



W A V E R L E Y
C O U N C I L

COUNCIL MEETING

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

7.00 PM, TUESDAY 16 JULY 2019

A handwritten signature in grey ink, appearing to read 'R. B. McLeod'.

Ross McLeod
General Manager

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Live Streaming of Council Meetings

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AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager will read the following Opening Prayer:

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.

The Mayor will read the following Acknowledgement of Indigenous Heritage:

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

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The following matters are proposed to be dealt with in closed session and have been distributed to Councillors separately with the agenda:

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OBITUARIES

CM/3/19.07

Subject: Obituaries

Author: Ross McLeod, General Manager



The Mayor will ask Councillors for any obituaries.

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

CONFIRMATION AND ADOPTION OF MINUTES CM/5.1/19.07



WAVERLEY
COUNCIL

Subject: Confirmation of Minutes - Council Meeting - 18 June 2019

TRIM No.: SF19/325

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Council Meeting held on 18 June 2019 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 - 18 June 2019



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 18 JUNE 2019**

Present:

Councillor John Wakefield (Mayor) (Chair)	Bondi Ward
Councillor Dominic Wy Kanak (Deputy Mayor)	Bondi Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor George Copeland	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Will Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward

Staff in attendance:

Ross McLeod	General Manager
John Clark	Director, Customer Service and Organisation Improvement
Peter Monks	Director, Planning, Environment and Regulatory
Emily Scott	Director, Community, Assets and Operations
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer
Jane Worthy	Internal Ombudsman

At the commencement of proceedings at 7.02PM, those present were as listed above, with the exception of Cr O'Neill who arrived at 7.57PM.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

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.

The Mayor read the following Acknowledgement of Indigenous Heritage:

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

1. Apologies/Leaves of Absence

Apologies were received and accepted from Cr Keenan.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

3. Addresses by Members of the Public

- 3.1 L Coleman – CM/4.2/19.06 – Adoption of Minutes – Waverley Traffic Committee Meeting – 23 May 2019 – TC/V.01/19.05 – Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue.
- 3.2 M Caton – CM/4.2/19.06 – Adoption of Minutes – Waverley Traffic Committee Meeting – 23 May 2019 – TC/V.01/19.05 – Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue.
- 3.3 D Barnett – CM/4.2/19.06 – Adoption of Minutes – Waverley Traffic Committee Meeting – 23 May 2019 – TC/V.01/19.05 – Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue
- 3.4 G Sheehy – CM/4.2/19.06 – Adoption of Minutes – Waverley Traffic Committee Meeting – 23 May 2019 – TC/V.01/19.05 – Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue.
- 3.5 A Bhasin (on behalf of BIKEast) – CM/8.2/19.06 – Cycle Path Upgrade.

4. Confirmation and Adoption of Minutes

CM/4.1/19.06 Confirmation of Minutes - Council Meeting - 21 May 2019 (SF19/325)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the minutes of the Council Meeting held on 21 May 2019 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Cr O'Neill was not present for the consideration and vote on this item.

**CM/4.2/19.06 Adoption of Minutes - Waverley Traffic Committee Meeting - 23 May 2019
(SF19/328)**

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 23 May 2019 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

TC/V.01/19.05 – Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue (A03/0042-04)

And that this item be dealt with separately below.

**CM/4.2.1/19.06 Adoption of Minutes - Waverley Traffic Committee Meeting - 23 May 2019 -
TC/V.01/19.05 – Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue**

This matter was saved and excepted by Cr Wakefield.

MOTION / UNANIMOUS DECISION

Mover: Cr Goltsman
Seconder: Cr Wakefield

That Council refers this item to a future meeting of the Traffic Committee when the Traffic Committee will be considering the report on Barracluff Avenue.

Cr O'Neill was not present for the consideration and votes on this item.

L Coleman, M Caton, D Barnett and G Sheehy addressed the meeting.

5. Mayoral Minutes

CM/5.1/19.06 State Planning Controls - Financial Feasibility/Viability (A12/0147)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

That Council:

1. Recognises that financial feasibility/viability is being increasingly used by the Department of Planning, Industry and Environment, the State Planning Panels and the Greater Sydney Commission as a consideration to changes to planning controls.
2. Is concerned that complex financial feasibility assessments are being used by the development industry to argue for changes to existing planning controls with potentially adverse impacts on the community.

3. Acknowledges that the Environmental Planning and Assessment Act 1979 refers to broader considerations of 'economic effects', 'economic welfare', 'economic use of land' and 'economic impacts', and that there is no mention of financial feasibility/viability in this Act or in the Environmental Planning and Assessment Regulation 2000, Ministerial Directions or Planning Circulars.
4. Is concerned that the consideration of financial feasibility/viability is given undue weight as an 'economic' consideration and that other tangible economic considerations, such as efficient allocation of land use, transport systems and infrastructure, and less tangible economic considerations, such as local character and heritage, are given less or no weight.
5. Develops a methodology that considers the economic effects of proposed changes to planning controls in a more comprehensive and wide-ranging manner including consideration of efficient allocation of land use, transport systems and infrastructure, local character/native title and heritage. The methodology could include consideration of quadruple bottom line analysis.

Cr Nemesh was not present in the chamber for the vote on this item.

CM/5.2/19.06 Affordable Housing SEPP (A19/0408)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

That Council undertakes an audit of buildings in Waverley that have made use of the Affordable Housing SEPP to ascertain if the aims of the SEPP are being achieved in terms of tenancy, demography and usage, and consideration be given to aspects of enforcing compliance.

CM/5.3/19.06 Supermarkets in B1 Zones (A19/0409)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

That Council:

1. Notes that in August 2018 the NSW Department of Planning changed the standard planning template permitting supermarkets up to 1,000 square metres in size in the B1 Neighbourhood Centre zone.
2. Notes that this is the size now permitted in Waverley's B1 zone unless specific provision has been made to prescribe a smaller size.
3. Notes Council's Amendment 1 to the Waverley LEP, effective 3 September 2014, to limit the size of retail premises on the former Bronte RSL site to a maximum of 500 square metres.
4. Considers supermarkets greater than 500 square meters as inconsistent with the current and future desired character of Waverley's B1 Neighbourhood Centres.
5. Prepares a report for consideration investigating what actions Council could take, and the desirability and consequences of taking action, to limit the size of supermarkets and retail premises more widely in Waverley's B1 zones.

6. Obituaries

Keith McLeod
Ron Clark
Michael Jones
Leisl Pollak

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

7. Reports

CM/7.1/19.06 Budget for Financial Year 2019-20 and Long Term Financial Plan (LTFP 5.1) (SF18/4964)

MOTION

Mover: Cr Wakefield
Seconder: Cr Copeland

That Council:

1. Adopts the budget for the financial year 2019–20, as set out in Attachments 1 and 2 to this report.
2. Receives and notes the Long Term Financial Plan (LTFP 5.1) for an 11-year period from 2019–20 to 2029–30 including Income Statement, Balance Sheet, Statement of Cash Flow, Reserve Balances, Assumptions and Sensitivity Analysis, as set out in Attachment 3 to this report.

AMENDMENT

Mover: Cr Betts
Seconder: Cr Kay

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

1. Notes Council's capital works budget is scheduled to spend \$42.15 m in 2019–20, which will require a transfer of \$11.29 m from reserves to fund this expenditure.
2. Notes that Council faces a number of financial sustainability challenges in sustaining Council's current level of operations and capital program to 2030 (page 13 of the report).
3. Notes that Council anticipates a capital work expenditure of \$397,605,747 over the LTFP 2019–2030, \$103,749,277 of which will come from reserves.
4. Notes that Council's cash and reserves will drop from \$161 m in 2019 to \$66 m in 2025–27 to fund the programs.
5. Notes that Council's internally restricted reserves will be reduced by \$32 m over the LTFP period from \$122 m in 2019.
6. Notes that Council is considering increasing rates in some form to fund its programs, and is exploring options to introduce an Environmental Levy.
7. Surveys all residents and ratepayers in 2019, outlining Council's financial position and its intention to increase ratepayers' contribution to Council in some form or other to deliver its capital works budget, and asks ratepayers for their opinion.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

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

Against the Amendment: Crs Copeland, Lewis, Masselos, O'Neill, Wakefield and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

DECISION: That the Motion be adopted.

Cr Burrill was not present in the chamber for the vote on the Motion.

**CM/7.2/19.06 Operational Plan 2019-20, Pricing Policy and Schedule of Fees and Charges
2019-20 (A18/0477)**

At 8.35 pm, during the consideration of this item, Cr Wakefield vacated the chair. The Deputy Mayor, Cr Wy Kanak, assumed the chair. At 8.38 pm, Cr Wakefield assumed the chair.

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Receives and notes the community submissions made in relation to the Operational Plan 2019-20 and Pricing Policy and Schedule of Fees and Charges 2019-20 as in attachment 1 of this report.
2. Amends the subheading to the Statement of Revenue Policy on page 61 of the Draft Operational Plan to read: 'Statement with respect to Rate Levy (section 405(2), *Local Government Act 1993*)'.
3. Amends line 13 of section 1.3.1 Ordinary Rates of the Statement of Revenue Policy on page 62 of the Draft Operational Plan to read: 'with section 548(3), (4) and (5) of the Act in'.
4. Adopts the Operational Plan 2019-20, as amended by clauses 2 and 3 above, including the Statement of Revenue Policy and the Rating Structure for 2019–20 contained on page 63 of the proposed Operational Plan 2019–20 with the marked-up changes at Attachment 2 together with the proposed Pricing Policy and Schedule of Fees and Charges 2019–20 with the marked up changes at Attachment 3. In accordance with sections 497, 516, 518, 529 (2)(d), 534, 535 and 548(3) of the *Local Government Act*, the following rates and charges is set for every parcel of rateable land within the Waverley local government area for the period of 1 July 2019 to 30 June 2020:
 - (a) That an ordinary rate of zero point one one five eight nine cents (0.11589) in the dollar subject to a minimum rate in accordance with section 548(3), (4) and (5) of the Act, per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub categorised Ordinary in accordance with section 529(2)(b) of the Act.
 - (b) That an ordinary rate of zero point five four five two seven cents (0.54527) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Ordinary in accordance with section 529 (2)(d) of the Act.
 - (c) That an ordinary rate of zero point eight eight eight one five cents (0.88815) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub

categorised Bondi Junction in accordance with section 529(2)(d) of the Act.

5. Sets the Domestic Waste Management Service Charge at \$562 per service per annum for the period 1 July 2019 to 30 June 2020 in accordance with section 496 of the *Local Government Act*.
6. Sets the Stormwater Management Service Charge contained on page 66 of the draft Operational Plan 2019–20 in accordance with section 496A of the *Local Government Act* for the period of 1 July 2019 to 30 June 2020 as set out below:

Stormwater Management Service Charge		
Category	Unit	Fee or Charge
Residential property	per property	25.00
Residential strata property	per property	12.50
Business property	per 350 m2 (or part thereof)	25.00
Business strata property	per 350 m2 (or part thereof) levied equally to strata unit entitlement with a minimum of \$5	25.00

7. Authorises the General Manager to reassign responsibilities for each activity in these documents based on the Organisation Structure in place from time to time.

Cr Betts was not present in the chamber for the vote on this item.

CM/7.3/19.06 Investment Policy - Review (A05/0197)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
 Second: Cr Copeland

That Council adopts the revised Investment Policy attached to this report.

CM/7.4/19.06 Investment Portfolio Report - May 2019 (A03/2211)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
 Second: Cr Copeland

That Council:

1. Receives and notes the Investment Summary Report for May 2019 attached to this report.
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.

CM/7.5/19.06 Trade Debtors - Debt Write Off (SF17/299)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Second: Cr Wy Kanak

That Council writes off bad trade debts amounting to \$13,020.81 as shown in Table 1 of this report, in accordance with clause 213(3) of the *Local Government (General) Regulation 2005*.

CM/7.6/19.06 Code of Conduct and Procedures - Adoption (SF18/4158)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Second: Cr Copeland

That Council:

1. Adopts the following documents attached to this report:
 - (a) Code of Conduct for Councillors (Attachment 1).
 - (b) Code of Conduct for Council Staff (Attachment 2).
 - (c) Code of Conduct for Council Committee Members and other Council Officials (Attachment 3).
 - (d) Procedures for the Administration of the Code of Conduct (Attachment 4).
2. Rescinds the Gifts and Benefits Policy adopted by Council in 2012 (Attachment 5).
3. Arranges appropriate training for Councillors, members of Council staff, members of Council advisory committees and Council volunteers.

CM/7.7/19.06 Code of Meeting Practice - Adoption (SF17/3020)**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis

Second: Cr Wy Kanak

That Council:

1. Adopts the Code of Meeting Practice attached to this report, subject to the public forum section of the document (clauses 4.1 to 4.12, inclusive) being deleted, and the remainder of the clauses in Part 4 being renumbered accordingly.
2. Adopts the new order of business for Council meetings as shown below:

Prayer and Acknowledgement of Indigenous Heritage
Apologies/Leaves of Absence
Declarations of Pecuniary and Non-Pecuniary Interests
Obituaries
Addresses by Members of the Public
Confirmation and Adoption of Minutes
Mayoral Minutes

Reports
Notices of Motions
Questions with Notice
Urgent Business
Closed Session
Resuming in Open Session
Meeting Closure

3. Trials a public forum just prior to a Council meeting using draft clauses 4.1 to 4.12, or updated versions of these clauses, as procedures for this trial.
4. Investigates and reports on:
 - (a) Whether public forum procedures should be included within the Code of Meeting Practice or would be better placed in a separate policy document.
 - (b) Better wording for the public forum clauses to determine changes and additions that strengthen the approach taken.

CM/7.8/19.06 Status of Mayoral Minutes and Notices of Motion (SF18/691)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council receives and notes this report on the status of mayoral minutes and notices of motion adopted by Council from September 2012 to April 2019.

CM/7.9/19.06 Street Pedestrianisation - Trial of Pilot Streets (A03/0042-04)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Copeland

That:

1. Council further investigates pilot pedestrianisation schemes in:
 - (a) St James Road, Bondi Junction, north of Gowrie Street/Gowrie Street Reserve.
 - (b) St James Road, Bondi Junction, from York Place to Gowrie Street Reserve.
 - (c) Miller Street, Bondi.
 - (d) Busby Parade, Bronte, from Maroo Avenue to Busby Lane.
 - (e) Cox Avenue, Bondi Beach.
2. A report be submitted to the Waverley Traffic Committee seeking approval in principle of the endorsed roadways being temporarily closed to traffic for the purpose of implementing a pilot pedestrianisation scheme on days of the week and times of the day to be determined.

3. Following approval in principle by the Waverley Traffic Committee to temporarily close the endorsed roadways, Council officers:
 - (a) Survey residents of the endorsed roadways to determine the support or otherwise of the introduction of a pilot pedestrianisation scheme, and, in those streets agreed to by residents for the introduction of a pilot scheme, determine the days of the week and time of the day the majority suggest the roadway be closed.
 - (b) Assess the suitability of the roadway for the scheme and whether or not it requires adapting/modifying with respect to its surfacing, greening, sun protection and any other relevant factors.
 - (c) Consult relevant state authorities and others that may be directly/indirectly affected as a result of the temporary and frequent closing of the roadways.
4. For those roadways receiving positive resident feedback on the introduction of a pilot pedestrianisation scheme, a further report be submitted to Council detailing:
 - (a) An implementation strategy including details of required training of the public to effect the road closures.
 - (b) The goals of the scheme and how it is proposed to measure their success or otherwise.
 - (c) Initial and recurrent costings associated with the temporary road closures.
 - (d) Sources of funding that may support the introduction of pedestrianisation schemes.

CM/7.10/19.06 Appointment of Native Title Manager (A14/0201)

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak
Seconder: Cr Wakefield

That Council, in its capacity as the person responsible for land under the *Crown Land Management Act 2016*, appoints Council employee, John Andrews, as Native Title Manager as required by section 8.6 of the *Crown Land Management Act 2016*.

CM/7.11/19.06 Eastgate Car Park - Projects Update (A17/0529)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Burrill

That Council:

1. Notes the upgrades and improved safety measures that have been implemented in all three Council car parks, as outlined in this report.
2. Converts the Spring Street exit from Eastgate Car Park into one lane.
3. Does not convert the Spring Street exit of Eastgate Car Park into retail space due to a lack of suitable space and the close proximity of pedestrians.

4. Relocates the parents with prams parking spaces in Eastgate Car Park to adjacent to the mobility parking spaces.
5. Makes no change to the two-way entry and exit from Eastgate Car Park to Newland Street.

CM/7.12/19.06 Eastgate Car Park - Level 3 Entrance Foyer - Licence Extension to Kmart (A02/0366)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Burrill

That Council:

1. Extends the licence agreement with Kmart Australia Ltd in line with the terms and conditions contained in this report pertaining to the entrance foyer on level 3 of Eastgate Car Park.
2. Authorises the General Manager to finalise the negotiations and execute the licence on behalf of Council.

CM/7.13/19.06 Tender Evaluation - Boot Factory Restoration - Head Consultant (A19/0074)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Wakefield

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as the Matrix relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Archer Office Pty Ltd (formerly known as Tomahawk Studios Pty Ltd) as the preferred tenderer for the supply of head consultancy services for the sum of \$344,900 (excluding GST).
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Archer Office Pty Ltd.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

CM/7.14/19.06 Tender Evaluation - Hugh Bamford Reserve - Fence Upgrade (A19/0071)**MOTION / UNANIMOUS DECISION**

Mover: Cr Goltsman

Seconder: Cr Lewis

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as the Matrix relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.
2. Notes that there is \$335,000 allocated in the 2018/19 and 2019/20 Capital Works Program, with a further \$1,200,000 allocated in the Long Term Financial Plan, and amends the 2019/20 Capital Works Program to bring forward \$175,000 from the allocation in the Long Term Financial Plan.
3. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Wardrope and Carroll Engineering Pty Ltd as the preferred tenderer for the supply, delivery and installation of fencing at Hugh Bamford Reserve for the sum of \$432,319 (excluding GST).
4. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Wardrope and Carroll Engineering Pty Ltd.
5. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

At 9.32 pm, the Chair adjourned the meeting to restore order.

At 9.38 pm, the meeting reconvened.

CM/7.15/19.06 Quotation Evaluation - Courier Services (SF19/2709)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Burrill

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)(c) of the *Local Government Act 1993*. The attachment contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
2. Enters into contract with Mailplus Pty Ltd for mail collection and distribution services for a period of one year plus a one-year option at a total contract price of \$100,485.00 (including GST).
3. Authorises the General Manager do all things necessary to enter into the contract.

8. Notices of Motion**CM/8.1/19.06 Fossil Fuel Divestment (A05/0197)****MOTION (WITHDRAWN)**

Mover: Cr Copeland
Seconder: Cr Wy Kanak

That Council:

1. Notes officers' success in progressively divesting fossil fuel lending ADIs from 55% of the investment portfolio in May 2018 to 23% in May 2019, with direct investment in fossil fuels being less than 2% (being potentially part of the TCorp-managed fund).
2. Reviews its Investment Policy with the aim of divesting all its fossil fuel funds by 30 August 2020.
3. Officers prepare progress reports for Council's consideration.

THE CHAIR DECLARED THE MOTION OUT OF ORDER ON THE GROUNDS THAT IT IS SUBSTANTIALLY DIFFERENT FROM THE ORIGINAL MOTION. THE MOVER THEN WITHDREW THE MOTION.

THE FOLLOWING MOTION WAS THEN MOVED:

MOTION

Mover: Cr Copeland
Seconder: Cr Wy Kanak

That Council divests all its fossil fuel funds from its investments.

