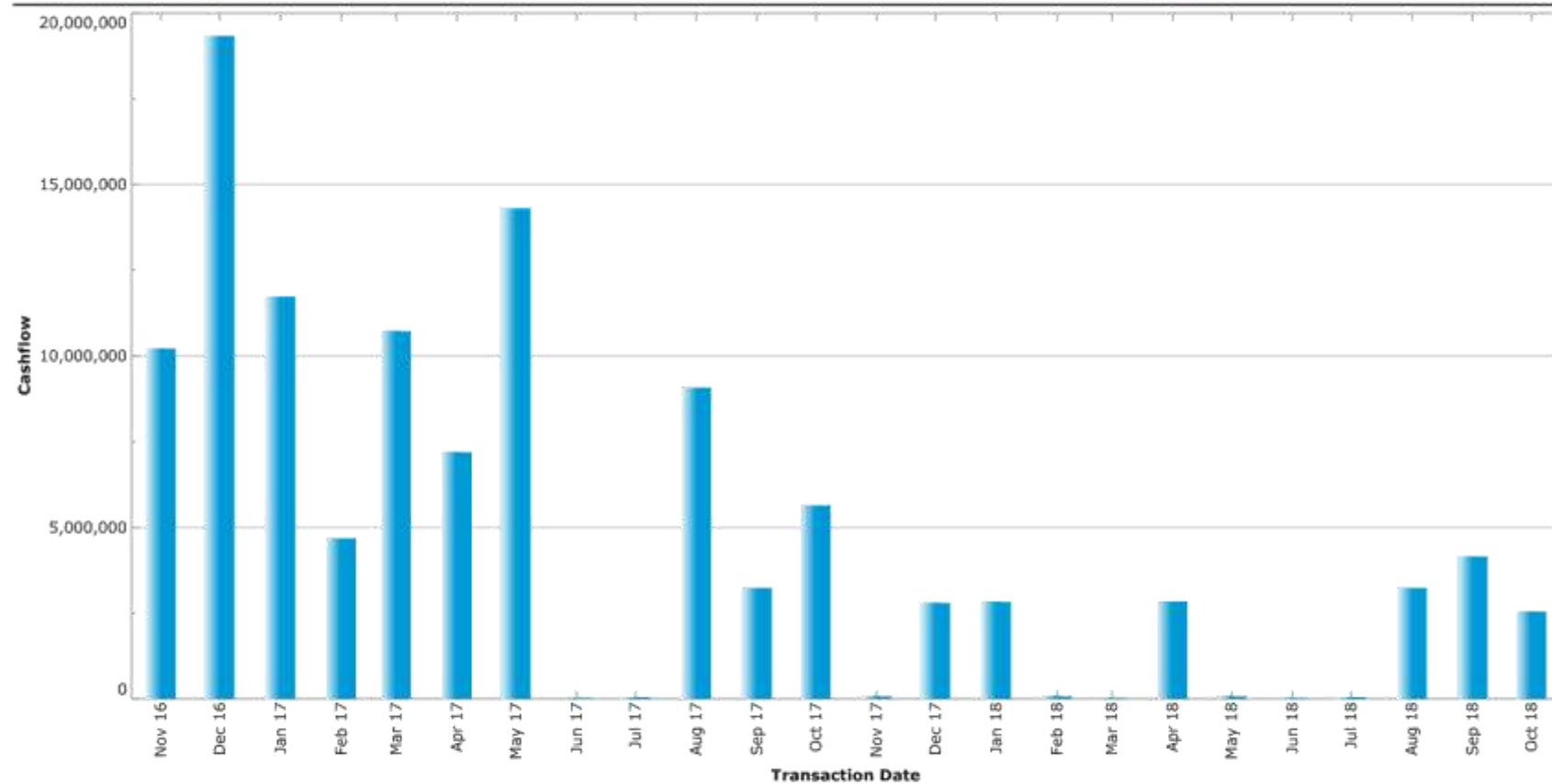
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
		ME Bank	Term Deposits	Maturity Face Value - Received	3,000,000.00
				<u>Deal Total</u>	<u>3,036,854.79</u>
	534458	Bank of Queensland	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
				Day Total	2,620,991.06
26-Oct-16	533369	Bank of Queensland	Term Deposits	Interest - Received	53,761.64
		Bank of Queensland	Term Deposits	Maturity Face Value - Received	3,000,000.00
				<u>Deal Total</u>	<u>3,053,761.64</u>
				Day Total	3,053,761.64
31-Oct-16	534470	Bank of Queensland	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
				Day Total	-3,000,000.00
				Net Cash Movement for Period	5,252,999.28

Next Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>
2-Nov-16	533745	National Australia Bank	Term Deposit	Interest - Received	24,969.86
		National Australia Bank	Term Deposit	Maturity Face Value - Received	2,000,000.00
				<u>Deal Total</u>	<u>2,024,969.86</u>
				Day Total	2,024,969.86
10-Nov-16	533331	Westpac Group	Floating Rate Note	Coupon - Received	48,903.42
				<u>Deal Total</u>	<u>48,903.42</u>
				Day Total	48,903.42
14-Nov-16	420520	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	15,092.04
				<u>Deal Total</u>	<u>15,092.04</u>
				Day Total	15,092.04
16-Nov-16	533820	Suncorp Bank	Term Deposit	Interest - Received	31,643.84
		Suncorp Bank	Term Deposit	Maturity Face Value - Received	2,500,000.00
				<u>Deal Total</u>	<u>2,531,643.84</u>

Waverley Council
 Cash Flows Report


Next Month Cashflows					
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>
Day Total					2,531,643.84
17-Nov-16	398449	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	22,344.66
Deal Total					22,344.66
Day Total					22,344.66
18-Nov-16	533605	Bank of Queensland	Floating Rate Note	Coupon - Received	16,257.53
Deal Total					16,257.53
Day Total					16,257.53
23-Nov-16	533840	Suncorp Bank	Term Deposit	Interest - Received	44,128.77
		Suncorp Bank	Term Deposit	Maturity Face Value - Received	3,500,000.00
Deal Total					3,544,128.77
Day Total					3,544,128.77
28-Nov-16	402974	ME Bank	Floating Rate Note	Maturity Face Value - Received	2,000,000.00
		ME Bank	Floating Rate Note	Coupon - Received	14,859.18
Deal Total					2,014,859.18
Day Total					2,014,859.18
Net Cash Movement for Period					10,218,199.29

Waverley Council
Cash Flows Report

REPORT
CM/7.13/16.12

Subject: Delegations over the 2016/17 Christmas Holiday Period

TRIM No.: A16/0008

Author: Al Johnston, Governance and Internal Ombudsman Officer

Director: Peter Brown, General Manager

RECOMMENDATION:

That Council:

1. Delegates the Mayor or, in the Mayor's absence, the Deputy Mayor (or Acting Mayor), in consultation with the General Manager, to determine any matter, excepting development applications, that would normally require a Council decision between the last ordinary meeting of Council for 2016 and the first ordinary meeting of Council for 2017, with any such matter so dealt with reported to the first available Council meeting.
2. Notes that any urgent development assessment matters arising during the Christmas holiday period will be dealt with by the Waverley Development Assessment Panel.

1. Executive Summary

There are no Council meetings for many weeks over the 2016/17 Christmas holiday period. After the Council meeting on 6 December 2016, the next ordinary meeting of Council is scheduled for 21 February 2017.

To facilitate the continuation of the business of Council during the holiday period, it is recommended that the Mayor or, in the Mayor's absence, the Deputy Mayor, be delegated to determine any matter that would normally require a Council decision, excepting development applications, in consultation with the General Manager during the period between the last ordinary meeting of Council for 2016 and the first ordinary meeting of Council for 2017.

Any urgent development assessment matters arising during the Christmas holiday period will be dealt with by the Waverley Development Assessment Panel (WDAP). The WDAP will have the option of convening an extraordinary meeting to deal with urgent matters if required.