AT THIS STAGE IN THE PROCEEDINGS, THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO THE MOTION SUCH THAT IT NOW READS AS FOLLOWS:

That:

1. Council notes officers' success in progressively divesting fossil fuel lending authorised deposit-taking institutions (ADIs) from 55% of the investment portfolio in May 2018 to 23% in May 2019, with direct investment in fossil fuels being less than 2% (being potentially part of the TCorp-managed fund).
2. Council reviews its Investment Policy with the aim of divesting all its fossil fuel funds by 30 August 2020.
3. Progress reports are prepared for Council's consideration.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

For the Motion: Crs Copeland, Goltsman, Lewis, Masselos, O'Neill, Wakefield and Wy Kanak.

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

DECISION: That the Motion be adopted.

CM/8.2/19.06 Cycle Path Upgrade (A14/0193)**MOTION**

Mover: Cr Lewis
Seconder: Cr Copeland

That Council is provided with a report on options and costings to upgrade the section of the cycle path between Bondi Beach and Bondi Junction from Martins Avenue to Penkivil Street, which will include:

1. Consideration of installing traffic lights at the intersection of Wellington Street and Bondi Road.
2. Investigation of traffic movement through, and adjacent to, the cycle path.
3. Options for improving bike rider safety.
4. A review of options presented to Council in reports of 2015 and 2016.

AMENDMENT

Mover: Cr Kay
Seconder: Cr Betts

That the Motion be adopted subject to the deletion of clause 1.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

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

Against the Amendment: Crs Copeland, Lewis, Masselos, Wakefield and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED CARRIED ON A SHOW OF HANDS 9/1.

DECISION: That the Motion be adopted.

Cr O'Neill was not present for the consideration and votes on this item.

A Bhasin (on behalf of BIKEast) addressed the meeting.

CM/8.3/19.06 Diamond Bay Reserve and Coastal Walk (A03/0946)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconder: Cr Betts

That Council:

1. Officers investigate measures to restrict or deter movement from the Diamond Bay Reserve and the Coastal Boardwalk to the cliff ledge. Such measures to include:
 - (a) Appropriate multilingual signage
 - (b) Further physical barriers to restrict or hinder movement to the cliff ledge.
2. Investigates the cost and appropriateness for CCTV and consults the local police area command.
3. Officers report back to Council by September 2019 with a further investigation to consider the

appropriateness and cost of installing a viewing platform from the coastal boardwalk.

4. Increases the frequency of ranger patrols in the area, in particular on weekends.
5. Installs an additional bin in Diamond Bay Reserve.
6. Informs the Vaucluse/Diamond Bay Precinct of Council's decision.
7. As part of the investigation Council officers liaise with Sydney Water and groups representing recreational fishermen about the access taken along the edge of the cliff to Sydney Water infrastructure by local fishermen.

9. Urgent Business

CM/9.1/19.06 **Rosie Batty**

MOTION

Mover: Cr Betts
Seconder: Cr Goltsman

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

THE MOTION WAS PUT AND DECLARED LOST.

Division

For the Motion: Crs Betts, Goltsman, Kay and Nemesh.

Against the Motion: Crs Copeland, Lewis, Masselos, O'Neill, Wakefield and Wy Kanak.

10. Closed Session

CM/10/19.06 **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. None were received.

MOTION / DECISION

Mover: Cr Wakefield
Seconder: Cr Masselos

That:

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

CM/10.1/19.06 CONFIDENTIAL REPORT - Hotel Raveis, 118-122 Campbell Parade, Bondi Beach - Airspace Lease to Debilu Pty Ltd

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

proposes to conduct) business.

2. Pursuant to sections 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 as confidential under 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 10.50PM, Council moved into closed session.

**CM/10.1/19.06 CONFIDENTIAL REPORT - Hotel Ravesis, 118-122 Campbell Parade, Bondi Beach -
Airspace Lease to Debilu Pty Ltd (A02/0328)**

MOTION / DECISION

Mover: Cr Betts
Seconder: Cr Wakefield

That:

1. Council treats 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)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Council defers this matter to get more information about the nature of the tenure and the lease executed with Bondi Pacific.
3. The legal advice covers the question of crown land air indices.

11. Resuming in Open Session

CM/11/19.06 Resuming in Open Session

RECOMMENDATION:

That Council resumes in open session.

At 10.59PM, 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 11.00PM.

.....
SIGNED AND CONFIRMED
MAYOR
16 JULY 2019

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/19.07



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 27 June 2019

TRIM No.: SF19/328

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 27 June 2019 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 WTC meetings must be submitted to Council for adoption in accordance with clause 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 Charter.

Attachments

1. Waverley Traffic Committee Minutes - 27 June 2019

**MINUTES OF THE WAVERLEY TRAFFIC
COMMITTEE MEETING HELD AT WAVERLEY
COUNCIL CHAMBERS, CNR PAUL STREET AND
BONDI ROAD, BONDI JUNCTION ON
THURSDAY, 27 JUNE 2019**



Voting Members Present:

Cr T Kay	Waverley Council (Alternate Chair)
Sgt L Barrett	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Mr B Borger	Roads and Maritime Services – Network and Safety Officer (South East Precinct)
Mr P Pearce	Representing Marjorie O’Neill, MP, Member for Coogee
Ms J Zin	Representing Gabrielle Upton, MP, Member for Vaucluse

Also Present:

Mr B Gidies	State Transit – Traffic and Services Manager (Eastern Region)
Snr Cst B Rodwell	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Mr D Joannides	Waverley Council – Executive Manager, Creating Waverley
Mr G Garnsey	Waverley Council – Manager, Transport and Development
Mr K Mowad	Waverley Council – Senior Traffic Engineer
Mr S Samadian	Waverley Council – Traffic Engineer

At the commencement of proceedings at 10.03 am, those present were as listed above.

Apologies

Apologies were received and accepted from Cr J Wakefield (Chair).

Declarations of Pecuniary and Non-Pecuniary Interests

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

1. Cr T Kay declared a less than significant non-pecuniary interest in Item TC/V.05/19.06 – Military Road, Dover Heights – No Stopping Restrictions near Kippara Road, and informed the meeting that his step-daughter and son-in-law own property in a section of Military Road that is the subject of this report.

Adoption of Previous Minutes by Council - 23 May 2019

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 23 May 2019 were adopted by Council at its meeting on 18 June 2019 with the following change:

1. TC/V.01/19.05 – Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue.

Council did not adopt the recommendation of the Traffic Committee, and made the following decision:

‘That Council refers this item to a future meeting of the Traffic Committee when the Traffic Committee will be considering the report on Barracluff Avenue.’

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.01/19.06 Clovelly Public School Access - Design Amendments (A03/0042-04)****COUNCIL OFFICER’S PROPOSAL:**

That Council, in accordance with Drawing 8985 (Issue C) dated 12 May 2019 attached to this report:

1. Installs kerb blisters and associated signs and line marking at the intersection of Chesterfield Parade and Inverness Street, Bronte.
2. Relocates the existing ‘P Disabled 8.30 am–4 pm School Days’ zone on the western side of Inverness Street 11 m to the south.

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 (Alternate Chair).

M Jackman (on behalf of Clovelly Public School) addressed the meeting.

TC/C.02/19.06 Rowe Lane, Bondi Junction - Temporary Daytime Road Closure and Change of Direction of Traffic Movements (A19/0394)**COUNCIL OFFICER'S PROPOSAL:**

That:

1. Council approves the closure of Rowe Lane for building activities at 362–374 Oxford Street during the approved hours of work, as set out in DA-89/2016.
2. The applicant complies with the requirements of the Construction Traffic Management Plan from Roads and Maritime Services dated 12 June 2019 attached to this report.
3. Council approves TCP-01, 02 and 04 prepared by Rapid Planning Solutions dated 16 April 2019 attached to this report, subject to a traffic controller and resident access only signage being in place at both ends of Rowe Lane.
4. Council approves TCP-05 attached to this report for the control of pedestrian movements in Rowe Lane during the Rowe Lane road closure.
5. Council installs 'No Parking 7 am–5 pm Mon–Fri; 8 am–3 pm Sat' on the western side of Leswell Street, between Camp Lane and Grafton Street, to aid truck right turn movements out of Hegarty Lane.
6. There be no truck movements to or from the site during the period 16 December 2019 to 4 January 2020 inclusive.
7. In the absence of swept wheel path drawings for the 13 m rigid vehicle in the Construction Vehicle and Pedestrian Plan of Management prepared by EB Traffic Solutions dated 11 June 2019 attached to this report, the maximum size of a rigid vehicle accessing Rowe Lane be limited to 9 m.
8. The applicant meets the cost of removing existing and installing new traffic signs prior to works commencing and reinstating signs on completion of building works.
9. The applicant contacts Council's Tree Management Officer to discuss trimming branches, if required, from street trees located on the northern side of Rowe Lane near Newland Street prior to works commencing on site.
10. The applicant notifies residents and business owners having a frontage to Rowe Lane of the proposed changes to the one-way movement and temporary daytime closure of the lane not less than 14 days prior to works commencing on site.

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 (Alternate Chair).

T Barhom (on behalf of Stargate Property Group) addressed the meeting.

TC/C.03/19.06 Hewlett Street, Bronte - Temporary Road Closure (A02/0216)**COUNCIL OFFICER'S PROPOSAL:**

That Council approves the temporary closure of Hewlett Street, Bronte, from Read Lane to the dead-end at Murray Street, on Sunday, 18 August 2019, between 7 am and 6 pm, in accordance with the Traffic Control Plan attached to this report, subject to the organisers:

1. Obtaining public liability insurance for the event.
2. Obtaining NSW Police approval.
3. Notifying the State Transit Authority, NSW Ambulance Service and NSW Fire and Rescue (Bondi, Woollahra and Randwick Fire Stations) prior to the event.
4. Notifying local residents and businesses prior to the event.
5. Only using RMS-accredited traffic controllers.
6. Covering all costs associated with closing the road, including traffic control.
7. Being informed that this approval may be cancelled without notice or refund at the discretion of the Executive Manager, Creating Waverley, or delegate.

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 (Alternate Chair).

TC/C.04/19.06 Multiple Streets - 'P Disability Only' Zone (A18/0719)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 5.5 m long 'P Disability Only' zone outside 1 Victoria Street, Queens Park, immediately east of the 'No Stopping' zone at Queens Park Road.
2. Upon receipt of evidence of the resident obtaining a Mobility Parking Scheme (MPS) permit, and satisfactory vehicle registration details, installs:
 - (a) A 5.5 m long 'P Disability Only' zone on the Carlton Street frontage of 2 Kent Street, Waverley, starting 10 m north of Kent Street.
 - (b) A 'No Stopping' arrow left on the southern post of the zone.
3. Removes the existing 'P Disability Only' zone outside 8 Bourke Street, Queens Park.

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 (Alternate Chair).

TC/C.05/19.06 St Thomas Street, Bronte - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That:

1. Council installs a 15 m long 'No Parking 7 am–5 pm Monday–Friday; 8 am–3 pm Saturday Authorised Council Vehicles Excepted' zone outside 6 St Thomas Street, Bronte.
2. There be no blockage to through traffic on St Thomas Street other than for short periods of time when manoeuvring vehicles into and out of the zone.
3. Council delegates authority to the Executive Manager, Creating Waverley, to adjust the length and duration of, or remove, the construction zone as necessary and install a zone with similar times, if necessary, opposite the site.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

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

'Parking rangers be requested to undertake regular patrols during construction.'

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

TC/V STATE ELECTORATE OF VAUCLUSE**TC/V.01/19.06 Barracluff Avenue, Bondi Beach - Pedestrian/Traffic Islands (A03/0042-04)****COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Constructs pedestrian/traffic islands with associated line marking and signage at the intersections of Barracluff Avenue and Francis Street, and Barracluff Avenue and Lamrock Avenue, Bondi Beach, as shown in Drawing 9005 Issue A attached to this report.
2. Notifies residents of the proposal prior to construction commencing.

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 (Alternate Chair).

L Coleman addressed the meeting.

**TC/V.02/19.06 Rickard Avenue, Bondi Beach - Closure at Lamrock Avenue - Review
(A03/0042-04)**

COUNCIL OFFICER'S PROPOSAL:

That:

1. Council:
 - (a) Approves the closure of Rickard Avenue at the Lamrock Avenue kerb alignment on a temporary, trial basis for 12 months.
 - (b) Closes the roadway using temporary materials such as New Jersey style concrete barriers or similar.
 - (c) Installs a 'No Through Road' sign at the western end of Rickard Avenue.
 - (d) Extends the existing 'No Stopping' restrictions on both sides of Rickard Avenue at Lamrock Avenue to 15 metres south-west of the Lamrock Avenue kerb alignment to aid vehicle turn movements, including heavy vehicle movements.
 - (e) Installs gaps in the barriers to cater for existing bicycle movements.
2. Following the completion of the 12-month trial period, a report be brought back to the Waverley Traffic Committee on the outcome of the temporary closure.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

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

'Council notes:

- (a) The lack of consultation with surrounding streets.
- (b) That the low volume of traffic would not normally justify closure, and that other calming measures could be considered.'

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

G Sheehy addressed the meeting.

TC/V.03/19.06 Bon Accord Avenue, Bondi Junction - Temporary Road Closure (Bon Accord Lane to Flood Lane) (A02/0216)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Treats Attachment 4 of this report as confidential as it contains information that would, if disclosed, prejudice the maintenance of law.
2. Approves the temporary closure of Bon Accord Avenue, Bondi Junction, as per the Transport Management Plan (TMP) and Traffic Control Plan (TCP) attached to this report, subject to the following being carried out:
 - (a) Closures are to take place only during the following days and times:
 - (i) Monday 30 September 2019 8.15 am–2.00 pm.
 - (ii) Tuesday 1 October 2019 8.15 am–2.00 pm.
 - (iii) Tuesday 8 October 2019 5.00 pm–9.30 pm.
 - (iv) Wednesday 9 October 2019 9.15 am–8.15 pm.
 - (b) The Event Organiser must:
 - (i) Engage a traffic control company approved by the Executive Manager, Creating Waverley, to implement the TMP.
 - (ii) Provide public liability insurance for the event.
 - (iii) Obtain NSW Police approval.
 - (iv) Cover all costs associated with traffic control.
 - (c) Council will:
 - (i) Issue a schedule of conditions with any additional conditions that may be imposed by the NSW Police, Roads and Maritimes Services (RMS) and the Executive Manager, Creating Waverley.
 - (ii) Submit the TMP to RMS for approval of the Transport Management Centre.
 - (iii) Notify the NSW Ambulance Service and NSW Fire and Rescue (Bondi, Woollahra and Randwick Fire Stations) seven days prior to the event.
 - (iv) Notify local residents and businesses seven days prior to the event.
 - (v) Require the use of RMS-accredited traffic controllers.
 - (d) The Executive Manager, Creating Waverley, and his representative(s) are delegated authority to:
 - (i) Inspect the TMP.

- (ii) Audit the implementation of the TMP.
- (iii) Cancel this approval, without notice or refund.

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 (Alternate Chair).

TC/V.04/19.06 Military Road - Pinch Point Improvements (A16/0524)**COUNCIL OFFICER'S PROPOSAL:**

That Council undertakes the proposed works at pinch point locations 1, 2 and 3 along Military Road, in accordance with the drawings attached to this report.

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 (Alternate Chair).

TC/V.05/19.06 Military Road, Dover Heights - No Stopping Restrictions near Kippara Road (A02/0637-02)

Cr T Kay declared a less than significant non-pecuniary interest in this item, and informed the meeting that his step-daughter and son-in-law own property in a section of Military Road that is the subject of this report.

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs 'No Stopping' restrictions on the northern and eastern side of Military Road, Dover Heights, starting from the common boundary of 59 and 61 Military Road, extending to the west around the bend and terminating at the common boundary of 79 and 81 Military Road.
2. Installs 'No Stopping' restrictions on the southern and western side of Military Road, Dover Heights, starting from the 'Bus Zone' outside 106 Military Road, extending around the bend and terminating at the common boundary of 126 and 128 Military Road.
3. Notifies those residing in the vicinity of the restrictions prior to implementation.

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 (Alternate Chair).

S Werkner and a resident addressed the meeting.

TC/V.06/19.06 Rodney Street, Dover Heights - Changes to No Parking Restrictions (A02/0637-02)

COUNCIL OFFICER'S PROPOSAL:

That Council changes the existing 'No Parking, 2.30 pm–4.30 pm, School Days' restrictions along the eastern side of Rodney Street, covering the full length of Rodney Reserve, to 'No Parking, 8.00 am–9.30 am; 2.30 pm–4.30 pm, School Days', as requested by the State Transit Authority to improve school bus access.

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 (Alternate Chair).

TC/V.07/19.06 Patterson Street, North Bondi - Construction Zone (A03/2514-04)

COUNCIL OFFICER'S PROPOSAL:

That:

1. Council installs a 12 m long 'No Parking 7 am–5 pm Monday–Friday; 8 am–3 pm Saturday Authorised Council Vehicles Excepted' zone outside 3 Patterson Street, North Bondi.
2. There be no blockage to through traffic on Patterson Street other than for short periods of time when manoeuvring vehicles into and out of the zone.
3. Council delegates authority to the Executive Manager, Creating Waverley, to adjust the length and duration of, or remove the construction zone, as necessary and install a zone with similar times, if necessary, opposite the site.

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 (Alternate Chair).

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE**TC/CV.01/19.06 City2Surf 2019 - Special Event with Temporary Road Closures (A18/0732)****COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Treats the attachments to this report as confidential as they contain information that would, if disclosed, prejudice the maintenance of law.
2. Approves the City2Surf 2019 event and associated road closures to be held on Sunday, 11 August 2019, in accordance with the submitted Transport Management Plan attached to this report, subject to the organisers:
 - (a) Providing public liability insurance for the event.
 - (b) Obtaining NSW Police approval.
 - (c) Providing event management and delivery plans for the approval of Council's Outdoor and Flagship Event team.
 - (d) Notifying the State Transit Authority, NSW Ambulance Service and NSW Fire and Rescue (Bondi, Woollahra and Randwick Fire Stations).
 - (e) Notifying local residents and businesses.
 - (f) Only using RMS-accredited traffic controllers.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/L ITEMS WITHOUT NOTICE**TC/L.01/19.06 Flood Street and Flood Lane, Bondi - Changes to Parking Restrictions
(A02/0637-02)****COUNCIL OFFICER'S PROPOSAL:**

That the following parking restrictions be installed to promote higher turnover of spaces for businesses on Old South Head Road:

3. New '2P 6 am–7 pm Mon–Fri; and 9 am–6 pm Sat–Sun' restrictions to be implemented on the western side of Flood Street, starting immediately south of the existing No Stopping and finishing at the north end of the driveway of 207 Old South Head Road on Flood Street.
4. New '1/2P 6 am–7 pm Mon–Fri; and 9 am–6 pm Sat–Sun' restrictions to be implemented on the eastern side of Flood Lane, starting immediately south of the No Stopping and finishing at the corner of Barnett Lane for 16 m.

AT THIS STAGE IN THE PROCEEDINGS, CR T KAY MOVED THE FOLLOWING AMENDMENT:

'That the Council Officer's Proposal be adopted subject to RMS undertaking a survey of residents within 50 m of the proposed parking restrictions in Flood Street and Flood Lane and businesses along Old South Head Road and Flood Street, and evidence being provided to the satisfaction of the Executive Manager, Creating Waverley, that the majority support the proposal.'

THE AMENDMENT WAS PUT AND DECLARED SPLIT.

The RMS representative and the representative of the Member for Vaucluse voted against the amendment.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to the addition of the following words at the end of clause 1:

'for 10 m.'

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

H Johnson and S Miller (on behalf of RMS) addressed the meeting.

THE MEETING CLOSED AT 11.26 AM.

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SIGNED AND CONFIRMED
MAYOR
16 JULY 2019

:

MAYORAL MINUTES CM/6/19.07

Subject: Mayoral Minutes

Author: Mayor of Waverley, Cr John Wakefield



Mayoral minutes are permissible under the Waverley Code of Meeting Practice.

Clauses 9.7–9.11 of the Code state:

Subject to clause 9.10, if the mayor is the chair at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.