2. Introduction/Background

Under Section 226 of the *Local Government Act 1993* the mayor can "exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council". However, to remove uncertainty in the meaning of 'policy-making functions' Council has previously delegated the Mayor to determine 'any matter that would normally require a Council decision' (see Council's 2015 resolution in section 3 of this report). The Mayor must determine all such matters in consultation with the General Manager.

Should the Mayor be required to exercise the delegation over the Christmas holiday period the General Manager will report the details of the matter(s) dealt with to the first available Council meeting.

Development applications are not determined by Council but by the Waverley Development Assessment Panel (WDAP). The last WDAP meeting of the year is on 14 December 2016. The first WDAP meeting in 2017 is scheduled for Wednesday 22 February 2017.

The convenor of the Panel has advised that if any urgent development assessment matters arise during the period 15 December 2016 to 21 February 2017, planning staff have the ability to call an extraordinary meeting of the Panel to deal with the urgent matters.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council November 2015	CM/7.6/15.11	<p>That Council:</p> <p>Authorises the Mayor or, in her absence, the Deputy Mayor (or Acting Mayor), in consultation with the General Manager, to determine any matter, excepting development applications, that would normally require a Council decision between the last ordinary meeting of Council for 2015 and the first Council meeting of 2016, with any such matter so dealt with then reported to the first available Council meeting.</p> <p>Notes that any urgent development assessment matters arising during the Christmas holiday period will be dealt with by the Waverley Development Assessment Panel (WDAP), which will have the option of convening an extraordinary meeting.</p>

4. Discussion

Nil.

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: G1a Develop and maintain a framework of plans and policies that ensures open and transparent operations that facilitate equitable benefit sharing and progress towards sustainability..
- Deliverable: Significant governance policies developed and existing policies reviewed regularly and access to Council's policy register provided.

6. Financial impact statement/Timeframe/Consultation

Financial

There are no costs associated with implementing these delegations over the Christmas holiday period.

Consultation

No consultation is required to put these delegations in place.

Timeframe

The delegations would be in place for the period 7 December 2016 to 21 February 2017.

7. Conclusion

To facilitate the continuation of the business of Council during the holiday period, it is recommended that the Mayor or, in the Mayor's absence, the Deputy Mayor, be delegated to determine any matter that would normally require a Council decision, excepting development applications, in consultation with the General Manager during the period between the last ordinary meeting of Council for 2016 and the first ordinary meeting of Council for 2017.

8. Attachments:

Nil

REPORT
CM/7.14/16.12

Subject: Annual Code of Conduct Complaints Reporting

TRIM No.: A03/0385-02

Author: Jane Worthy, Internal Ombudsman

Director: Peter Brown, General Manager

RECOMMENDATION:

That Council receives and notes the attached annual report on Code of Conduct complaints about Councillors and the General Manager for 2015–2016.

1. Executive Summary

This report addresses the requirement of Council's complaints co-ordinator to report annually to Council on Code of Conduct matters.

2. Introduction/Background

Clause 12.1 of the Code of Conduct Procedure for Councillors and the General Manager requires the complaints co-ordinator to report to Council on Code of Conduct complaints made about Councillors and the General Manager. This has to be done within three months of the end of September of each year. The report also has to be provided to the Office of Local Government (OLG) by 30 November each year (clause 12.2). The report has been submitted.

3. Relevant Council Resolutions

Nil.

4. Discussion

The annual report provided to the OLG for the period 1 September 2015 to 31 August 2016 is attached.

Within the reporting period, eight complaints were received. Of these, three were finalised in the period. Five complaints from the previous reporting period were also finalised.

The majority of complaints were finalised at preliminary assessment, and are therefore not reflected in the report under 'Investigation Statistics'. Under the Code of Conduct Procedure, these matters are not classified as 'investigations', but rather 'preliminary assessments'. Preliminary assessment provides an opportunity to resolve the matter by means other than a full investigation, where appropriate.

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: Regular ethics and Code of Conduct training provided for Councillors and staff.

6. Financial impact statement/Timeframe/Consultation

The cost of dealing with Code of Conduct complaints about Councillors and the General Manager in the reporting period was \$24,570. This figure only represents invoices received from external conduct reviewers. It does not include staff costs. While staff costs should be included, it is not possible to give an accurate figure.

The cost of dealing with complaints by Councillors against other Councillors was \$17,645.

7. Conclusion

This report satisfies the complaints co-coordinator's obligation to report to Council on Code of Conduct matters.

8. Attachments:

1. Annual Report on Code of Conduct Complaints - Councillors and General Manager

Office of Local Government

Model Code of Conduct Complaints Statistics

Reporting Period: 1 September 2015 - 31 August 2016.

Date Due: **31 December 2016**

To assist with the compilation of the Time Series Data Publication it would be appreciated if councils could return this survey by 30 November 2016.

Survey return email address: codeofconduct@olg.nsw.gov.au

Council Name:	Waverley Council
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Contact Name:	Jane Worthy
Contact Phone:	(02) 9083 8129
Contact Position:	Internal Ombudsman
Contact Email:	jane.worthy@waverley.nsw.gov.au

All responses to be numeric.

Where there is a zero value, please enter 0.

Enquiries: Performance Team
Office of Local Government
Phone: (02) 4428 4100
Enquiry email: olg@olg.nsw.gov.au

Model Code of Conduct Complaints Statistics Waverley Council		
Number of Complaints		
1	a The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct	8
	b The total number of complaints finalised in the period about councillors and the GM under the code of conduct	8
Overview of Complaints and Cost		
2	a The number of complaints finalised at the outset by alternative means by the GM or Mayor	0
	b The number of complaints referred to the Office of Local Government under a special complaints management arrangement	0
	c The number of code of conduct complaints referred to a conduct reviewer	14
	d The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	7
	e The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	4
	f The number of finalised code of conduct complaints investigated by a conduct reviewer	1
	g The number of finalised code of conduct complaints investigated by a conduct review committee	0
	h The number of finalised complaints investigated where there was found to be no breach	0
	i The number of finalised complaints investigated where there was found to be a breach	0
	j The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	1
	k The number of complaints being investigated that are not yet finalised	1
	l The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	24,570

Preliminary Assessment Statistics	
3 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:	
a To take no action	3
b To resolve the complaint by alternative and appropriate strategies	1
c To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies	3
d To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0
e To investigate the matter	2
f To recommend that the complaints coordinator convene a conduct review committee to investigate the matter	0
Investigation Statistics	
4 The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made:	
a That the council revise its policies or procedures	0
b That a person or persons undertake training or other education	0
5 The number of investigated complaints resulting in a determination that there was a breach in which the following recommendations were made:	
a That the council revise any of its policies or procedures	0
b That the subject person undertake any training or other education relevant to the conduct giving rise to the breach	0
c That the subject person be counselled for their conduct	0
d That the subject person apologise to any person or organisation affected by the breach	0
e That findings of inappropriate conduct be made public	0
f In the case of a breach by the GM, that action be taken under the GM's contract for the breach	0
g In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993	0
h In the case of a breach by a councillor, that the matter be referred to the Office for further action	0

6	Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures	1
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Categories of misconduct	
7 The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a General conduct (Part 3)	<input type="text" value="0"/>
b Conflict of interest (Part 4)	<input type="text" value="0"/>
c Personal benefit (Part 5)	<input type="text" value="0"/>
d Relationship between council officials (Part 6)	<input type="text" value="0"/>
e Access to information and resources (Part 7)	<input type="text" value="0"/>
Outcome of determinations	
8 The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation	<input type="text" value="0"/>
9 The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by the Office	<input type="text" value="0"/>

**REPORT
CM/7.15/16.12**

Subject: Council Meeting Dates 2017

TRIM No.: SF16/406

Author: Natalie Kirkup, Governance and Internal Ombudsman Officer

Director: Peter Brown, General Manager

RECOMMENDATION:

That Council adopts the Schedule of Meeting Dates for Council and the Operations Committee 2017 as attached to this report.

1. Executive Summary

Council adopts a schedule of meeting dates for Council and the Operations Committee for 2017.

2. Introduction/Background

The proposed schedule of meeting dates for Council and Operations Committees for 2017 is attached for Council's consideration.