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

A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

REPORT CM/7.1/19.07



Subject: Councillor Expenses and Facilities - Six-monthly Report

TRIM No: SF18/2204

Author: Jane Worthy, Internal Ombudsman

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council receives and notes the six-monthly report on Councillor expenses and facilities for the period 1 January 2019 to 30 June 2019 attached to this report.

1. Executive Summary

The purpose of this report is to report on the provision of expenses and facilities to Councillors, as required by the Councillor Expenses and Facilities Policy.

2. Introduction/Background

Council adopted the Councillor Expenses and Facilities Policy in May 2018 based on the Office of Local Government's Councillor Expenses and Facilities Policy template. The policy requires Council to report on the provision of expenses and facilities to Councillors every six months.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 February 2019	CM/7.5/19.02	That Council receives and notes the six-monthly report on Councillor expenses and facilities attached to this report.
Council 15 May 2018	CM/7.7/18.05	<p>That Council:</p> <ol style="list-style-type: none"> Adopts the Councillor Expenses and Facilities Policy attached to this report subject to the following amendments: <ol style="list-style-type: none"> Subject to compliance with the relevant legislation, one beach parking permit be provided to each councillor. One name badge be provided to each councillor. Notes that all yearly allowances will: <ol style="list-style-type: none"> Commence on 1 July of each year. Be allocated each financial year.

		<p>(c) Be applied on a pro rata basis in the final year of the term.</p> <p>3. Notes that the term allowance for information and communications technology (ICT) equipment will be adjusted to account for:</p> <p>(a) The current term being only three years (i.e. \$6,000).</p> <p>(b) Expenses already incurred in this Council term by each respective Councillor.</p> <p>4. Allocates an additional \$33,500 in the 2018/19 budget to meet the anticipated additional costs associated with the new Councillor Expenses and Facilities policy.</p>
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4. Discussion

Clause 15.2 of the Councillor Expenses and Facilities Policy states that:

Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

The report is attached. It outlines each Councillor's expenditure against budget and the remaining budget for each expense category under the policy as at 30 June 2019. It also shows the totals for all Councillors. The expense categories—conferences and seminars, and interstate, overseas and long-distance intrastate travel—are not itemised per Councillor because the Policy provides a total figure for all Councillors.

Given that the policy allows Councillors six months in which to submit claims for reimbursement, it is possible that not all expenditure claims are accounted for in the attached report. The internal auditor has recommended that, when the policy is reviewed, the lodgement period be reduced to three months as per the OLG template to improve efficiency, accuracy and best practice accounting reconciliation and reporting.

The carer expense category allows Councillors to claim carer expenses on a per hour basis as needed. This means that there is no upper limit on the amount that can be claimed. Finance has allocated a nominal figure per Councillor for budgeting purposes only.

The fees paid to Councillors are in addition to expenses and facilities and are therefore not included in the attached report.

The requirement of clause 15.2 is in addition to the statutory reporting of Councillor expenses and facilities in the annual report; see clause 15.1 of the policy and clause 217 of the *Local Government (General) Regulation 2005*.

5. Financial impact statement/Timeframe/Consultation

All Councillor expenditure is within budget.

6. Conclusion

This report satisfies the new requirement of Council to report on the provision of Councillor expenses and facilities every six months.

7. Attachments

1. Councillor Expenses - For period 1 January 2019 – 30 June 2019 [↓](#) .

Councillor Expenses
For period 1 January 2019 - 30 June 2019

Natural Account	2018/19 Current Approved Budget	2018/19 YTD Actuals	2018/19 Remaining Funds on Current Budget
Councillors Expenses	(175,425)	(32,542)	(142,883)
11002. Elected Member - Goltsman	(14,219)	(5,564)	(8,655)
Home Office Expenses	(1,200)	(41)	(1,159)
ICT Device (Equipment) Expenses	(4,569)	(217)	(4,352)
Carer Expenses	(1,000)	0	(1,000)
ICT Usage Expenses	(4,200)	(2,487)	(1,713)
General Travel Expenses	(750)	(497)	(253)
Professional Development	(2,500)	(2,322)	(178)
11004. Elected Member - Burrill	(12,997)	(7,768)	(5,229)
Home Office Expenses	(1,200)	(131)	(1,069)
ICT Device (Equipment) Expenses	(347)	0	(347)
Carer Expenses	(4,000)	(4,258)	258
ICT Usage Expenses	(4,200)	(1,976)	(2,224)
General Travel Expenses	(750)	(163)	(588)
Professional Development	(2,500)	(1,241)	(1,259)
11006. Elected Member - Wakefield	(12,420)	(3,370)	(9,050)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(1,770)	(1,561)	(209)
Carer Expenses	(2,000)	0	(2,000)
ICT Usage Expenses	(4,200)	(1,216)	(2,984)
General Travel Expenses	(750)	(592)	(158)
Professional Development	(2,500)	0	(2,500)
11008. Elected Member - Wy Kanak	(16,452)	(1,536)	(14,916)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(5,802)	0	(5,802)
Carer Expenses	(2,000)	0	(2,000)
ICT Usage Expenses	(4,200)	(786)	(3,414)
General Travel Expenses	(750)	(750)	0
Professional Development	(2,500)	0	(2,500)
11009. Elected Member - Betts	(16,650)	(546)	(16,104)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(6,000)	0	(6,000)
Carer Expenses	(2,000)	0	(2,000)
ICT Usage Expenses	(4,200)	(546)	(3,654)
General Travel Expenses	(750)	0	(750)
Professional Development	(2,500)	0	(2,500)

Councillor Expenses
For period 1 January 2019 - 30 June 2019

11011. Elected Member - Kay	(16,531)	(3,375)	(13,156)
Home Office Expenses	(1,200)	(694)	(506)
ICT Device (Equipment) Expenses	(5,881)	0	(5,881)
Carer Expenses	(2,000)	0	(2,000)
ICT Usage Expenses	(4,200)	(2,252)	(1,948)
General Travel Expenses	(750)	(429)	(321)
Professional Development	(2,500)	0	(2,500)
11012. Elected Member - Masselos	(16,650)	(2,516)	(14,134)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(6,000)	0	(6,000)
Carer Expenses	(2,000)	0	(2,000)
ICT Usage Expenses	(4,200)	(556)	(3,644)
General Travel Expenses	(750)	(14)	(736)
Professional Development	(2,500)	(1,947)	(553)
11021. Elected Member - Keenan	(16,169)	(2,993)	(13,176)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(5,519)	(2,086)	(3,433)
Carer Expenses	(2,000)	0	(2,000)
ICT Usage Expenses	(4,200)	(25)	(4,175)
General Travel Expenses	(750)	0	(750)
Professional Development	(2,500)	(882)	(1,618)
11022. Elected Member - Copeland	(12,070)	(1,356)	(10,714)
Home Office Expenses	(1,200)	(41)	(1,159)
ICT Device (Equipment) Expenses	(1,420)	0	(1,420)
Carer Expenses	(2,000)	0	(2,000)
ICT Usage Expenses	(4,200)	(1,172)	(3,028)
General Travel Expenses	(750)	(144)	(606)
Professional Development	(2,500)	0	(2,500)
11023. Elected Member - O'Neill	(16,650)	(182)	(16,468)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(6,000)	0	(6,000)
Carer Expenses	(2,000)	0	(2,000)
ICT Usage Expenses	(4,200)	0	(4,200)
General Travel Expenses	(750)	0	(750)
Professional Development	(2,500)	(182)	(2,318)
11024. Elected Member - Lewis	(13,762)	0	(13,762)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(3,112)	0	(3,112)
Carer Expenses	(2,000)	0	(2,000)
ICT Usage Expenses	(4,200)	0	(4,200)
General Travel Expenses	(750)	0	(750)
Professional Development	(2,500)	0	(2,500)

Councillor Expenses
For period 1 January 2019 - 30 June 2019

11025. Elected Member - Nemesh	(10,855)	(3,337)	(7,518)
Home Office Expenses	(1,200)	(455)	(745)
ICT Device (Equipment) Expenses	(1,205)	(613)	(592)
Carer Expenses	(1,000)	0	(1,000)
ICT Usage Expenses	(4,200)	(2,230)	(1,970)
General Travel Expenses	(750)	(39)	(711)
Professional Development	(2,500)	0	(2,500)
Governance Services			
11016. Councillors Expenses	(27,000)	(13,496)	(13,504)
Interstate, Overseas and long distance interstat	(12,000)	(5,269)	(6,731)
Conferences and Seminars	(15,000)	(8,227)	(6,773)

REPORT
CM/7.2/19.07

Subject: Local Government NSW Annual Conference 2019

TRIM No: A13/0314

Author: Al Johnston, Governance and Internal Ombudsman Officer

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council, in respect of the Local Government NSW Annual Conference 2019:

1. Nominates the Mayor, Deputy Mayor, Councillor [INSERT NAME], Councillor [INSERT NAME] and Councillor [INSERT NAME] as voting delegates for the election of the Board and Office Bearers of Local Government NSW (LGNSW).
2. Nominates the Mayor, Deputy Mayor, Councillor [INSERT NAME], Councillor [INSERT NAME] and Councillor [INSERT NAME] as voting delegates for motions.
3. Nominates Councillor [INSERT NAME] and Councillor [INSERT NAME] as reserve voting delegates for the election of the Board and Office Bearers of LGNSW.
4. Nominates Councillor [INSERT NAME] and Councillor [INSERT NAME] as reserve voting delegates for voting on motions.
5. Nominates Councillors [INSERT NAMES] to attend the Conference as observers.
6. Approves the attendance of the General Manager or nominee at the Conference.
7. Considers any proposed motions for submission to the Conference at this meeting.

1. Executive Summary

The Local Government NSW (LGNSW) Annual Conference will be held at The William Inglis Hotel, Warwick Farm in Sydney from 14 October - 16 October 2019.

Council is required to notify LGNSW of any motions Council wishes considered at the conference as well as the names of councillors attending the conference as Council's voting delegates by 19 August 2019 and 20 September 2019 respectively.

2. Introduction/Background

The LGNSW Annual Conference is the annual policy-making event for NSW councils. The conference is the pre-eminent event of the local government year where councillors come together to share ideas and debate issues that shape the way local government is governed and to set policy for the coming year.

This year the conference will be held in Sydney at The William Inglis Hotel, Warwick Farm, in Sydney from 14 October to 16 October 2019.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Operations and Community Services Committee 3 July 2018	OC/5.1/18.07	<p>That Council, in respect of the Local Government NSW Annual Conference 2018:</p> <ol style="list-style-type: none"> 1. Nominates the Mayor, Deputy Mayor, Councillor O'Neill, Councillor Copeland and Councillor Masselos as voting delegates for motions. 2. Nominates Councillor Lewis and Councillor Keenan as reserve voting delegates for voting on motions. 3. Nominates Councillor Nemesh to attend the Conference as an observer. 4. Delegates authority to the Mayor to appoint additional delegates if required. 5. Approves the General Manager's attendance at the Conference. 6. Notes that the deadline for the submission of motions for consideration at the conference is 26 August 2018.
Council 10 October 2017	CM/7.7/17.10	<p>That Council, in respect of the Local Government NSW Annual Conference 2017:</p> <ol style="list-style-type: none"> 1. Nominates the Mayor, Deputy Mayor, Cr Keenan, Cr O'Neill and Cr Masselos as voting delegates for the election of the Board and Office bearers of Local Government NSW (LGNSW). 2. Nominates the Mayor, Deputy Mayor, Cr Keenan, Cr O'Neill and Cr Masselos as voting delegates for motions. 3. Nominates Cr Lewis and Cr Copeland as reserve voting delegates for the election of the Board and Office Bearers of LGNSW. 4. Nominates Cr Lewis and Cr Copeland as reserve voting delegates for voting on motions. 5. Nominates Crs Nemesh and Goltsman to attend the Conference as observers. 6. Approves the Acting General Manager's attendance at the Conference. 7. Considers any proposed motions for submission to the Conference at this meeting.

4. Discussion

Voting

There will be two types of voting entitlements this year; one for motions and one for the election of the Board and Office Bearers of LGNSW. This will necessitate two separate rolls of voters with councils being able to nominate different councillors to each roll. The Australian Electoral Commission (AEC) will be conducting the elections for the Office Bearers and the Board.

Council is entitled to send five voting delegates for motions and five voting delegates for the board and office bearers election. Council is required to advise LGNSW of the names of its nominated voting delegates (for both types of voting) by 12 midnight (AEST) on Friday, 20 September 2019.

Motions

Council can submit motions for consideration at the Conference. LGNSW advises that motions must be submitted to LGNSW by 19 August 2019 and include accompanying evidence of Council's support for the motion. Such evidence may include an extract of the minutes of the meeting at which Council resolved to submit the motion to the Conference.

LGNSW asks councils to submit their motions by 12 midnight (AEST) on Monday, 19 August 2019 to allow printing and distribution of the Business Paper before the Conference.

In addition to requiring evidence of Council's support for the motion, the LGNSW Board has resolved that motions will only be included in the Business Paper where they:

1. Are consistent with the objects of the Association (see Rule 4 of the LGNSW rules).
2. Relate to Local Government in NSW and/or across Australia.
3. Concern or are likely to concern Local Government as a sector.
4. Seek to advance the Local Government policy agenda of the LGNSW and/or improve governance of the Association.
5. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws).
6. Are clearly worded and unambiguous in nature, and
7. Do not express preference for one or several members over one or several other members.

Should Council wish to submit any motions to the Conference it will need to consider them for adoption at this meeting. An LGNSW guide for submitting motions to the Conference is attached to this report.

5. Financial impact statement/Timeframe/Consultation

The costs associated with attending the LGNSW Annual Conference is covered in the budget allocation for Councillors' expenses in accordance with Council's Councillor Expenses and Facilities Policy.

6. Conclusion

It is recommended that Council notify LGNSW of the names of councillors attending the LGNSW Annual Conference 2019 as Council's voting delegates as well as any motions Council wishes considered at the Conference by 19 August 2019 and 20 September 2019 respectively.

7. Attachments

1. LGNSW Annual Conference 2019 - Guide on submitting motions [↓](#) .



Annual Conference 2019

Motions Submission Guide

LOCAL GOVERNMENT NSW
GPO BOX 7003 SYDNEY NSW 2001
L8, 28 MARGARET ST SYDNEY NSW 2000
T 02 9242 4000 F 02 9242 4111
LGNSW.ORG.AU LGNSW@LGNSW.ORG.AU
ABN 49 853 913 882

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Conference Motions Submission Guide

1. Introduction

The Local Government NSW (LGNSW) Annual Conference is the pre-eminent policy making event for the local government sector. At conference, delegates vote on motions which help determine the policies and priorities for LGNSW and the sector. It is a key event for local government where councillors come together to share ideas and debate issues that shape the way the sector functions and is governed.

LGNSW member councils are invited to submit motions for possible debate at conference to advance the sector wide policy agenda. Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions. This guide outlines the process for councils to submit motions for LGNSW's 2019 Annual Conference.

2. Deadlines

Members are encouraged to submit motions online by **12 midnight AEST Monday 19 August 2019** (8 weeks prior to conference) to allow printing and distribution of the Business Paper before the conference. However, in line with the LGNSW rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is 12 midnight on Monday 16 September 2019 (28 days prior to conference).

3. Criteria for motion submission

The Board has resolved that motions will be included in the Business Paper for the conference only where they:

1. are consistent with the objects of the Association (see Rule 4 of the Association's rules¹)
2. relate to Local Government in NSW and/or across Australia
3. concern or are likely to concern Local Government as a sector
4. seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. are clearly worded and unambiguous in nature, and
7. do not express preference for one or several members over one or several other members.

Members are encouraged to review Action Reports² from the previous conference(s) before submitting motions for the 2019 conference to ensure newly proposed motion wording reflects recent developments and does not duplicate existing positions.

¹ The registered rules of Local Government NSW are available at: www.fwc.gov.au/registered-organisations/find-registered-organisations/local-government-nsw-lgnsw

² Action Reports outline the advocacy actions taken by LGNSW for each Conference Resolution and the outcomes of these actions. Action reports for each year are available at www.lgnsw.org.au/events-training/local-government-nsw-annual-conference.

4. How to write a motion

Motions adopted at conference inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-Conference and so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific Department or Minister) and have a specific outcome that the motion is aiming to achieve. The motion should state whether it is seeking to change a LGNSW Fundamental Principle. The wording should be unambiguous.

Examples of clearly-worded conference motions:

Minister for Rural and Regional NSW

That LGNSW lobbies the NSW State Government to appoint a Minister for Rural and Regional NSW with suitable resources to undertake meaningful representative activities.

Natural Disaster Funding, Day Labour

That LGNSW requests the Australian and NSW governments reinstate the claimable expense for the use of council staff during their normal working hours to attend to natural disaster relief and recovery funded works and reverse the present policy that effectively requires the mandatory use of contractors for recovery works.

Companion Animal Act matters

That LGNSW advocates that the NSW Government takes the following steps to improve the management of companion animals:

- establish an integrated on-line statewide registration process as an improved service to companion animal owners;
- resolve difficulties with the *Companion Animals Act 1998* definition of an "Authorised Officer", by using the definition contained in the *Impounding Act 1993* as the definition in both Acts, allowing councils choice in the business model for its area; and
- review the dismissal of charges under section 10 of the *Crimes (Sentencing Procedure) Act 1999* in relation to offences under the *Companion Animals Act 1998*.

For more examples see Business Papers from past Conferences on the LGNSW website.³

5. Demonstrating evidence of council support for motion

The Member submitting the motion must provide accompanying evidence of support for the motion. Such evidence may include an attachment note or extract from the minutes of the Council meeting, at which the member Council resolved to submit the motion for consideration by the Conference. In the absence of a council meeting, the evidence should be a letter signed by both the Mayor and General Manager.

LGNSW has developed a template council report for members to use to resolve at their own council meetings to submit motions to LGNSW for Conference.⁴

³ For the 2018 Conference: www.lgnsw.org.au/events-training/local-government-nsw-annual-conference/2018-local-government-nsw-annual-conference.

⁴ The template council report is available at Attachment B to this guide, or also on the LGNSW website at <https://www.lgnsw.org.au/events-training/local-government-nsw-annual-conference>

6. How to submit a motion

LGNSW members will be invited to submit motions through an online portal⁵ from July 2019.

Each motion submission should include responses to the following eight fields:

1. Council name
2. Contact details of relevant officer
3. Motion category (*e.g. planning, economic, environment etc. This assists with grouping related motions in the Conference Business Paper.*)
4. Motion title (*a few words*)
5. Motion (*a sentence or two which states the issue and the call to action*)
6. Background note (*a paragraph or two to explain the context and importance of the issue to the local government sector*)
7. Indicate if the motion conflicts with one or more of the Fundamental Principles⁶
8. Evidence of council support for the motion (*e.g. council meeting minutes*)

A sample motion submission form is at **Attachment A**.

Once a motion has been submitted online it cannot be edited so please review the content carefully before submission.

7. How LGNSW manages incoming motions

The LGNSW Board typically establishes a Motions Sub-Committee to delegate the function of managing incoming motions for the Annual Conference. The Chief Executive will refer motions to the Sub-Committee that are outside the criteria, or if it is unclear whether they meet the criteria. The Sub-Committee will make the final decision on inclusion of those motions into the Conference Business Paper.

Prior to the Sub-Committee making a final decision, LGNSW may contact the council that submitted the motion to seek clarity on its intent or wording.

Incoming motions which seek to change any long-held [Fundamental Principles](#), will be brought to the attention of the Motions Sub-Committee and highlighted in the Business Paper for members' information at time of voting.

Motions which are consistent with current LGNSW actions or existing LGNSW positions may still be printed in the Business Paper but will not be debated at conference.

⁵ The online motion submission portal is at <https://lgnsw-grants.fluidreview.com/>

⁶ For more information see Part 9 of this guide.

8. What happens to motions at Annual Conference

Standing orders are outlined in the Business Paper and adopted at the commencement of each Annual Conference. They outline the manner in which the Conference deals with motions. The standing orders adopted at the 2018 Conference provided that:

Manner of dealing with Conference Business

11. *Conference Business will be dealt with in any order at the discretion of the Chairperson.*
12. *Nothing in these Standing Orders shall prevent the Chairperson from dealing with motions concurrently.*

In the case of motions

13. *The Chairperson, upon coming to a motion set out in the Business Paper, must ask whether there is any dissent to the proposed resolution the subject of the item and, if no dissent be signified, may at any time, declare the motion carried.*
14. *Where dissent is signified, the Chairperson shall require the motion to be moved and seconded.*
15. *If the motion is moved and seconded, the Chairperson may, at any time during debate, make such inquiries as to the nature of the dissent so as to confine any debate to the issues genuinely in dispute or to explore amendments to the proposed resolution which satisfactorily accommodate the moving and dissenting Delegates and Delegates generally.*
16. *Movers of motions shall be permitted two (2) minutes to introduce their proposed resolution into debate and one and a half (1.5) minutes in reply. All other speakers shall each be permitted to speak once for one and a half (1.5) minutes. The Conference may, on application by a speaker, permit that speaker to have one, but only one, further period of one and a half (1.5) minutes in which to speak.*
17. *A Delegate seconding a motion shall not be permitted to speak until at least one Delegate has spoken in dissent.*
18. *The Chairperson may, during the course of debate direct a speaker to confine his or her speech so as to:*
 - a. limit repetition of matters addressed by other speakers;*
 - b. limit debate about matters or issues not genuinely disputed.*
19. *Except as otherwise provided herein, it shall not be in order to move that any resolution be immediately put until at least two Delegates, in addition to the mover and the seconder, shall have had an opportunity to speak on the resolution then before the Conference.*
20. *A Delegate can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the Conference until a decision is made on the motion of dissent;*

- a. *If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course; and*
- b. *Despite any clause to the contrary, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.*

21. *A Delegate may not substitute from the floor of the Conference a new motion for one listed in the Business Paper unless the new motion is substantially the same, and dealing with the same subject matter, as the original motion, and the new motion is accompanied by written evidence that it has the support of the member concerned.*
22. *When an amendment is before the Conference, no further amendment shall be discussed until that amendment has been dealt with.*
23. *No more than one amendment upon any motion shall be considered unless notice of such further amendment is given before the amendment then under discussion has been dealt with.*
24. *The mover of an amendment which has been adopted as the motion shall (as in the case of the mover of an original motion) have the right of reply to any further amendments submitted.*

New motions from the floor of Conference

25. *At least 24 hours' notice shall be given before dealing with any new motions introduced during the Conference (Rule 28(d)).*
26. *Where a Member seeks to introduce a new motion during the Conference, they shall submit the motion and evidence that the motion has the support of the member concerned, to the Association's Chief Executive (or the Chief Executive's nominee), in writing.*
27. *The Chief Executive (or the Chief Executive's nominee), upon receiving a new motion submitted during the Conference, shall immediately record the time that they receive the motion and make arrangements for copies of the motion to be provided to Delegates.*

In the case of all other Conference Business

28. *All other Conference Business will be dealt with at the discretion of the Chairperson.*

Manner of voting

29. *Only Members' nominated voting Delegates and members of the Board may debate and vote on motions.*
30. *Except as hereinafter provided voting on any matter shall be on the show of cards.*
31. *The Chairperson may direct that voting on any matter be taken by show of voting cards or by use of electronic voting.*

32. After a show of voting cards or on conclusion of an electronic vote the Chairperson may either:

- a. declare the question resolved in the affirmative or negative; or
- b. if voting cards have been used, call for a new vote using electronic voting.

33. A Division may be called following a vote on the show of cards by no less than 10 Delegates.

34. A Division will be taken by use of electronic voting.

Suspending Standing Orders

35. Standing Orders may be suspended by a majority of those present, provided the meeting is in quorum. A motion to this effect shall be open to debate.

Outstanding business

36. In the event that the Conference, having commenced in quorate, subsequently loses a quorum and is unable to consider any item(s) of business properly put before the Conference, they shall be referred to the Association's Board for consideration.

9. Post-conference: Updates to the LGNSW Policy Platform

LGNSW's Policy Platform⁷ consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance to the sector. Importantly, the Policy Platform guides LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform consists of two parts: LGNSW's Fundamental Principles, and the more targeted Position Statements.

- **Fundamental Principles** are the overarching principles that direct LGNSW's response to broad matters of importance to the local government sector. These Fundamental Principles are endorsed (or amended) by LGNSW members at the Annual Conference.
- **Position Statements** contain the more detailed positions of LGNSW on specific issues. Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and are targeted at specific policy issues as they arise.

Position Statements are formed and updated through:

- Resolutions of the Annual Conference
- Issues raised by members outside of Annual Conference, including through LGNSW surveys of members
- Input from the LGNSW Board
- Positions developed in response to government policy or emerging issues
- Positions developed in the process of making LGNSW submissions.

Position Statements are endorsed by the LGNSW Board.

⁷ The LGNSW Policy Platform, containing Fundamental Principles and Position Statements, is available at www.lgnsw.org.au/policy/policy-platform

Changing Fundamental Principles

Councils submitting motions to the 2019 Conference will be asked to indicate whether the motion conflicts with any of LGNSW's Fundamental Principles.

Where a motion conflicts or may conflict with a Fundamental Principle, this will be clearly highlighted for delegates in the Conference Business Paper. If the motion is adopted as a resolution at Conference, then the relevant Fundamental Principle will be changed.

It is expected that changes to the Fundamental Principles will be uncommon, given their broad focus and general acceptance among the local government sector.

Changing Position Statements

Following each Conference, LGNSW will review resolutions of that Conference to determine whether the intent of each resolution is adequately covered by existing Position Statements. Where the Position Statements do not adequately include the intent of a resolution, LGNSW will update an existing Position Statement or draft a new Position Statement, to be endorsed by the LGNSW Board as part of the LGNSW Policy Platform.

LGNSW members will be informed of updates to the LGNSW Policy Platform.

10. Post-conference: Determining LGNSW Advocacy Priorities

Following the LGNSW Conference, LGNSW will review the resolutions and identify key areas of focus to guide LGNSW's advocacy for the coming year. These areas of focus will also be informed by member feedback, the strategic plan, position statements, emerging issues, and Board input.

This broad review will result in the development of LGNSW's Advocacy Priorities for 2020, for endorsement by the LGNSW Board⁸ and communication to members.

As LGNSW undertakes advocacy actions on each of the Conference resolutions throughout the year, these actions and their outcomes will be published in LGNSW's Action Report⁹.

11. Further information

For further information on the motion submission process, please contact Kylie Yates, Director Advocacy at kylie.yates@lgnsw.org.au

⁸ LGNSW's 2019 Advocacy Priorities are available online at www.lgnsw.org.au/policy/lgnsw-advocacy-priorities-2019-0

⁹ LGNSW's Action Reports for each year are available online at www.lgnsw.org.au/events-training/local-government-nsw-annual-conference

Attachment A – Sample Motion Submission Form

During the motion submission period, this form is available on the online motion submission portal at <https://lgsw-grants.fluidreview.com/>

Council Name

Contact Details of Relevant Council Officer

Motion Category *(drop down list)*

- Economic
- Infrastructure
- Planning
- Environment
- Social and Community
- Governance of councils
- Accountability of councils
- Don't know

Motion Title

Motion Wording

Motion Background

Maximum 1 or 2 paragraphs

Please note: LGNSW may make minor amendments to the title and background of the motion for clarity.

Fundamental Principles conflict?

Fundamental Principles are the overarching principles that are important to our members and direct our response to key issues. To change a Fundamental Principle, a motion to conference is required.

Does this motion conflict with one or more of the Fundamental Principles?

- No. The motion does not conflict with the Fundamental Principles.
- Unsure
- Yes, this motion does or may conflict with the Fundamental Principles (select all that apply below)

Economic

- A - Local government must have control of its revenue raising and investment decisions and be fairly funded by the Commonwealth and State/NSW Governments to meet its infrastructure and service responsibilities.
- B - Local government promotes local and regional economic development and employment growth.

Infrastructure

- C - Local government is best placed to plan for, deliver and manage essential local infrastructure.

Planning

- D - Local government is best placed to lead and influence local and regional planning processes according to the needs and expectations of local communities
- E - Our communities' quality of life is a priority of local government planning.

Environment

- F - Local government actions reflect Ecologically Sustainable Development. ESD requires the effective integration of economic, environmental and social considerations in decision making processes and is based on the following principles:
 - Intergenerational equity – today's actions maintain or enhance the environment for future generations
 - Precautionary principle – prevent environmental degradation and manage and mitigate risk
 - Conservation of biological diversity and ecological integrity
 - Improved valuation and pricing of environmental resources – recognising the value of the environment to the community

Social and Community

- G - Local government is committed to the principles of:
 - Equity – fair distribution of resources
 - Rights – equality for all people
 - Access – to services essential to quality of life
 - Participation – of all people in their community
 - Recognition – of the unique place of Aboriginal people in NSW and the right of Aboriginal people to be involved in all decisions affecting Aboriginal communities
 - Health and Safety – for all in the community

Governance

- H - Local government must be constitutionally recognised and respected as an equal sphere of government
- I - Local government is democratically elected to shape, serve and support communities
- J - Local government is committed to the principles of good governance

Accountability

- K - Local government is responsible and accountable to the citizens and the communities it represents, through consultative processes, legislative accountabilities, efficient delivery of services and effective customer service
- L - Local government is recognised as a responsible and place-based employer

Attachment B – Template – Council Meeting Report

Item number	XX	Division	XX
Responsible officer	XX	Confidentiality	XX
Date	XX	Reference	XX
Subject	2019 Local Government NSW Annual Conference Motions, Voting Delegates and Attendance		

Purpose of report/summary

To provide Council with the opportunity to nominate motions, voting delegates and attendance for the upcoming Local Government NSW (LGNSW) Annual Conference.

Overview

The 2019 LGNSW Annual Conference will be held from 14 October - 16 October 2019 at the William Inglis Hotel, Warwick Farm, Sydney.

The conference is the pre-eminent policy making event for the local government sector. Delegates will vote on motions which help determine the policies and priorities for LGNSW and the sector. It is a key event for local government where councillors come together to share ideas and debate issues that shape the way the sector functions and is governed.

For Council to participate fully in the conference, it is recommended the Council register attendees, nominate voting delegates and submit motions for debate within the timeframes specified in this paper.

Registration to attend the Conference

Conference attendees are invited to register from mid-July to take advantage of 'early bird' rates.

The early bird registration cost per attendee is \$XXX.00 (including GST).

The following optional events are available to attendees at an additional cost:

- Conference Dinner - \$XXX per delegate
- Councillor Training Sessions - \$XX per delegate
- ALGWA Breakfast - \$XX per delegate

The 2019/20 Council budget contains provision for all Councillors to attend the conference should they wish to do so.

Accommodation has been secured at the XXXX hotel, with studio rooms accommodating up to two people incurring a cost of \$XXX per night for two nights.

Attached to this report is a copy of Conference Registration Brochure (Attachment X) and a copy of the draft program for the Conference (Attachment X).

Registration as a voting delegate

Confirmation has been received from LGNSW on XX date that Council will have XX voting entitlements at the conference to vote on motions and vote for positions in the Board elections.

It is proposed that Council nominates the Mayor and XX number of Councillors to attend.

The deadline to provide LGNSW with the names of voting delegates for is **XXX**. Additional nominations received after the closing date cannot be accepted. However, the names of voting delegates may be substituted at any time, in line with Rule 34 of the LGNSW Rules.

Voting delegates may not appoint a proxy to attend or vote at formal business sessions on their behalf.

Voting delegates must be registered to attend the conference, and also be registered as a voting delegate.

Conference Motions Submission Guide

Council is invited to submit motions for possible debate at the conference to advance the sector wide policy agenda. Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions.

Important information on the motions process, including submitting motions, motion criteria and a sample submission form are available in the LGNSW Annual Conference 2019 Motions Submission Guide at **Attachment XX**.

Deadlines

Members are encouraged to submit motions online by **12 midnight AEST Monday 19 August 2019** to allow printing and distribution of the Business Paper before the conference. However, in line with the LGNSW rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight on Monday 16 September 2019**.

Draft motions for consideration for LGNSW Annual Conference

Having regard to the above motion requirements set out by the LGNSW Board, the following draft motions are provided for consideration by Council:

Proposed motion 1

Motion category

Motion title

Motion Background note

Indicate if the motion conflicts with one or more of the Fundamental Principles

Evidence of council support for the motion

Proposed motion 2

Motion category

Motion title

Motion Background note

Indicate if the motion conflicts with one or more of the Fundamental Principles

Evidence of council support for the motion

{please repeat for the number of proposed motions required}

Recommendations

1. Approve attendance by all interested Councillors at the 2019 LGNSW Annual Conference
2. Confirm one of the voting delegates at the LGNSW Conference to be the Mayor
3. Determine the other **XX** Councillors to attend the conference as Council's voting delegates
4. Adopt the proposed motions for submission to the 2019 LGNSW Business Paper
5. Determine any additional motions for submission at this meeting
6. That the Mayor be given delegated authority to submit any further proposed motions after consulting with Councillors prior to deadline for submitting motions.

**REPORT
CM/7.3/19.07**

Subject: Investment Portfolio Report - June 2019

TRIM No: A03/2211

Author: Sid Ali, Revenue Co-ordinator
Teena Su, Executive Manager, Finance

Director: Darren Smith, Chief Financial Officer

RECOMMENDATION:

That Council:

1. Receives and notes the Investment Summary Report for June 2019 attached to this report.
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 June 2019, Council's Investment Portfolio generated \$369,221 of interest.

The interest on investment budget for the 2018–19 financial year was adopted by Council at its meeting on 19 June 2018, and was set at \$3,974,000. It is revised to \$4,733,401 in the Q3 budget review process.

The interest income for the year to date figure as at 30 June 2019 is tracking at 104.10% (\$4,927,496) of the Current 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* (the Act) 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 illustrates the monthly interest income received by Council and performance against the Budget:

Table 1. Monthly interest income received by Council.

Month	2018/19 Budget (\$)	Actual Monthly (\$)	Actual YTD (\$)	Tracking YTD Original Budget %	Tracking Current Budget %
July	3,974,000	370,830	370,830	9.33%	
August	3,974,000	410,428	781,258	19.66%	
September	3,974,000	371,929	1,153,187	29.02%	
October	3,974,000	487,675	1,640,862	41.29%	
November	3,974,000	470,720	2,063,314	51.92%	
December	3,974,000	342,756	2,453,828	61.75%	
Q2 Amendment	150,000				
January	4,124,000	313,838	2,876,101	72.37%	69.74%
February	4,124,000	395,499	3,271,601	82.33%	79.33%
March	4,124,000	395,425	3,667,025	92.28%	88.92%
Q3 Amendment	609,401				
April	4,733,401	470,720	4,137,745	104.12%	87.42%
May	4,733,401	420,530	4,558,275	114.70%	96.30%
June	4,733,401	369,221	4,927,496	123.99%	104.10%

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 18 June 2019	CM/7.4/19.06	That Council: <ol style="list-style-type: none"> 1. Receives and notes the Investment Summary Report for May 2019 attached to this report. 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.

4. Discussion

For the month of June 2019, Council's cash investment portfolio generated interest earnings of \$369,221 or 7.80% of the Current Budget of \$4,733,401.

Council's investment portfolio posted a return of 2.47% pa for the month of June versus the Ausbond Bank Bill Index benchmark return of 1.62% pa.

Over the last 12 months, Council's investment portfolio has exceeded the Ausbond bank bill index benchmark by 0.90% pa (2.87% vs 1.97% pa).

Portfolio value

Council's investment portfolio, as at 30 June 2019, has a current market value of \$181,672,016 which represents a gain of 2,194,663 on the \$179,477,353 face value of the portfolio with the portfolio generating a 2.69% average yield. The table below provides a summary by investment (asset) type.

Table 2. Portfolio value – Summary by investment (asset) type.

Asset Group	Face Value	Current value	\$ Gain / (Loss)	Current Yield
Bonds	\$3,000,000	\$3,090,274	\$90,274	3.50%
Cash	\$5,303,201	\$5,303,201	\$-	1.07%
Floating Rate Note	\$29,400,000	\$29,697,468	\$297,468	2.85%
Floating Rate Term Deposits	\$8,500,000	\$8,518,941	\$18,941	2.47%
Managed Funds	\$9,274,153	\$9,274,153	\$-	2.21%
Term Deposit	\$124,000,000	\$125,787,980	\$1,787,980	2.74%
Total	\$179,477,353	\$181,672,016	\$2,194,663	2.69%

Analysis

Attached to this report is the Summary of Investment Portfolio for the period ending 30 June 2019. These reports are prepared by Council's independent financial advisor, Prudential Investment Services Corp.

Included in this report are tables showing that Council's investment portfolio for the month of June 2019 has exceeded the AusBond bank bill index by 0.85% pa (2.47% to 1.62%pa). The Portfolio outperformed the stated benchmark measure 'Rate of return on cash exceeds AusBond Bank Bill Index' as illustrated in the table below:

Table 3. Portfolio return.

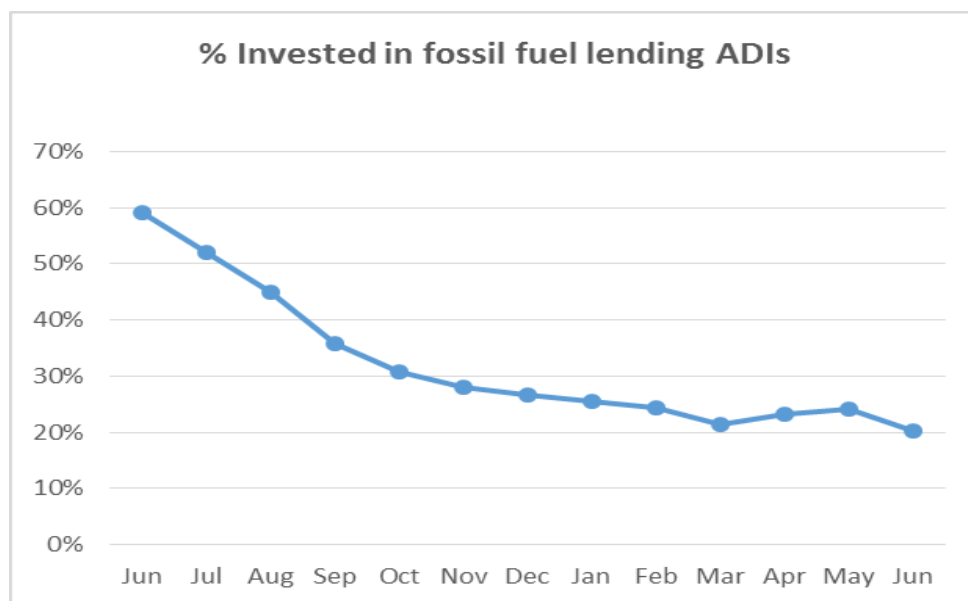
Month	Portfolio Return %	Ausbond BB Index %	Variance %
Jul -18	2.98	2.26	0.72
Aug-18	3.05	1.99	1.06
Sep-18	2.75	1.94	0.81
Oct – 18	2.81	2.00	0.81
Nov-18	2.61	1.90	0.71
Dec-18	2.73	1.81	0.92
Jan-19	2.92	2.14	0.78
Feb-19	3.19	2.28	0.91
Mar-19	3.14	1.96	1.18
Apr-19	3.08	2.01	1.07
May-19	2.71	1.79	0.92
June-19	2.47	1.62	0.85
Average % return Over the last 12 months	2.87	1.97	0.90

With the Reserve Bank of Australia (RBA) further cut of the official cash rate to 1% on July 2, significant reductions are expected in the interest income. We will monitor this and may need to make an adjustment to the 2019/20 budget projection accordingly.