The dates proposed in the schedule take into account public holidays and other significant religious holy days throughout the year.

3. Relevant Council Resolutions

There are no previous relevant Council resolutions on this matter.

4. Discussion

Nil.

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: G3 Services are accessible and provided in a professional, friendly and timely manner.

Strategy: G3a Promote and advocate systems and procedures that support efficient and effective service delivery which meets or exceeds customer satisfaction goals..

Deliverable: Business process and information systems enhanced in accordance with Business & Information Systems Steering Committee plan.

6. Financial impact statement/Timeframe/Consultation

N/A.

7. Conclusion

This report presents the proposed 2017 Schedule of Council and Operations Committee meetings dates for Council's adoption.

8. Attachments:

1. Schedule of Meeting Dates 2017

SCHEDULE OF MEETING DATES FOR COUNCIL AND OPERATIONS COMMITTEE 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Operations Committee		7	7	4	2	6	4	1	5	3	7	
Council		21	21	18	16	20	18	15	19	24	21	5

MEETING SCHEDULE:

- **Operations Committee** generally meets on the 1st Tuesday of each month at 7.00pm.
- **Council** generally meets on the 3rd Tuesday of each month at 6.30pm.

REPORT

CM/7.16/16.12



Subject: Council Operating Hours over Christmas and New Year 2016/17

TRIM No.: A16/0214

Author: Peter Brown, General Manager

Director: Peter Brown, General Manager

RECOMMENDATION:

That Council notes the proposed operating hours over the Christmas and New Year period of 2016/17 and endorses the suggested leave arrangement for staff.

1. Executive Summary

This report discusses proposed Christmas/New Year arrangements for Council and suggests a one off thank you for Council staff for efforts this year.

2. Introduction/Background

As Council is aware during each Christmas and New Year period over many years Council has reduced operating hours in line with expected demand and community expectation.

This year it is proposed to continue such an arrangement whilst continuing to operate essential services required.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Nil.	Nil.	Nil.

4. Discussion

Council supports a healthy work-life balance and this is particularly important around the Christmas and festive season.

Staff are encouraged to take time off during the Christmas period, where it can be operationally accommodated, to enjoy the festivities and make the most of spending time with family and friends.

It is proposed to continue with a similar arrangement as for previous years while making sure that our essential services are effectively covered as follows:

Friday 23 December 2016	All Council work locations will close at 3pm
Saturday 24 December 2016	Essential Services plus Library operating
(PH) Sunday 25 December 2016	Essential Services Only
(PH) Monday 26 December 2016	Essential Services Only

(PH) Tuesday 27 December 2016	Essential Services Only
Wednesday 28 December 2016	Essential Services plus Customer Service Centre and Library operating
Thursday 29 December 2016	Essential Services plus Customer Service Centre and Library operating
Friday 30 December 2016	Essential Services plus Customer Service Centre and Library operating
Saturday 31 December 2016	Normal Weekend arrangements
(PH) Sunday 1 January 2017	Essential Services Only
(PH) Monday 2 January 2017	Essential Services Only
Tuesday 3 January 2017	Normal Arrangements

This past year has been a very busy one for our staff, particularly with regard to Local Government Reform, and as reported in a number of previous Transition Reports to Council, staff have worked hard with our neighbouring Councils constructively working on how best to ensure our proposed merger is as successful as possible for our community. In recognition of their efforts, as a one off, it is proposed that staff be awarded an additional 3 days leave, to be taken at a mutually convenient time prior to June 30, 2017.

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:	G9 A committed and adaptable workforce governed by good leadership makes a strong contribution to achieving the community vision.
Strategy:	G9b Create a positive performance culture that builds skills in alignment with Council's Mission and Values.
Deliverable:	Leadership Development.

6. Financial impact statement/Timeframe/Consultation

Funding can be provided from efficiencies at the Q2 budget review.

7. Conclusion

The proposed Christmas and New Year arrangements are in line with previous successful arrangements and it is appropriate that staff be acknowledged for their particular efforts in 2016.