Investments in ethically, socially and environmentally beneficial alternatives

As at the end of June 2019, 74.6% of Council's portfolio was invested in non-fossil fuel lending ADIs and Socially Responsible Investments, while fossil fuel lending ADIs accounted for 20.2% of the portfolio. The remaining 5.2% is invested with TCorp.

Over the period of 13 months, from June 18 to June 19 Council has reduced its investment in fossil fuel lending ADIs from 59% to 20.2% as displayed in the graph below.



5. Financial impact statement/Timeframe/Consultation

This report has been prepared in consultation with Council's independent financial advisor, Prudential Investment Services Corp.

6. Conclusion

Council's investment portfolio has accounted total interest earning of \$4,927,496 as at 30 June 2019, and it has outperformed current budgeted interest of \$4,733,401 by 4.10%.

7. Attachments

1. Investment Summary Report - June 19 [link](#) .



Investment Summary Report June 2019

Waverley Council

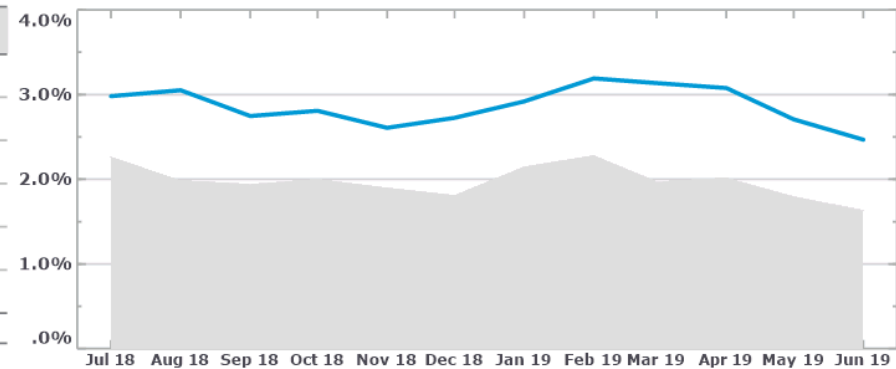
Executive Summary



Investment Holdings

	Face Value (\$)	Current Value (\$)	Gain/ (Loss) (\$)	Current Yield (%)
Bonds	3,000,000.00	3,090,273.81	90,273.81	3.5000
Cash	5,303,200.61	5,303,200.61	0.00	1.0718
Floating Rate Note	29,400,000.00	29,697,467.96	297,467.96	2.8451
Floating Rate Term Deposits	8,500,000.00	8,518,941.04	18,941.04	2.4663
Managed Funds	9,274,152.55	9,274,152.55	0.00	2.2081
Term Deposit	124,000,000.00	125,787,979.88	1,787,979.88	2.7391
	179,477,353.16	181,672,015.85	2,194,662.69	2.6859

Investment Performance

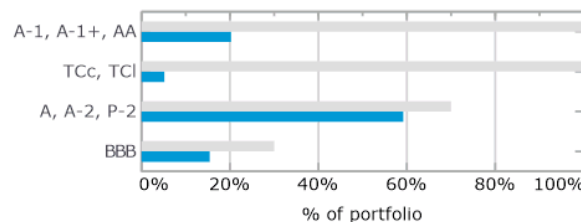


■ Portfolio Annualised Return

■ Bloomberg BB Index Annualised Return

Investment Policy Compliance

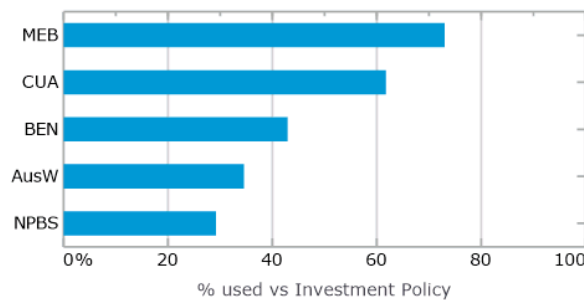
Total Credit Exposure



■ Portfolio Exposure

■ Investment Policy Limit

Highest Individual Exposures



Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Between 0 and 1 Year	132,777,353	74% 100%
Between 1 and 3 Years	44,350,000	25% 50%
Between 3 and 10 Years	2,350,000	1% 30%
	179,477,353	

Waverley Council

Investment Holdings Report



Cash Accounts

Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
2,138,606.44	1.4000%	Commonwealth Bank of Australia	A-1+	2,138,606.44	120789	24hr Call
1,054,140.43	0.8500%	Commonwealth Bank of Australia	A-1+	1,054,140.43	120794	General Funds
50,977.10	0.8500%	Commonwealth Bank of Australia	A-1+	50,977.10	120795	Trust Funds
70,026.21	0.8500%	Commonwealth Bank of Australia	A-1+	70,026.21	120796	Cemetery Funds
713,933.41	0.8500%	Commonwealth Bank of Australia	A-1+	713,933.41	120797	Depositor Funds
243,801.15	0.8500%	Commonwealth Bank of Australia	A-1+	243,801.15	120799	Library CP
731,419.21	0.8500%	Commonwealth Bank of Australia	A-1+	731,419.21	120800	Eastgate CP
269,822.00	0.8500%	Commonwealth Bank of Australia	A-1+	269,822.00	120801	Hollywood Av CP
30,474.66	0.8500%	Commonwealth Bank of Australia	A-1+	30,474.66	370151	Library Gift
5,303,200.61	1.0718%			5,303,200.61		

Managed Funds

Face Value (\$)	Current Yield	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
2,135,680.10	2.4367%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	2,135,680.10	411310	Builder Deposits
2,180,014.44	1.9841%	NSW T-Corp (Cash)	TCc	Cash Fund	2,180,014.44	505262	
4,958,458.01		NSW T-Corp (LT)	TCI	Long Term Growth Fund	4,958,458.01	538089	
9,274,152.55					9,274,152.55		

Term Deposits

Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
2-Jul-19	3,000,000.00	2.8500%	ME Bank	A-2	3,000,000.00	20-Jul-18	3,081,049.32	536862	81,049.32	At Maturity	
9-Jul-19	3,000,000.00	2.8500%	ME Bank	A-2	3,000,000.00	18-Jul-18	3,081,517.81	536857	81,517.81	At Maturity	
16-Jul-19	3,000,000.00	2.8500%	ME Bank	A-2	3,000,000.00	17-Jul-18	3,081,752.05	536856	81,752.05	At Maturity	
23-Jul-19	1,000,000.00	2.6500%	ME Bank	A-2	1,000,000.00	4-Mar-19	1,008,639.73	537598	8,639.73	At Maturity	
26-Jul-19	2,000,000.00	2.8000%	Auswide Bank	P-2	2,000,000.00	30-Oct-18	2,037,435.62	537268	37,435.62	At Maturity	
30-Jul-19	2,000,000.00	2.7500%	Bendigo and Adelaide Bank	A-2	2,000,000.00	17-Aug-18	2,047,917.81	536980	47,917.81	At Maturity	

Waverley Council - Investment Summary Report



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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
6-Aug-19	1,000,000.00	2.6500%	ME Bank	A-2	1,000,000.00	4-Mar-19	1,008,639.73	537599	8,639.73	At Maturity	
13-Aug-19	3,000,000.00	2.7500%	Bendigo and Adelaide Bank	A-2	3,000,000.00	16-Aug-18	3,072,102.74	536976	72,102.74	At Maturity	
20-Aug-19	3,000,000.00	2.7500%	ME Bank	A-2	3,000,000.00	24-Aug-18	3,070,294.52	537009	70,294.52	At Maturity	
26-Aug-19	2,000,000.00	3.2000%	Westpac Group	A-1+	2,000,000.00	24-Aug-16	2,054,531.51	534167	54,531.51	Annually	
3-Sep-19	3,000,000.00	2.7500%	ME Bank	A-2	3,000,000.00	29-Aug-18	3,069,164.38	537027	69,164.38	Annually	
10-Sep-19	3,000,000.00	2.7500%	ME Bank	A-2	3,000,000.00	31-Aug-18	3,068,712.33	537044	68,712.33	Annually	
17-Sep-19	3,000,000.00	2.7500%	ME Bank	A-2	3,000,000.00	3-Sep-18	3,068,034.25	537049	68,034.25	Annually	
24-Sep-19	3,000,000.00	2.9000%	Bank of Queensland	A-2	3,000,000.00	20-Sep-17	3,067,693.15	535796	67,693.15	Annually	
1-Oct-19	2,000,000.00	2.7500%	ME Bank	A-2	2,000,000.00	13-Sep-18	2,043,849.32	537130	43,849.32	Annually	
8-Oct-19	3,000,000.00	2.7500%	Credit Union Australia	A-2	3,000,000.00	5-Oct-18	3,060,801.37	537198	60,801.37	At Maturity	
15-Oct-19	1,500,000.00	2.8000%	Credit Union Australia	A-2	1,500,000.00	6-Nov-18	1,527,271.23	537302	27,271.23	At Maturity	
15-Oct-19	2,500,000.00	2.8000%	MyState Bank	P-2	2,500,000.00	22-Nov-18	2,542,383.56	537343	42,383.56	At Maturity	
22-Oct-19	4,000,000.00	2.8900%	ING Bank (Australia)	A-1	4,000,000.00	13-Nov-17	4,072,843.84	535953	72,843.84	Annually	
29-Oct-19	2,500,000.00	2.9700%	ING Bank (Australia)	A-1	2,500,000.00	1-Nov-17	2,549,228.77	535905	49,228.77	Annually	
5-Nov-19	3,000,000.00	2.7500%	Rural Bank	A-2	3,000,000.00	23-Oct-18	3,056,732.88	537258	56,732.88	Annually	
7-Nov-19	2,000,000.00	2.5000%	Suncorp Bank	A-1	2,000,000.00	9-Apr-19	2,011,369.86	537863	11,369.86	At Maturity	
12-Nov-19	1,500,000.00	2.8000%	Credit Union Australia	A-2	1,500,000.00	6-Nov-18	1,527,271.23	537303	27,271.23	At Maturity	
19-Nov-19	3,000,000.00	2.8500%	Credit Union Australia	A-2	3,000,000.00	20-Nov-18	3,052,236.99	537333	52,236.99	At Maturity	
26-Nov-19	3,000,000.00	2.9000%	Credit Union Australia	A-2	3,000,000.00	5-Dec-18	3,049,578.08	537394	49,578.08	At Maturity	
10-Dec-19	3,000,000.00	2.9000%	Credit Union Australia	A-2	3,000,000.00	6-Dec-18	3,049,339.73	537399	49,339.73	Annually	
17-Dec-19	2,000,000.00	2.8500%	MyState Bank	P-2	2,000,000.00	3-Dec-18	2,032,794.52	537371	32,794.52	Annually	
19-Dec-19	2,000,000.00	2.4700%	Rural Bank	A-2	2,000,000.00	6-May-19	2,007,579.18	537928	7,579.18	At Maturity	
7-Jan-20	1,000,000.00	2.7000%	Auswide Bank	P-2	1,000,000.00	4-Mar-19	1,008,802.74	537600	8,802.74	At Maturity	
14-Jan-20	3,000,000.00	2.7000%	Auswide Bank	P-2	3,000,000.00	14-Mar-19	3,024,189.04	537637	24,189.04	At Maturity	
21-Jan-20	1,500,000.00	2.7000%	Auswide Bank	P-2	1,500,000.00	4-Apr-19	1,509,764.38	537782	9,764.38	At Maturity	

Waverley Council - Investment Summary Report



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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
28-Jan-20	2,500,000.00	2.7600%	Credit Union Australia	A-2	2,500,000.00	25-Feb-19	2,523,819.18	537562	23,819.18	At Maturity	
4-Feb-20	1,000,000.00	2.3000%	AMP Bank	A-2	1,000,000.00	6-Jun-19	1,001,575.34	538020	1,575.34	At Maturity	
11-Feb-20	2,000,000.00	2.4100%	Rural Bank	A-2	2,000,000.00	7-May-19	2,007,263.01	537931	7,263.01	At Maturity	
18-Feb-20	1,500,000.00	2.4500%	AMP Bank	A-2	1,500,000.00	23-May-19	1,503,926.71	537971	3,926.71	At Maturity	
3-Mar-20	3,000,000.00	2.8000%	ME Bank	A-2	3,000,000.00	5-Sep-18	3,068,810.96	537069	68,810.96	Annually	
10-Mar-20	2,000,000.00	2.3000%	AMP Bank	A-2	2,000,000.00	6-Jun-19	2,003,150.68	538019	3,150.68	At Maturity	
17-Mar-20	1,500,000.00	2.2000%	AMP Bank	A-2	1,500,000.00	20-Jun-19	1,500,994.52	538061	994.52	At Maturity	
28-Apr-20	1,000,000.00	2.2600%	Westpac Group	A-1+	1,000,000.00	13-May-19	1,003,033.97	537941	3,033.97	Quarterly	Green
5-May-20	2,000,000.00	2.2600%	Westpac Group	A-1+	2,000,000.00	13-May-19	2,006,067.95	537940	6,067.95	Quarterly	Green
12-May-20	1,000,000.00	2.4500%	Auswide Bank	P-2	1,000,000.00	16-May-19	1,003,087.67	537954	3,087.67	At Maturity	
19-May-20	2,000,000.00	2.4500%	Auswide Bank	P-2	2,000,000.00	16-May-19	2,006,175.34	537955	6,175.34	Annually	
26-May-20	1,000,000.00	2.4500%	Auswide Bank	P-2	1,000,000.00	20-May-19	1,002,819.18	537958	2,819.18	At Maturity	
2-Jun-20	2,000,000.00	2.4500%	Auswide Bank	P-2	2,000,000.00	20-May-19	2,005,638.36	537959	5,638.36	At Maturity	
16-Jun-20	2,000,000.00	2.1500%	Auswide Bank	P-2	2,000,000.00	20-Jun-19	2,001,295.89	538062	1,295.89	At Maturity	
16-Jun-20	3,000,000.00	1.9400%	Westpac Group	A-1+	3,000,000.00	17-Jun-19	3,002,232.33	538045	2,232.33	Quarterly	Green
27-Oct-20	3,000,000.00	2.9000%	Rural Bank	BBB+	3,000,000.00	22-Oct-18	3,060,065.75	537252	60,065.75	Annually	
15-Dec-20	2,000,000.00	2.9500%	Credit Union Australia	BBB	2,000,000.00	18-Dec-18	2,031,520.55	537426	31,520.55	Annually	
9-Feb-21	2,500,000.00	2.9500%	Newcastle Permanent Building Society	BBB	2,500,000.00	11-Feb-19	2,528,287.67	537536	28,287.67	Annually	
23-Feb-21	2,000,000.00	2.9000%	Credit Union Australia	BBB	2,000,000.00	26-Feb-19	2,019,863.01	537565	19,863.01	Annually	
8-Jun-21	6,000,000.00	3.1500%	Westpac Group	AA-	6,000,000.00	6-Jun-18	6,012,945.21	536715	12,945.21	Quarterly	
21-Sep-21	2,500,000.00	2.8000%	Newcastle Permanent Building Society	BBB	2,500,000.00	25-Mar-19	2,518,794.52	537651	18,794.52	Annually	
8-Feb-22	3,000,000.00	3.0500%	Newcastle Permanent Building Society	BBB	3,000,000.00	19-Feb-19	3,033,090.41	537553	33,090.41	Annually	
124,000,000.00		2.7391%			124,000,000.00		125,787,979.88		1,787,979.88		

Waverley Council

Investment Holdings Report



Floating Rate Term Deposits

Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Reference Date
10-Jun-21	3,000,000.00	2.4732%	Commonwealth Bank of Australia ¾yr@4% then BBSW+1.08%	AA-	3,000,000.00	10-Jun-16	3,004,065.51	535380	4,065.51	10-Sep-19
16-Nov-21	3,000,000.00	2.2508%	Westpac Group 3moBBSW+0.82%	AA-	3,000,000.00	28-Nov-18	3,006,289.91	537360	6,289.91	28-Aug-19 Green
16-May-22	2,500,000.00	2.7250%	Westpac Group 3moBBSW+1.10%	AA-	2,500,000.00	16-May-17	2,508,585.62	535241	8,585.62	16-Aug-19
8,500,000.00		2.4688%			8,500,000.00		8,518,941.04		18,941.04	

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 Reference Date
29-Nov-19	2,000,000.00	2.9200%	GBS Snr FRN (Nov19) BBSW+1.50%	A-2	2,000,000.00	29-Nov-16	2,007,639.22	534564	5,280.00	29-Aug-19
21-Feb-20	3,000,000.00	2.6566%	BEN Snr FRN (Feb20) BBSW+1.10%	A-2	3,000,000.00	21-Nov-16	3,021,672.38	534540	8,952.38	21-Aug-19
20-Mar-20	3,000,000.00	2.5450%	CUA Snr FRN (Mar20) BBSW+1.30%	A-2	3,000,000.00	20-Mar-17	3,018,530.96	534995	2,300.96	20-Sep-19
20-Mar-20	3,200,000.00	2.5450%	CUA Snr FRN (Mar20) BBSW+1.30%	A-2	3,235,232.00	24-Nov-17	3,219,766.36	535984	2,454.36	20-Sep-19
7-Apr-20	3,000,000.00	3.0734%	NPBS Snr FRN (Apr20) BBSW+1.35%	A-2	3,000,000.00	7-Apr-15	3,038,139.09	504013	21,219.09	8-Jul-19
7-Apr-20	1,000,000.00	3.0734%	NPBS Snr FRN (Apr20) BBSW+1.35%	A-2	1,011,250.00	1-Dec-17	1,012,713.03	536004	7,073.03	8-Jul-19
9-Nov-20	2,250,000.00	2.9000%	ME Bank Snr FRN (Nov20) BBSW+1.25%	BBB	2,250,000.00	9-Nov-17	2,271,939.66	535919	9,474.66	9-Aug-19
12-Apr-21	1,500,000.00	3.0700%	SUN Snr FRN (Apr21) BBSW+1.38%	A+	1,500,000.00	12-Apr-16	1,531,903.15	533415	10,093.15	12-Jul-19
16-Apr-21	2,500,000.00	2.9605%	ME Bank Snr FRN (Apr21) BBSW+1.27%	BBB	2,500,000.00	17-Apr-18	2,528,135.82	536513	15,410.82	16-Jul-19
18-May-21	2,000,000.00	3.0300%	BoQ Snr FRN (May21) BBSW+1.48%	BBB+	2,000,000.00	18-May-16	2,034,393.15	533605	6,973.15	19-Aug-19
2-Jul-21	2,100,000.00	3.1373%	TMB Snr FRN (Jul21) BBSW+1.37%	BBB	2,100,000.00	2-Jul-18	2,124,561.20	536787	16,245.20	2-Jul-19
30-Aug-21	1,500,000.00	2.7200%	BOZ 'SRI' Snr FRN (Aug21) BBSW+1.30%	BBB	1,500,000.00	30-Aug-18	1,512,006.99	536983	3,576.99	30-Aug-19
25-Jan-23	1,250,000.00	2.6078%	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	1,250,000.00	25-Jan-18	1,260,881.84	536145	5,894.34	25-Jul-19
6-Feb-23	1,100,000.00	2.9491%	NPBS Snr FRN (Feb23) BBSW+1.40%	BBB	1,100,000.00	6-Feb-18	1,115,185.11	536174	4,977.11	6-Aug-19
29,400,000.00		2.8451%			29,446,482.00		29,697,467.96		119,925.24	

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
20-Oct-20	3,000,000.00	3.5000%	SUN Snr Bond (Oct20) 3.50%	A+	3,042,780.00	18-May-18	3,090,273.81	536638	20,013.81	3.0000%	
	3,000,000.00				3,042,780.00		3,090,273.81		20,013.81	3.0000%	

Waverley Council

Accrued Interest Report - June 2019



Accrued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Bonds									
SUN Snr Bond (Oct20) 3.50%	536638		3,000,000.00	18-May-18	20-Oct-20		30	8,701.66	3.53%
Bonds Total								8,701.66	3.53%
Floating Rate Note									
GBS Snr FRN (Nov19) BBSW+1.50%	534564		2,000,000.00	29-Nov-16	29-Nov-19		30	4,800.00	2.92%
BEN Snr FRN (Feb20) BBSW+1.10%	534540		3,000,000.00	21-Nov-16	21-Feb-20		30	6,550.52	2.66%
CUA Snr FRN (Mar20) BBSW+1.30%	534995		3,000,000.00	20-Mar-17	20-Mar-20	23,592.33	30	7,173.29	2.91%
CUA Snr FRN (Mar20) BBSW+1.30%	535984		3,200,000.00	24-Nov-17	20-Mar-20	25,165.15	30	7,651.51	2.91%
NPBS Snr FRN (Apr20) BBSW+1.35%	504013		3,000,000.00	07-Apr-15	07-Apr-20		30	7,578.25	3.07%
NPBS Snr FRN (Apr20) BBSW+1.35%	536004		1,000,000.00	01-Dec-17	07-Apr-20		30	2,526.08	3.07%
ME Bank Snr FRN (Nov20) BBSW+1.25%	535919		2,250,000.00	09-Nov-17	09-Nov-20		30	5,363.02	2.90%
SUN Snr FRN (Apr21) BBSW+1.38%	533415		1,500,000.00	12-Apr-16	12-Apr-21		30	3,784.93	3.07%
ME Bank Snr FRN (Apr21) BBSW+1.27%	536513		2,500,000.00	17-Apr-18	16-Apr-21		30	6,083.22	2.96%
BoQ Snr FRN (May21) BBSW+1.48%	533605		2,000,000.00	18-May-16	18-May-21		30	4,980.82	3.03%
TMB Snr FRN (Jul21) BBSW+1.37%	536787		2,100,000.00	02-Jul-18	02-Jul-21		30	5,415.07	3.14%
BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	536983		1,500,000.00	30-Aug-18	30-Aug-21		30	3,353.43	2.72%
BEN Snr FRN (Jan23) BBSW+1.05%	536145		1,250,000.00	25-Jan-18	25-Jan-23		30	2,679.24	2.61%
NPBS Snr FRN (Feb23) BBSW+1.40%	536174		1,100,000.00	06-Feb-18	06-Feb-23		30	2,666.31	2.95%
Floating Rate Note Total						48,757.48		70,605.69	2.92%
Floating Rate Term Deposits									
Westpac Group	535380		3,000,000.00	10-Jun-16	10-Jun-21	19,092.33	10	2,145.21	2.61%
Westpac Group	536750		4,000,000.00	14-Jun-18	18-Jun-19	26,163.29	17	4,834.52	2.59%
Commonwealth Bank of Australia	535380		3,000,000.00	10-Jun-16	10-Jun-21	22,231.23	30	6,481.95	2.63%

Waverley Council - Investment Summary Report



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Waverley Council

Accrued Interest Report - June 2019



Accrued Interest Report

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Westpac Group	535380	Green	3,000,000.00	10-Jun-16	10-Jun-21		30	5,549.92	2.25%
Westpac Group	535241		2,500,000.00	16-May-17	16-May-22		30	5,599.32	2.73%
Floating Rate Term Deposits Total						67,486.85		24,610.92	2.54%
Managed Funds									
Short Term Income Fund	411310	Builder Deposits	2,135,680.10	01-Dec-15			30	4,362.36	2.44%
Cash Fund	505262		2,180,014.44	30-Jul-15			30	3,634.52	1.98%
Managed Funds Total								7,996.88	2.21%
Term Deposits									
Bendigo and Adelaide Bank	536672		3,000,000.00	30-May-18	04-Jun-19	85,758.90	3	695.34	2.82%
Bendigo and Adelaide Bank	536990		1,500,000.00	21-Aug-18	25-Jun-19	34,808.22	24	2,712.33	2.75%
ME Bank	536862		3,000,000.00	20-Jul-18	02-Jul-19		30	7,027.40	2.85%
ME Bank	536857		3,000,000.00	18-Jul-18	09-Jul-19		30	7,027.40	2.85%
ME Bank	536856		3,000,000.00	17-Jul-18	16-Jul-19		30	7,027.39	2.85%
ME Bank	537598		1,000,000.00	04-Mar-19	23-Jul-19		30	2,178.09	2.65%
Auswide Bank	537268		2,000,000.00	30-Oct-18	26-Jul-19		30	4,602.74	2.80%
Bendigo and Adelaide Bank	536980		2,000,000.00	17-Aug-18	30-Jul-19		30	4,520.55	2.75%
ME Bank	537599		1,000,000.00	04-Mar-19	06-Aug-19		30	2,178.09	2.65%
Bendigo and Adelaide Bank	536976		3,000,000.00	16-Aug-18	13-Aug-19		30	6,780.82	2.75%
ME Bank	537009		3,000,000.00	24-Aug-18	20-Aug-19		30	6,780.82	2.75%
Westpac Group	534167		2,000,000.00	24-Aug-16	26-Aug-19		30	5,260.28	3.20%
ME Bank	537027		3,000,000.00	29-Aug-18	03-Sep-19		30	6,780.82	2.75%
ME Bank	537044		3,000,000.00	31-Aug-18	10-Sep-19		30	6,780.82	2.75%
ME Bank	537049		3,000,000.00	03-Sep-18	17-Sep-19		30	6,780.83	2.75%

Waverley Council

Accrued Interest Report - June 2019



Accrued Interest Report

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Bank of Queensland	535796		3,000,000.00	20-Sep-17	24-Sep-19		30	7,150.68	2.90%
ME Bank	537130		2,000,000.00	13-Sep-18	01-Oct-19		30	4,520.55	2.75%
Credit Union Australia	537198		3,000,000.00	05-Oct-18	08-Oct-19		30	6,780.82	2.75%
Credit Union Australia	537302		1,500,000.00	06-Nov-18	15-Oct-19		30	3,452.05	2.80%
MyState Bank	537343		2,500,000.00	22-Nov-18	15-Oct-19		30	5,753.42	2.80%
ING Bank (Australia)	535953		4,000,000.00	13-Nov-17	22-Oct-19		30	9,501.37	2.89%
ING Bank (Australia)	535905		2,500,000.00	01-Nov-17	29-Oct-19		30	6,102.74	2.97%
Rural Bank	537258		3,000,000.00	23-Oct-18	05-Nov-19		30	6,780.83	2.75%
Suncorp Bank	537863		2,000,000.00	09-Apr-19	07-Nov-19		30	4,109.59	2.50%
Credit Union Australia	537303		1,500,000.00	06-Nov-18	12-Nov-19		30	3,452.05	2.80%
Credit Union Australia	537333		3,000,000.00	20-Nov-18	19-Nov-19		30	7,027.40	2.85%
Credit Union Australia	537394		3,000,000.00	05-Dec-18	26-Nov-19		30	7,150.68	2.90%
Credit Union Australia	537399		3,000,000.00	06-Dec-18	10-Dec-19		30	7,150.69	2.90%
MyState Bank	537371		2,000,000.00	03-Dec-18	17-Dec-19		30	4,684.93	2.85%
Rural Bank	537928		2,000,000.00	06-May-19	19-Dec-19		30	4,060.28	2.47%
Auswide Bank	537600		1,000,000.00	04-Mar-19	07-Jan-20		30	2,219.18	2.70%
Auswide Bank	537637		3,000,000.00	14-Mar-19	14-Jan-20		30	6,657.53	2.70%
Auswide Bank	537782		1,500,000.00	04-Apr-19	21-Jan-20		30	3,328.76	2.70%
Credit Union Australia	537562		2,500,000.00	25-Feb-19	28-Jan-20		30	5,671.23	2.76%
AMP Bank	538020		1,000,000.00	06-Jun-19	04-Feb-20		25	1,575.34	2.30%
Rural Bank	537931		2,000,000.00	07-May-19	11-Feb-20		30	3,961.64	2.41%
AMP Bank	537971		1,500,000.00	23-May-19	18-Feb-20		30	3,020.55	2.45%
ME Bank	537069		3,000,000.00	05-Sep-18	03-Mar-20		30	6,904.11	2.80%

Waverley Council - Investment Summary Report



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Waverley Council

Accrued Interest Report - June 2019

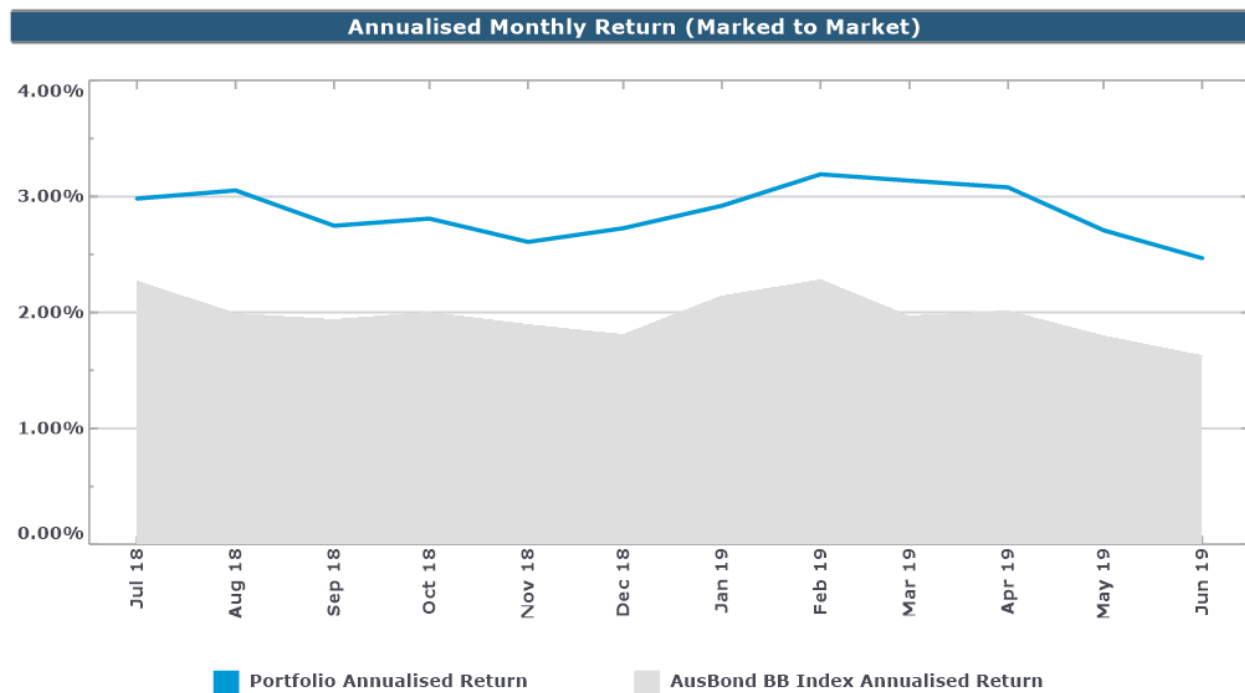


Accrued Interest Report

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
AMP Bank	538019		2,000,000.00	06-Jun-19	10-Mar-20		25	3,150.68	2.30%
AMP Bank	538061		1,500,000.00	20-Jun-19	17-Mar-20		11	994.52	2.20%
Westpac Group	537941	Green	1,000,000.00	13-May-19	28-Apr-20		30	1,857.53	2.26%
Westpac Group	537940	Green	2,000,000.00	13-May-19	05-May-20		30	3,715.07	2.26%
Auswide Bank	537954		1,000,000.00	16-May-19	12-May-20		30	2,013.70	2.45%
Auswide Bank	537955		2,000,000.00	16-May-19	19-May-20		30	4,027.39	2.45%
Auswide Bank	537958		1,000,000.00	20-May-19	26-May-20		30	2,013.70	2.45%
Auswide Bank	537959		2,000,000.00	20-May-19	02-Jun-20		30	4,027.40	2.45%
Westpac Group	538045	Green	3,000,000.00	17-Jun-19	16-Jun-20		14	2,232.33	1.94%
Auswide Bank	538062		2,000,000.00	20-Jun-19	16-Jun-20		11	1,295.89	2.15%
Rural Bank	537252		3,000,000.00	22-Oct-18	27-Oct-20		30	7,150.68	2.90%
Credit Union Australia	537426		2,000,000.00	18-Dec-18	15-Dec-20		30	4,849.32	2.95%
Newcastle Permanent Building Society	537536		2,500,000.00	11-Feb-19	09-Feb-21		30	6,061.64	2.95%
Credit Union Australia	537565		2,000,000.00	26-Feb-19	23-Feb-21		30	4,767.12	2.90%
Westpac Group	536715		6,000,000.00	06-Jun-18	08-Jun-21	47,638.36	30	15,534.25	3.15%
Newcastle Permanent Building Society	537651		2,500,000.00	25-Mar-19	21-Sep-21		30	5,753.42	2.80%
Newcastle Permanent Building Society	537553		3,000,000.00	19-Feb-19	08-Feb-22		30	7,520.55	3.05%
Term Deposits Total						168,205.48		275,115.33	2.76%
						284,449.81		387,030.48	2.77%

Waverley Council

Investment Performance Report



Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
Jun 2019	2.47%	1.62%	0.85%
Last 3 Months	2.75%	1.81%	0.94%
Last 6 Months	2.91%	1.97%	0.94%
Financial Year to Date	2.87%	1.97%	0.90%
Last 12 months	2.87%	1.97%	0.90%

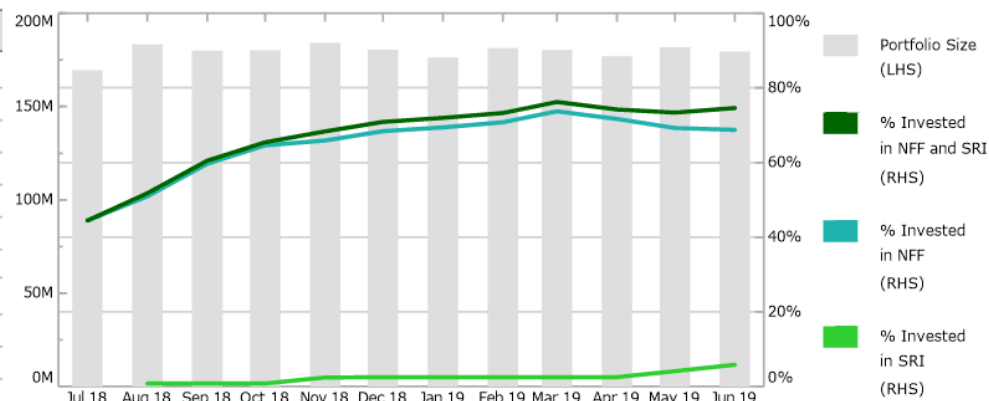
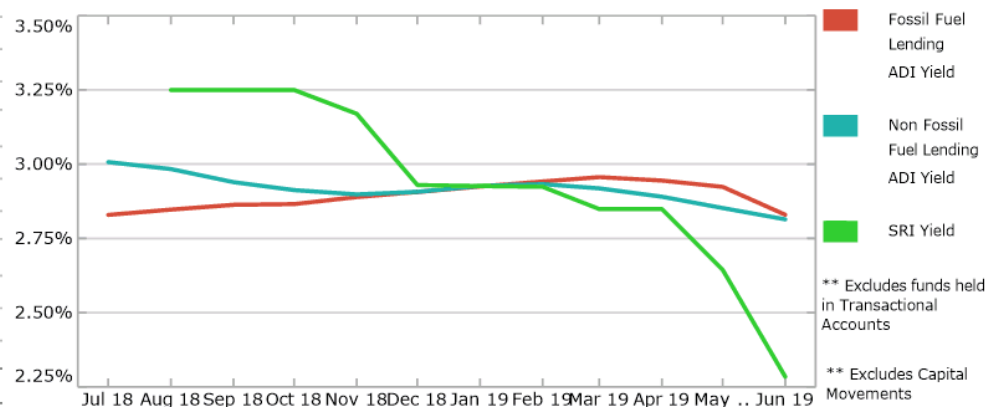
Waverley Council

Environmental Commitments Report - June 2019

**Current Breakdown**

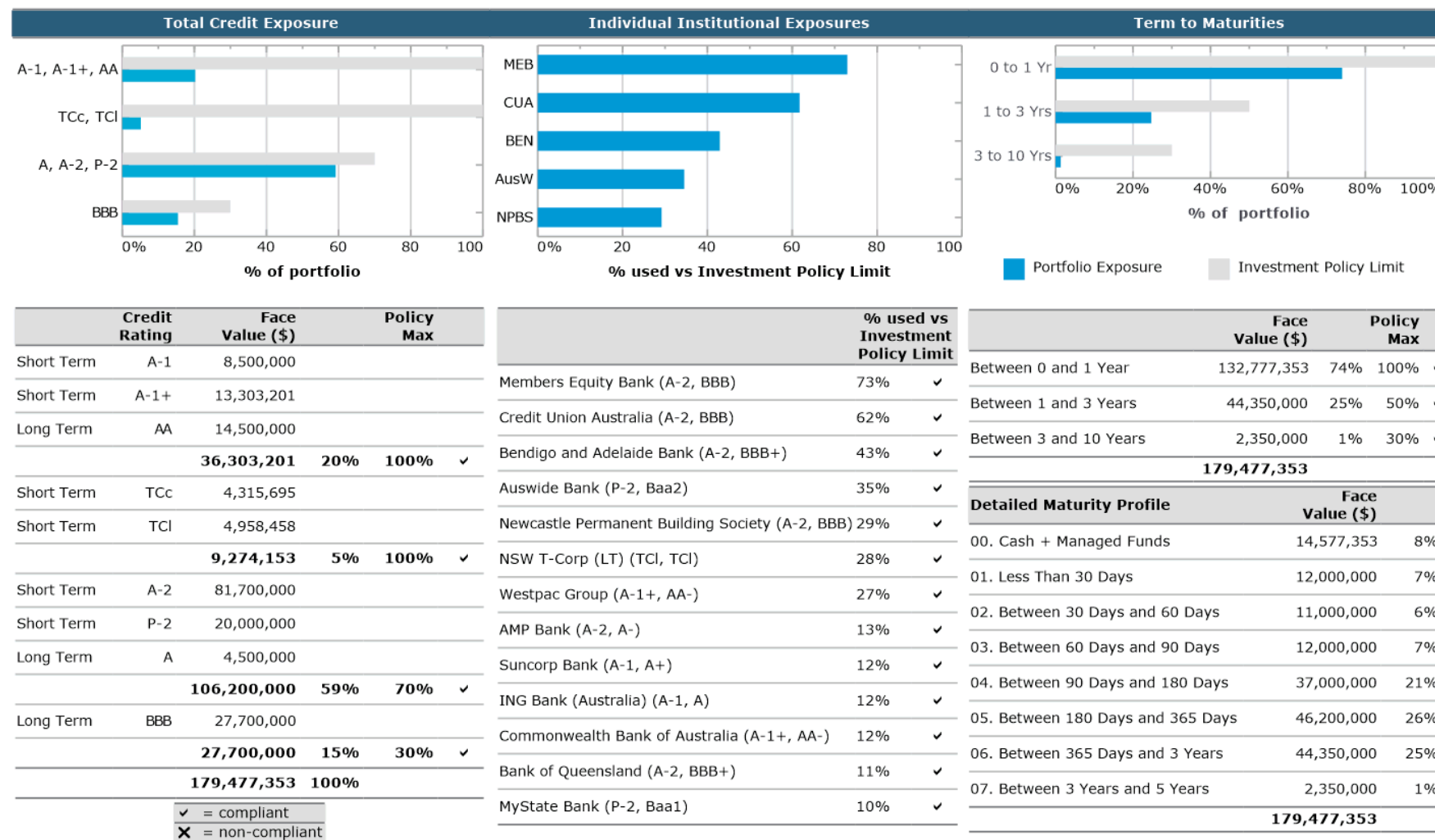
ADI Lending Status *	Current Month (\$)	Previous Month (\$)
Fossil Fuel Lending ADIs		
AMP Bank	6,000,000	1,500,000
Bank of Queensland	5,000,000	5,000,000
Commonwealth Bank of Australia	8,303,201	13,556,309
ING Bank (Australia)	6,500,000	6,500,000
Westpac Group	10,500,000	17,500,000
	36,303,201	44,056,309
	20.2%	24.2%
Non Fossil Fuel Lending ADIs		
Auswide Bank	15,500,000	13,500,000
Bendigo and Adelaide Bank	19,250,000	23,750,000
Credit Union Australia	27,700,000	27,700,000
Greater Bank	2,000,000	2,000,000
Members Equity Bank	32,750,000	32,750,000
MyState Bank	4,500,000	4,500,000
Newcastle Permanent Building Society	13,100,000	13,100,000
Suncorp Bank	6,500,000	6,500,000
Teachers Mutual Bank	2,100,000	2,100,000
	123,400,000	125,900,000
	68.8%	69.3%
Other		
NSW T-Corp (Cash)	4,315,695	4,307,698
NSW T-Corp (LT)	4,958,458	
	9,274,153	4,307,698
	5.2%	2.4%
Socially Responsible Investments		
Bank Australia (Sustainability)	1,500,000	1,500,000
Westpac Group (Green TD)	9,000,000	6,000,000
	10,500,000	7,500,000
	5.9%	4.1%
	179,477,353	181,764,006