8. Attachments:

Nil

NOTICE OF MOTION CM/8.1/16.12



Subject: RESCISSION MOTION - Council Meeting - 15 November 2016 - CM/7.1/16.11 - Bondi Pavilion Consultation and Engagement Report

TRIM No.: A15/0272

Submitted by: Councillor Masselos
Councillor Wakefield
Councillor Wy Kanak

MOTION:

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its Meeting on 15 November 2016. Subsequent to the meeting the following Notice of Rescission was submitted by Crs Masselos, Wakefield and Wy Kanak:

‘We the undersigned Councillors wish to rescind the decision for Item CM/7.1/16.11 – Bondi Pavilion Consultation and Engagement Report made by Council at its meeting on 15 November 2016.

Cr Masselos, Cr Wakefield and Cr Wy Kanak’

BELOW IS THE MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 15 NOVEMBER 2016:

CM/7.1/16.11 Bondi Pavilion Upgrade & Conservation Project - Consultation & Engagement Report (A15/0272)

Crs Clayton and Wy Kanak declared less than significant non pecuniary interests in this item and informed the meeting that they are users of the Pavilion.

MOTION

Mover: Cr Betts
Seconder: Cr Goltsman

That Council:

1. Thanks all participants in the Bondi Pavilion Upgrade & Conservation consultation and engagement period which took place in July – September 2016.
2. Notes that the report on the further consultation and engagement will inform future Council decisions about the project.
3. Notes that this is the third consultation undertaken on the Bondi Pavilion, including the Plan of Management.
4. Notes that this report aligns more closely with community sentiment than previous Council reports

and the direction of Council.

AMENDMENT

Mover: Cr Wakefield

Seconder: Cr Masselos

That the Motion be adopted subject to the addition of the following clause:

‘A report be prepared by officers detailing how the current proposal, including staging and the alternative shelved proposals, fulfils community expectations as represented in the KJA report.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

Cr Wy Kanak was not present for the vote on the Substantive Motion.

N Boaz and L Kulakauskas addressed the meeting.

NOTICE OF MOTION CM/8.2/16.12



Subject: RESCISSION MOTION - Council Meeting - 15 November 2016 - CM/7.2/16.11 - Bondi Pavilion Staged Approach

TRIM No.: A15/0272

Submitted by: Councillor Masselos
Councillor Wakefield
Councillor Wy Kanak

MOTION:

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its Meeting on 15 November 2016. Subsequent to the meeting the following Notice of Rescission was submitted by Crs Masselos, Wakefield and Wy Kanak:

‘We the undersigned Councillors wish to rescind the decision for Item CM/7.2/16.11 – Bondi Pavilion Staged Approach made by Council at its meeting on 15 November 2016.

Cr Masselos, Cr Wakefield and Cr Wy Kanak’.

BELOW IS THE MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 15 NOVEMBER 2016:

CM/7.2/16.11 Bondi Pavilion Upgrade & Conservation Project - Staged Approach (A15/0272)

Crs Clayton and Wy Kanak declared less than significant non pecuniary interests in this item and informed the meeting that they are users of the Pavilion.

MOTION

Mover: Cr Betts
Seconder: Cr Cusack

That Council:

1. Treats Attachments 3 and 4 to this report as confidential as they relate to matters specified in section 10A(2)(c) of the Local Government Act 1993. The attachments contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
2. Agrees to proceed with the staged approach to the Bondi Pavilion Upgrade & Conservation Project in accordance with “Staging Plan – Stage 1 Ground Floor plan” dated February 2016 (page 4, figure 1) including:
 - Construction of new public toilets and amenities
 - Construction of expanded community space/s adjoining the northern courtyard which will