* source: <http://www.marketforces.org.au>
 Percentages may not add up to 100% due to rounding

Historical Portfolio Exposure to NFF Lending ADIs and SRIs**Weighted Average Yield - FF vs NFF Lending ADIs vs SRIs**

Waverley Council

Investment Policy Compliance Report



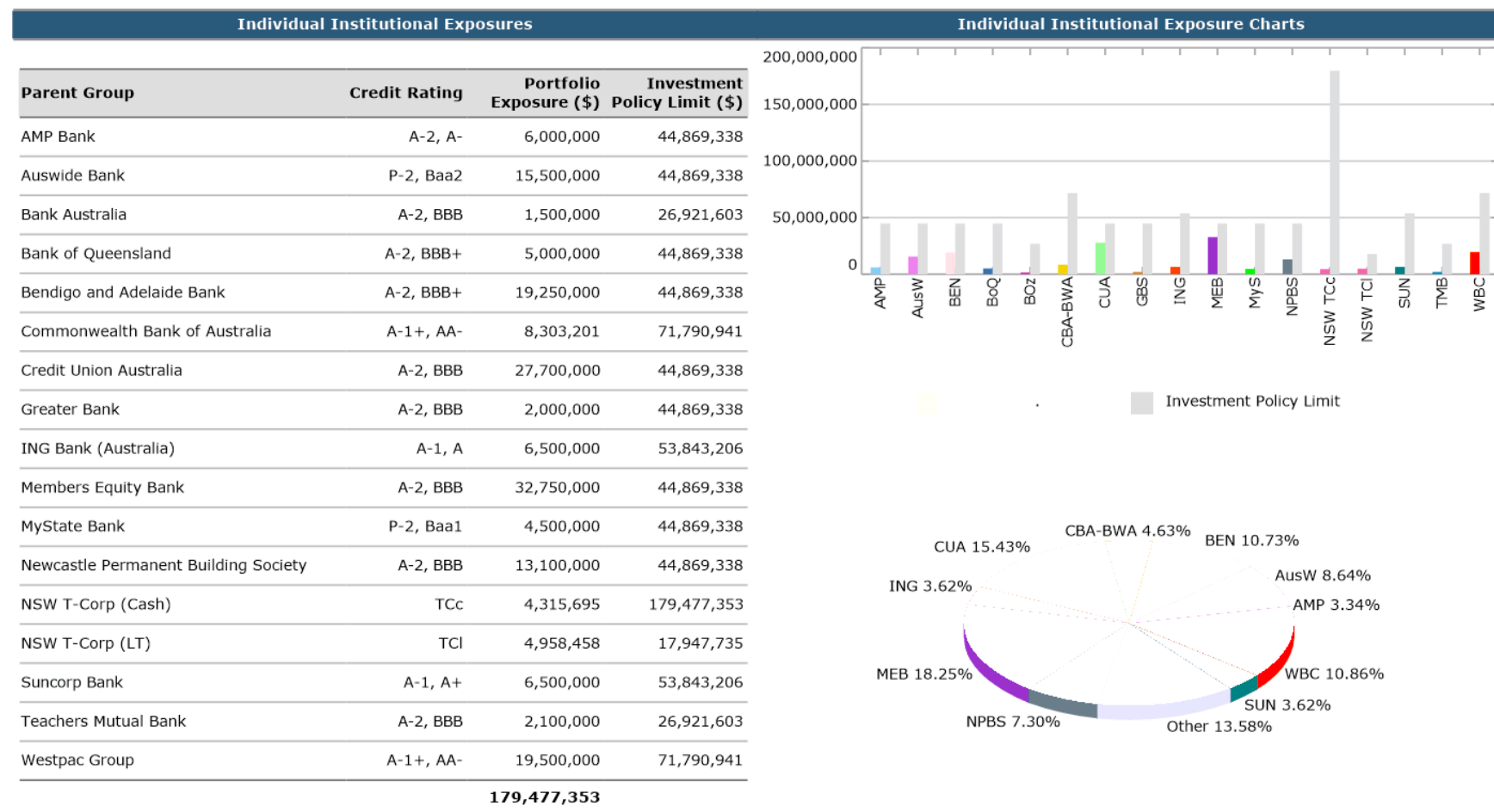
Waverley Council - Investment Summary Report



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Waverley Council

Individual Institutional Exposures Report



Waverley Council Cash Flows Report



Current Month Cashflows									
Transaction Date	Deal No.	Cashflow Counterparty		Asset Type	Cashflow Description	Cashflow Received			
4-Jun-19	536672	Bendigo and Adelaide Bank		Term Deposits	Maturity Face Value - Received	3,000,000.00			
		Bendigo and Adelaide Bank		Term Deposits	Interest - Received	85,758.90			
		Deal Total				3,085,758.90			
Day Total					3,085,758.90				
6-Jun-19	536715	Westpac Group		Term Deposits	Interest - Received	47,638.36			
		Deal Total				47,638.36			
		538019	AMP Bank	Term Deposits	Settlement Face Value - Paid	-2,000,000.00			
Deal Total						-2,000,000.00			
538020	AMP Bank					Term Deposits	Settlement Face Value - Paid	-1,000,000.00	
		Deal Total						-1,000,000.00	
		Day Total						-2,952,361.64	
11-Jun-19	535380	Commonwealth Bank of Australia	Floating Rate Term Deposits		Interest - Received	22,231.23			
					Deal Total				22,231.23
					536749	Westpac Group	Floating Rate Term Deposits	Maturity Face Value - Received	3,000,000.00
Westpac Group	Floating Rate Term Deposits	Interest - Received	19,092.33						
			Deal Total						3,019,092.33
			Day Total					3,041,323.56	
17-Jun-19	538045	Westpac Group	Term Deposits		Settlement Face Value - Paid	-3,000,000.00			
					Deal Total				-3,000,000.00
					Day Total				
18-Jun-19	536750	Westpac Group	Floating Rate Term Deposits		Maturity Face Value - Received	4,000,000.00			
					Westpac Group	Floating Rate Term Deposits	Interest - Received	26,163.29	
								Deal Total	
Day Total								4,026,163.29	
20-Jun-19	534995	Credit Union Australia	Floating Rate Note		Coupon - Received	23,592.33			
					Deal Total				23,592.33

Waverley Council Cash Flows Report



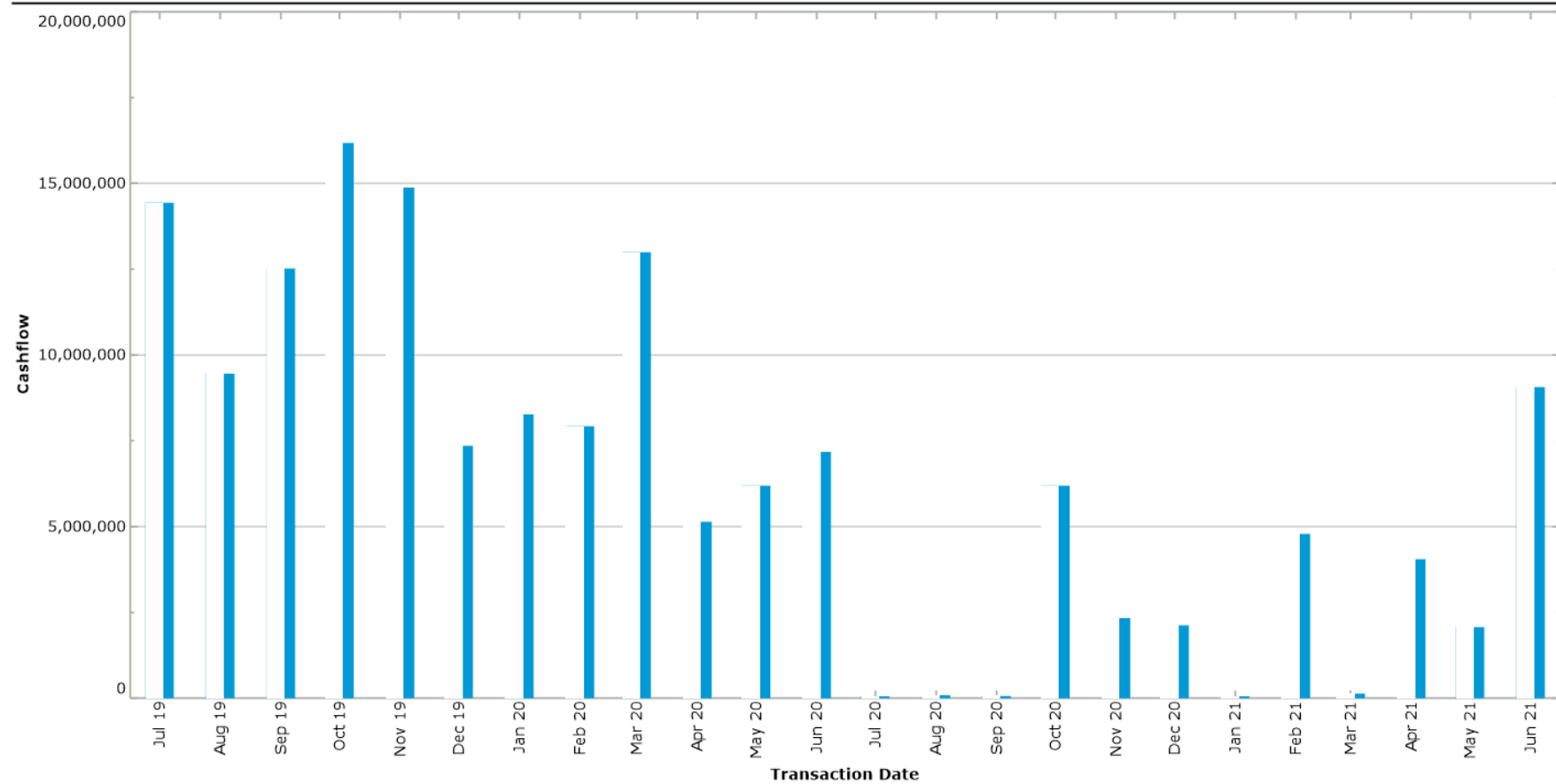
Current Month Cashflows					
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
	535984	Credit Union Australia	Floating Rate Note	Coupon - Received	25,165.15
				<u>Deal Total</u>	<u>25,165.15</u>
	538061	AMP Bank	Term Deposits	Settlement Face Value - Paid	-1,500,000.00
				<u>Deal Total</u>	<u>-1,500,000.00</u>
	538062	Auswide Bank	Term Deposits	Settlement Face Value - Paid	-2,000,000.00
				<u>Deal Total</u>	<u>-2,000,000.00</u>
				Day Total	-3,451,242.52
25-Jun-19	536990	Bendigo and Adelaide Bank	Term Deposits	Maturity Face Value - Received	1,500,000.00
		Bendigo and Adelaide Bank	Term Deposits	Interest - Received	34,808.22
				<u>Deal Total</u>	<u>1,534,808.22</u>
				Day Total	1,534,808.22
				Net Cash Movement for Period	2,284,449.81

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-Jul-19	536787	Teachers Mutual Bank	Floating Rate Note	Coupon - Received	16,425.70
				<u>Deal Total</u>	<u>16,425.70</u>
	536862	ME Bank	Term Deposit	Maturity Face Value - Received	3,000,000.00
		ME Bank	Term Deposit	Interest - Received	81,283.56
				<u>Deal Total</u>	<u>3,081,283.56</u>
				Day Total	3,097,709.26
8-Jul-19	504013	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	22,987.35
				<u>Deal Total</u>	<u>22,987.35</u>
	536004	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	7,662.45
				<u>Deal Total</u>	<u>7,662.45</u>
				Day Total	30,649.80
9-Jul-19	536857	ME Bank	Term Deposit	Maturity Face Value - Received	3,000,000.00
		ME Bank	Term Deposit	Interest - Received	83,391.78

Waverley Council Cash Flows Report



Next Month Cashflows							
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due		
				Deal Total	3,083,391.78		
				Day Total	3,083,391.78		
12-Jul-19	533415	Suncorp Bank	Floating Rate Note	Coupon - Received	11,480.96		
				Deal Total	11,480.96		
				Day Total	11,480.96		
16-Jul-19	536513	ME Bank	Floating Rate Note	Coupon - Received	18,452.43		
				Deal Total	18,452.43		
	536856	ME Bank	Term Deposit	Maturity Face Value - Received	3,000,000.00		
				ME Bank	Term Deposit	Interest - Received	85,265.75
				Deal Total	3,085,265.75		
				Day Total	3,103,718.18		
23-Jul-19	537598	ME Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00		
				ME Bank	Term Deposit	Interest - Received	10,236.99
				Deal Total	1,010,236.99		
				Day Total	1,010,236.99		
25-Jul-19	536145	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	8,037.74		
				Deal Total	8,037.74		
				Day Total	8,037.74		
26-Jul-19	537268	Auswide Bank	Term Deposit	Maturity Face Value - Received	2,000,000.00		
				Auswide Bank	Term Deposit	Interest - Received	41,271.23
				Deal Total	2,041,271.23		
				Day Total	2,041,271.23		
30-Jul-19	536980	Bendigo and Adelaide Bank	Term Deposit	Maturity Face Value - Received	2,000,000.00		
				Bendigo and Adelaide Bank	Term Deposit	Interest - Received	52,287.67
				Deal Total	2,052,287.67		
				Day Total	2,052,287.67		
				Net Cash Movement for Period	14,438,783.61		

Waverley Council
Cash Flows Report

**REPORT
CM/7.4/19.07**

Subject: NSW Police Vehicle Sponsorship Program

TRIM No: A12/0805

Author: Teena Su, Executive Manager, Finance

Director: Darren Smith, Chief Financial Officer

RECOMMENDATION:

That Council:

1. Sponsors a vehicle for the NSW Police Eastern Suburbs Local Area Command Crime Management Unit for a period of three years.
2. Authorises the General Manager to sign an appropriate sponsorship agreement with NSW Police to cover the supply and sponsorship of the vehicle.

1. Executive Summary

The purpose of this report is to seek Council's approval to sponsor a motor vehicle for the Eastern Suburbs Police, as per a request from the Local Area Command Crime Management Unit.

Council has been involved with sponsorship of a vehicle for the Eastern Suburbs Crime Management Unit for the past six years. Recently, the sponsored vehicle was deemed an insurance write-off as a result of damages caused by hail in the storm that hit Sydney in December 2018.

Police advise that the sponsorship has been of significant value. The Sergeant of the LAC had recently made known that they have expanded numbers of personnel in key areas of the Waverley Crime Management Unit, which includes youth liaison, domestic/family violence and crime prevention, and, as such, the previous sponsored vehicle had proven to be of invaluable resource for officers carrying out duties to achieve a safer community. The sponsorship fits with a Council partnership approach to achieving outcomes such as a safer Waverley.

Having considered the value of the vehicle to the Police, the broader Council relationship with the Police and Council's desire to see community safety outcomes achieved, staff recommend that Council approve a further sponsorship relationship.

2. Introduction/Background

Council resolved to participate in the NSW Police Vehicle Sponsorship Program in July 2012. On 6 December 2012, a deed for the loan/lease of a vehicle between Council and the NSW Police Eastern Suburbs Local Area Command was signed for a new Toyota Camry Hybrid vehicle. This vehicle had police markings and the Waverley logo with 'Proudly supported by Waverley Council' along the doors.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 17 July 2012	1207.14.1	That Council participate in the NSW Police Force Sponsorship Program subject to a further report being submitted to Council on funding sources.

4. Discussion

The sponsored vehicle provided to the police was deemed an insurance write-off as a result of damages caused by hail in the storm that hit Sydney in December 2018. Council made an insurance claim on the vehicle and recovered \$12,375 in insurance payout.

Police advise that the sponsorship has been of significant value. The Sergeant of the LAC had recently made known that they have expanded numbers of personnel in key areas of the Waverley Crime Management Unit, which includes youth liaison, domestic/family violence and crime prevention, and, as such, the previous sponsored vehicle had proven to be of invaluable resource for Officers carrying out duties to achieve a safer community. The sponsorship fits with a Council partnership approach to achieving outcomes such as a safer Waverley.

Having considered the value of the vehicle to the police, the broader Council relationship with the police and Council's desire to see community safety outcomes achieved, staff recommend that Council approve a further sponsorship relationship. Council work closely with the police in a number of areas, and police support is often vital in the Council being able to carry out its functions in an effective and safe manner.

Council staff decided to consider an approach from the police to provide a suitable replacement motor vehicle for use by officers responsible for the crime prevention, youth liaison, domestic and family violence in the Crime Management Unit, based at the Waverley Police Station. A new sponsorship arrangement has support at staff level.

The Crime Co-ordinator of the LAC has requested in a recent email that if council were to continue with the sponsorship program, a larger vehicle, such as a people mover or station wagon would provide better operational flexibility and utility during community engagements. The Crime Co-ordinator stated the team would be very happy with any vehicle that Council could provide if a larger vehicle were not possible.

In terms of Council's own policies, it would be preferable for the sponsored vehicle be a hybrid (as the last one was) to help support the Waverley Council Environmental Action Plan.

5. Financial impact statement/Timeframe/Consultation

An estimated net cost, excluding the annual running expenses, to sponsor a motor vehicle over a three-year period, which includes acquisition and resale, would be in the order of \$20,000, depending on the vehicle chosen. The proposed three-year period aligns with the Council's fleet replacement cycle.

Council had received the sum of \$12,375 from insurance as a payout for the write-off of the previous sponsored vehicle. This payout could be put towards funding the next sponsored vehicle, if approved by council.

Suitable vehicles that can be offered are:

Hybrid

Sedan	Toyota Camry	\$26,930.55 (including GST).
Wagon	Toyota RAV4	\$31,977.40 (including GST).
Wagon	Toyota Prius V	\$34,362.80 (including GST).

Non-hybrid

People Mover	Hyundai I max	\$38,000.00 (including GST).
People Mover	Toyota Tarago	\$39,341.40 (including GST).

On-road costs, such as registration and insurance, are not included in the above prices. The additional annual costs are estimated to be in the vicinity of \$1,200.

It is proposed that Council provides either a RAV4 or Prius V wagon as a sponsored vehicle, with selection to be finalised after discussion with the police.

6. Conclusion

Council's approval is sought to sponsor a vehicle for the NSW Police Eastern Suburbs Local Area Command Crime Management Unit.

7. Attachments

Nil.