- include a relocated pottery studio (including a kiln) and space allocated for a music/recording studio
- Internal colonnades and landscaping of the northern courtyard sufficiently wide to accommodate passenger traffic and a small outdoor seating area
 - Loading dock and relocated improved waste arrangements
 - Heritage works including removal of front façade modern addition
 - Renovation of the northern commercial space facing the beach, with the flexibility of this being a single commercial tenancy or a two tenancy area as shown on the current concept plan.
 - Solar panels and other environmental sustainable design measures
 - Any other necessary works located on the ground floor northern side of the building including providing a footing for the proposed relocated fire stair for improved access to the first floor.
3. Convenes a councillor workshop in the first quarter of 2017 prior to submission of DA documentation to review design progress, internal courtyard landscaping, toilet safety, fire risk assessment and the options for an alternate vehicle access for waste collection with a second councillor workshop to be organised if required.
4. Once the above work is completed the following work to proceed to complete phase one:
- Original toilet area to be converted to a gallery/exhibition/museum space
 - The internal amphitheatre to be removed and replaced with paving – ensuring that Flickerfest is still able to use the space as an outdoor cinema within the walls of the Pavilion
 - Renovation of the heritage façade facing Beach Road to form a grand entrance and pedestrian access to the beach through the courtyard in keeping with the Master Plan.
5. Decisions of any further phases of the project, including the use of the top floor and any relocation of the theatre, will take place after the Council elections, currently scheduled for September 2017.
6. Notes the incoming Council will be assisted in their decision making by the consultation report, and the forthcoming technical documents including the:
- a. Business case
 - b. Cultural and Community Impact assessment
 - c. Proposed Fair use Policy
 - d. Proposed theatre programming and hire framework
 - e. A report on appropriate future technology for the Bondi Pavilion music studio facility and
 - f. A report on commercial tenancy spaces and processes
7. Reissues “Staging Plan – Stage 1 Ground Floor plan” dated February 2016 expanding the stage one area to incorporate the demolition of the amphitheatre and works on the rear entrance.

AMENDMENT

Mover: Cr Clayton
Seconder: Cr Strewe

That the Motion be adopted subject to clause 2, dot point 1, being amended to read as follows:

‘Construction of additional public toilets and amenities, but that officers investigate how best to

modify Stage 1 in order to maximise the use of existing services and sewerage (with a view to minimising additional cost), for example through converting the existing male and female central toilet facility to all-female facility, and converting the existing rear Bucket List extension to a male public toilet and amenity facility. This may allow the existing pottery studio to remain in its current location.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

AMENDMENT

Mover: Cr Clayton

Seconder: Cr Wakefield

That the Motion be adopted subject to clause 2, dot point 5, being amended to read as follows:

'Retain the modern front addition to the Bucket List tenancy.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

AMENDMENT (WITHDRAWN)

Mover: Cr Wakefield

Seconder: Cr Clayton

That the Motion be adopted subject to Council holding a preliminary councillor workshop to address security and other concerns in the current design of the toilet block.

AMENDMENT

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the Motion be adopted subject to the addition of the following clause:

'Notes that at the councillor workshop on 8 November 2016, it was indicated that officers did not support the recommendation to stage the redevelopment of the Pavilion'.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

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

Division

For the Motion: Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

Against the Motion: Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.

P Winkler and L Kulakauskas addressed the meeting.

NOTICE OF MOTION CM/8.3/16.12



Subject: Bondi Park Picnic Shelters near Children's Playground

TRIM No.: A15/0436

Submitted by: Councillor Goltsman
Councillor Burrill

MOTION:

That Council brings forward funding in the Long Term Financial Plan for replacement of the two picnic shelters located near the children's playground in Bondi Park (next to Bondi Surf Club) to allow construction to commence this financial year and to be completed prior to summer 2017, and that funding be considered as part of the Quarterly 2 Budget Review.

Background

An asset inspection of two picnic shelters near the children's playground in Bondi Park deemed them to be unsafe and unusable, and they were subsequently removed. Temporary shelter options are being investigated to provide shade over the forthcoming summer.

Funding is available to replace these picnic shelters in the 2017/18 Financial Year in a similar design to those currently being installed to the south of Bondi Pavilion. Tendering for the new shelters cannot therefore commence until July 2017 when the budget becomes available.

This will consequently interfere with the 2017/18 summer season and also create construction problems due to overlapping with the Bondi Pavilion Stage 1 Construction Timeline.

NOTICE OF MOTION CM/8.4/16.12



Subject: Interim Heritage Order - Aboriginal Indigenous Mural at Chapel by the Sea, 95 Roscoe Street, Bondi Beach

TRIM No.: DA-428/2016

Submitted by: Councillor Wy Kanak

MOTION:

That Waverley Council seeks an Interim Heritage Order for the 'From Little Things Big Things Grow' Aboriginal Indigenous Mural at Gould Lane, Chapel by the Sea, Wayside Uniting Church, 95 Roscoe Street, Bondi Beach, or alternatively, Waverley Council supports an Interim Heritage Order for this internationally impactful reconciliation public art mural that is celebrating the social justice rights victories of now deceased Indigenous elders from across our country, including the depiction of land and structures of spiritual, cultural and heritage significance to the community, especially the youth of Bondi, New South Wales and Australia.

Background

There is a high public interest and support for preserving the 'From Little Things Big Things Grow' Aboriginal Indigenous Mural at Gould Lane Chapel by the Sea, Wayside Uniting Church, 95 Roscoe Street, Bondi Beach.

Interim Heritage Orders can preserve items of cultural spiritual heritage significance and reflect the support from the community in protecting and maintaining such rare public art of strong community value.

NOTICE OF MOTION CM/8.5/16.12



Subject: Supporting the Eastern Region Local Government
Aboriginal Torres Strait Islander Forum

TRIM No.: A15/0528

Submitted by: Councillor Wy Kanak

MOTION:

That Council:

1. Continues to support and financially resource the Eastern Region Local Government Aboriginal Torres Strait Islander Forum into the future and through any amalgamated scenarios.
2. Notes the recent Memorandum of Understanding signed and supported by the NSW Minister for Aboriginal Affairs, Local Government NSW (LGNSW), the NSW Aboriginal Lands Council and the NSW Reconciliation Council at a special breakfast forum during the 2016 Annual LGNSW Conference at Wollongong.
3. Provides Councillors and community with resources to support all Councillors in furthering the intent of this MoU and continues this resourcing in the event of Waverley Council being placed into any amalgamated Council scenario.

Background

Nil.

NOTICE OF MOTION CM/8.6/16.12



Subject: Royal Commission into Aboriginal Deaths in Police and Prison Custody

TRIM No.: A02/0424

Submitted by: Councillor Wy Kanak

MOTION:

That Waverley Council work with the Member for Vaucluse, NSW Attorney General, Hon Gabrielle Upton, in implementing the recommendations from the Royal Commission into Aboriginal Deaths in Police and Prison Custody, especially those recommendations that allow a Local Government connexion.

Background

Nil.

URGENT BUSINESS
CM/9/16.12**Subject:** Urgent Business**Author:** Peter Brown, General Manager

In accordance with Clause 241 of the Local Government (General) Regulation 2005 and Section 3.5 of Council's Code of Meeting Practice, business may be transacted at a meeting of Council even though due notice of the business has not been given to Councillors. However, this can happen only if:

1. the business proposed to be brought forward is ruled by the chairperson to be of great urgency; and
2. a motion is passed to have the business transacted at the meeting.

Such a motion can be moved without notice.

Only the mover of a motion can speak to the motion before it is put. A motion to have urgent business transacted at the meeting requires a seconder.

For business to be considered urgent it must be of a kind:

1. that requires immediate action or attention, and
2. that cannot be dealt with as a Mayoral Minute or Notice of Motion at a later meeting or by any other means.

The mover of the motion must, when speaking to the motion, explain why he or she believes the business to be of great urgency.

CLOSED SESSION
CM/10/16.12

Subject: Moving into Closed Session

Author: Peter Brown, General Manager

**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:

CM/10.1/16.12 CONFIDENTIAL REPORT - Lease - Mill Hill Kiosk - Mill Hill Community Centre, 31-33 Spring Street, Bondi Junction

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

CM/10.2/16.12 CONFIDENTIAL REPORT - Lease - Airspace relating to the balcony of the Ravesis Hotel, 118 Campbell Parade, Bondi Beach

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

CM/10.3/16.12 CONFIDENTIAL REPORT - Lease - Metro Storage - 65 Ebley Street, Bondi Junction

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

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
CM/11/16.12**

Subject: Resuming in Open Session
Author: Peter Brown, General Manager

**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.