REPORT

CM/7.5/19.07



Subject: Petition - Barracluff Avenue, Bondi Beach - Conversion into a Cul-de-Sac

TRIM No: A03/0566

Author: Richard Coelho, Governance and Internal Ombudsman Officer

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council refers the petition on converting Barracluff Avenue, Bondi Beach, into a cul-de-sac to the Executive Manager, Creating Waverley, for appropriate action.

1. Executive Summary

Council has received a petition containing 17 signatures from residents who live in or directly beside Barracluff Avenue, Bondi Beach, requesting that Barracluff Avenue be converted into a cul-de-sac.

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

2. Introduction/Background

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

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 11 December 2018	CM/7.12/18.12	That Council refers the petition requesting traffic calming measures in Barracluff Avenue, Bondi Beach, to the Executive Manager, Creating Waverley for consideration.
Council 27 September 2018	CM/7.12/18.09	That the petition requesting the closure of Rickard Avenue at its intersection with Lamrock Avenue, and the installation of central refuges in Rickard Avenue at its intersection with Barracluff Avenue, be forwarded to the Executive Manager, Creating Waverley for appropriate action, including consideration of closure and/or traffic calming at the intersection of Barracluff Avenue.
Council 15 November 2016	CM/8.6/16.11	That Council: <ol style="list-style-type: none"> Notes that in 2006 plans were prepared for Barracluff and Rickard Avenues to reduce traffic speed and

		<p>provide more parking (angle parking and refuges). Based on residents' responses the Waverley Traffic Committee determined to not implement these plans.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
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4. Discussion

The petition states:

'We're a group of residents who live on and directly beside Barracluff Avenue. We make up a considerable majority of the households on the street.

Our safety and wellbeing are being impacted and put under constant threat by dangerous speeding on the street. Two years ago a child had a near miss with a speeding motorbike. Recently another little boy was almost hit by a speeding car. Sadly in recent years a pet dog and a pet cat have been killed by speeding cars.

We're in agreement that something needs to be done before a serious accident happens.

In light of recent developments with the Rickard petition, the likelihood of Rickard being turned in to a cul-de-sac, and what this will mean for Barracluff (more traffic; busier, noisier, more dangerous Rickard/Barracluff junction, we've regrouped and considered what we want to advocate for, for Barracluff.

After careful consideration, we ask Council to turn Barracluff in to a cul-de-sac. It's a solution that's previously been offered by Council. As council expressed at the council meeting on June 18th, turning Barracluff in to a cul-de-sac will bring the street up to date and in line with comparable residential streets in Bondi. We see this as the only solution that will effectively address speeding and significantly improve safety of residents, particularly the children and less mobile residents who live on the street.

Our second preference is for centre island refuges to be installed at each end of the street. This will give people a safe place to cross the road. However, as the Traffic team have said, it will have a negligible impact on speeding and reducing the risk of accidents along the street. We ask council to treat this as a last resort for the street.

After deliberating as a group and coming to a decision we all support, we ask for Barracluff to be closed outside or around 21 Barracluff Avenue. This will see households at the top of the street retain their Francis St access, and others use O'Brien/Lamrock as their access point.'

5. Financial impact statement/Timeframe/Consultation

There is no financial impact in Council receiving the petition.

6. Conclusion

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

7. Attachments

Nil.

REPORT
CM/7.6/19.07

Subject: Petition - Intersection of Notts Avenue and Campbell Parade, Bondi Beach - Right-hand Turn Ban

TRIM No: A03/0764

Author: Natalie Kirkup, Governance and Internal Ombudsman Officer

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council refers the petition against banning right-hand turns out of Notts Avenue into Campbell Parade, Bondi Beach, to the Executive Manager, Creating Waverley, for appropriate action.

1. Executive Summary

Council has received a petition containing 47 signatures from residents and users of Notts Avenue against banning right-hand turns out of Notts Avenue into Campbell Parade. The petition also requests the installation of a painted give way box on Campbell Parade at this intersection to permit traffic to turn both left and right safely.

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

2. Introduction/Background

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

3. Relevant Council Resolutions

Nil.

4. Discussion

The petition states:

'We, the undersigned, strongly oppose any plan by Waverley Council to ban right hand turns out of Notts Avenue into Campbell Parade. We urge the Council to implement a give way yellow box painted on Campbell Parade at the intersection of Notts Avenue to permit traffic to turn both right and left in comparative safety.'

5. Financial impact statement/Timeframe/Consultation

There is no financial impact in Council receiving the petition.

6. Conclusion

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

7. Attachments

Nil.

**REPORT
CM/7.7/19.07**

Subject: Petition - Burge Street, Vacluse - Pedestrian and Vehicle Safety

TRIM No: A03/0542

Author: Richard Coelho, Governance and Internal Ombudsman Officer

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council refers the petition on improving safety conditions for motorists and pedestrians in Burge Street, Vacluse, to the Executive Manager, Creating Waverley, for appropriate action.

1. Executive Summary

Council has received a petition containing 17 signatures from residents of Burge Street, Vacluse, requesting that safety conditions be improved for motorists and pedestrians in Burge Street.

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

2. Introduction/Background

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

3. Relevant Council Resolutions

Nil.

4. Discussion

The petition states:

'Improve safety conditions for motorists and pedestrians accessing Burge Street in Vacluse.

Currently there is very limited visibility for motorists travelling either way on Burge St to see vehicles exiting residential driveways, therefore causing a high risk of serious accidents occurring to motorists and pedestrians alike.

We, the undersigned, petition the Mayor and Councillors of Waverley to...adopt part or all of the following safety improvements on Burge Street:

- A. Install speed bumps (close to residential driveways)*
- B. Reduce speed limit from 50 km/h to 15 km/hour.*

C. *Restrict parking on both sides of residential driveways'*

5. Financial impact statement/Timeframe/Consultation

There is no financial impact in Council receiving the petition.

6. Conclusion

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

7. Attachments

Nil.

REPORT

CM/7.8/19.07



Subject: Petition - Darling Street, Bronte - Installation of 'No Stopping' Restrictions

TRIM No: A02/0637-02

Author: Richard Coelho, Governance and Internal Ombudsman Officer

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council refers the petition against the installation of 'No Parking' restrictions in Darling Street, Bronte, to the Director, Community, Assets and Operations, for appropriate action.

1. Executive Summary

Council has received a petition containing 30 signatures from residents of Darling Street and Andrew Street, Bronte, among other residents, against the installation of 'No Parking' restrictions in Darling Street.

It is recommended that the petition be forwarded to the Director, Community, Assets and Operations, for appropriate action.

2. Introduction/Background

At the request of Council's Resource Recovery team, Council officers prepared a report to the Traffic Committee in April 2019 recommending the installation of parking restrictions in Darling Street, Bronte, to improve accessibility for Council's waste collection trucks. The restrictions have not yet been installed.

Council has subsequently received a petition against the proposed parking restrictions.

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

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Traffic Committee 18 April 2019	TC/C.02/19.04	<p><i>Council adopted the Traffic Committee's recommendation.</i></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Installs 'No Stopping Fridays 5am-9am' restrictions on the southern side of the low section of Darling Street from Andrew Street to 11 Darling Street to aid access by Council's waste collection trucks. 2. Adjusts the existing 'No Parking' restrictions on the southern side of Darling Street from Andrew Street to 11

		Darling Street to “No Parking All Other Times”.
		3. Notifies residents on the southern side of Darling Street from Andrew Street to 11 Darling Street of the proposed restrictions prior to installation.

4. Discussion

The petition requests Council to:

‘Educate the residents by Council dropping a flyer in all Darling St Bronte residents’ letterboxes as well as Andrew St Bronte to say park “close to curb and fold mirrors in.”’

5. Financial impact statement/Timeframe/Consultation

There is no financial impact in Council receiving the petition.

6. Conclusion

It is recommended that the petition be forwarded to the Director, Community, Assets and Operations, for appropriate action.

7. Attachments

Nil.

REPORT

CM/7.9/19.07



Subject: Petition - Marks Park Access Path

TRIM No: A05/1638

Author: Richard Coelho, Governance and Internal Ombudsman Officer

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council refers the petition against the installation of an access path in Marks Park to the Executive Manager, Creating Waverley, for consideration, noting that Council has recently declined to take action in line with the petition's request.

1. Executive Summary

Council has received a petition containing 82 signatures from residents requesting that the installation of an access path in Marks Park be halted 'until proper consultation is undertaken with the community members of Waverley.'

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

2. Introduction/Background

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

The access path was last considered by Council at the Strategic Planning and Development Committee meeting on 2 July 2019; see the resolution below.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Strategic Planning and Development Committee 2 July 2019	PD/6.1/19.07	<p><i>The motion below was lost.</i></p> <p>That Council:</p> <ol style="list-style-type: none"> Notes that the concept design currently shown on Council's website has never been formally approved by resolution of Council. Notes extensive and thorough consultation with members of the community and stakeholders was undertaken through 2017. Notes initial and subsequent risk assessments have been

		<p>undertaken to ensure that the proposed pathway and other elements of the works in Marks Park are compliant with statutory and regulatory requirements under local, state and federal law.</p> <p>4. Notes that Council determines there is a proposed pathway that forms less than five per cent of the grassed area of Marks Park, and approximately three per cent of the whole extent of Marks Park.</p> <p>5. Notes that Sculpture by the Sea has been aware of this project since 2015 and has been consulted at various points from that year until today, including meetings on:</p> <p>(a) 28 May 2019, in which Sculpture by the Sea proposed that the pathway be pushed to the full extent of the scope of works abutting the ridgeline to increase the extent of green in the park, and officers examined this potential.</p> <p>(b) 13 June 2019, in which Sculpture by the Sea proposed diverting the pathway across the middle of Marks Park, and not connecting it to the lookout or stairs on the other side, and a plan (including geotechnical aspects) was submitted to Sculpture by the Sea of this alternative design.</p> <p>6. Notes that on 2 April 2019, the tender to undertake works was unanimously supported by all Councillors. Subsequently, a contract was issued to undertake the works.</p> <p>7. Further notes that Council does not, as a general practice, resolve to approve all concept designs.</p> <p>8. Suspends construction of the proposed access path in Marks Park, except that which connects the amenities building to the upgraded playground along the Marks Lane alignment, which is required to meet statutory requirements, until:</p> <p>(a) Consultation is conducted with the key stakeholders (including local residents, disability service providers, and Sculpture by the Sea) on matters including safety for disabled users, loss of green space, the consultation and the Council endorsement processes, and the impact of the access path on the Sculpture by the Sea event.</p> <p>(b) The outstanding access path design is updated to reflect agreements reached.</p> <p>(c) Council endorses any updated access path design.</p>
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4. Discussion

The petition states:

'We the under signed community members of the Municipality of Waverley and visitors to Marks Park wish to bring to the attention of the Mayor and Councillors of Waverley Council our objections to the proposed development of a 1.8 m wide concrete path around the edge of Marks Park that will reduce the open green space in the park by 10–12%.

This path has been approved by Council without the support of local residents and park visitors, with no consultation that we know of since early 2017 when many people voiced their objections. In fact we know of no one who approved of the proposed path.

We therefore ask Council to stop the current development within Marks Park, until proper consultation is undertaken with the community members of Waverley and further voices and opinions are considered regarding the proposed development.

Further, the undersigned petitioners question the effectiveness of the Council's proposal to deliver on their stated intention for the pathway to increase accessibility for people with limited mobility at an estimated cost of over \$1 m when there is only one mobility car parking place located well over 100 m from the proposed path.'

It is noted that Council recently declined to suspend construction of the access path.

5. Financial impact statement/Timeframe/Consultation

There is no financial impact in Council receiving the petition.

6. Conclusion

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

7. Attachments

Nil.

REPORT
CM/7.10/19.07

Subject: Community Grants Program 2019-20 and Small Grants Guidelines

TRIM No: A19/0373

Author: Leisa Simmons, Manager, Housing Programs and Community Support
Annette Trubenbach, Executive Manager, Caring Waverley

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Under the Community Grants Program 2019–20, grants \$333,673 to the organisations set out in Attachment 1 to this report for the activities and amounts listed.
2. Adopts the following guidelines attached to this report:
 - (a) Small Grants – Community and Cultural Grants Guidelines (Attachment 3).
 - (b) Small Grants – Environmental Grants Guidelines (Attachment 4)
 - (c) Small Grants – Creative Streets Grants Guidelines (Attachment 5).

1. Executive Summary

Caring Waverley is responsible for the administration of two of Council's grants programs: the Community Grants program, which provides grant support for key community services, and the Small Grants program, which enables Council to provide support for small community initiatives. Over the last year, Caring has undertaken a review of the administrative arrangements for its programs.

Some changes to the process for administration of Community Grants will be proposed in a forthcoming report to Council, following completion of internal consultation. While internal consultations are being finalised, officers request that Council approves the grants recommended in Attachment 1 for 2019/20 to ensure continuity of key services for the local community.

Consultation on the process for administration of Small Grants have been finalised, and officers request that Council adopts the revised guidelines for Small Grants at Attachments 3, 4 and 5. An overview of the changes proposed is provided at Attachment 2. The key changes proposed are:

- An increase in the maximum grant amount from \$3,000 to \$5,000.
- For Small Grants Community and Cultural, expand existing eligibility criteria to include small businesses in the creative industries.
- For Small Grants Environmental, expand existing eligibility criteria to include incorporated community organisations.

2. Introduction/Background

Caring Waverley is responsible for the administration of two of Council's Grants Programs, Community Grants and Small Grants.

Under the Community Grants Program, Caring Waverley administers the distribution of more than \$300,000 to local, community managed not-for-profit associations that deliver core community services in Waverley (WAYS Youth and Family, Wayside Chapel, Bondi Beach Cottage, Randwick Waverley Community Transport, etc.), participatory cultural activities (Waverley Randwick Philharmonic Society, Bondi Beach Band), and one of Waverley's iconic events (Festival of the Winds).

Historically, grant commitments have been endorsed with Council's Annual Operating Plan, organisations have applied for and acquitted their grants annually, and community services officers have worked in partnership with organisations to ensure the delivery of services that meet community needs. The grants model utilized was founded in the 1980s, with funds allocated to identified local organizations providing services that complement those provided directly by Council.

Under the Small Grants Program, Caring Waverley administers the distribution of up to \$80,000 annually to individuals and groups to support community initiatives in the delivery of social, cultural and recreational benefits to Waverley's community. The program is advertised widely and applications for up to \$3,000 are invited twice a year. Council officers with relevant expertise assess applications against defined criteria and submit their recommendations to Council for consideration and approval. A list of grants made is published each year with Council's annual report, and to Council's web site.

As part of its administration of the Small Grants Program, Caring Waverley also administers the application process for Council's small Environmental Grants, on behalf of Environmental Services, and small Creative Streets grants on behalf of Urban Planning Policy and Strategy. Through the Small Grants Environmental stream, up to \$12,000 is distributed annually to schools, child care centres and micro businesses to support environmental improvement projects and initiatives in the Waverley local government area (LGA), and up to \$5,000 is distributed annually to individuals, community groups and businesses to support streetscape improvement initiatives.

Review

Over the past 12 months officers have undertaken a review of the operations of Council's Community and Small Grants Programs, with reference to the Local Government Act, Council's Sponsorship Grants and Donations Policy, the Better Practice Grants Administration Guide prepared by the Australian National Audit Office, and examples of grants processes used by other Councils. Internal consultations have also taken place with officers across Council, including Cultural Programs, Environmental Services, Urban Planning Policy and Strategy, and Venue Hire. Some changes to the process for administration of Community Grants will be proposed in a forthcoming report to Council following completion of internal consultations.

Community Grants Proposals for 2019/20

While internal consultations are being finalised, officers request that Council approves the grants recommended for 2019/20 to ensure continuity of key services for the local community. Attachment 1 provides a detailed description of the organisations and proposed activities for which grants are sought. As part of the review process, officers have worked with organisations over the course of 2018/19 to ensure that grant proposals are up to date and reflect current community needs. For the most part, grant recipients have been responsive to change proposals and will continue to collaborate with Council to ensure the best possible fit for outcome focused, coordinated and strategic service delivery.

Small Grants Guidelines

Some changes to the Guidelines for Small Grants are proposed in this report. The grants guidelines for all Small Grants streams have been revised to achieve consistency between the streams, and to remedy some issues that have arisen in practice over the last few years. All the changes proposed are identified in Attachment 2, together with an explanation of the reason each change is recommended. The revised guidelines are Attachments 3, 4, and 5.

Of note, the revised Guidelines propose an increase in the maximum grant amount from \$3,000 to \$5,000, and an expansion of existing eligibility criteria to include:

- For Small Grants Community and Cultural, small businesses in the creative industries.
- For Small Grants Environmental, incorporated community organisations.

3. Relevant Council Resolutions

Following consideration of a review report in August 2014, Council endorsed the following recommendations for the Small Grants Program, which were implemented.

Meeting and date	Minute No.	Decision
Operations Committee 5 August 2014	OCRD.20/14	<p>That:</p> <ol style="list-style-type: none"> 1. The Committee notes the changes being implemented in the Small Grants Program with regard to timing, promotions and website documentation. 2. The Committee implements Option 2 below, so that Environmental Grants are available to schools and small business organisations who meet eligibility criteria, and with community groups retaining the opportunity to apply for small grants for social, cultural and recreation projects. 3. The relevant Director provide all Councillors with briefing details on the existing criteria for assessing all applications. 4. 'Small businesses' are defined as 'micro-businesses', consisting of 5 or fewer employees.

4. Discussion

Community Grants Proposals for 2019/20

The Waverley LGA is known for its strong network of community services, made up of a combination of direct Council services and NGOs that operate with Council support. Council has been working with the organisations listed in Attachment 1 over many years to ensure that quality services are available to local residents in times of need. Partnerships with other agencies expand Council's capacity, and provide access to the community connections, resources and expertise of specialist service providers. Its strong network of local services provides Waverley with a solid foundation for maintaining an inclusive and engaged community into the future.

Small Grants Guidelines

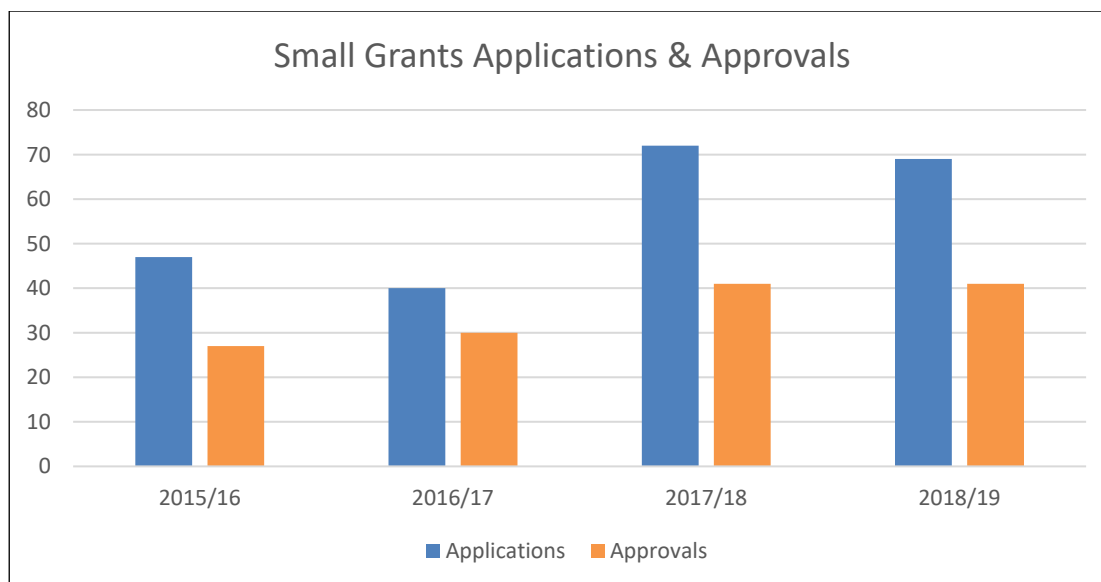
The Small Grants Program enables Council to provide support for projects and activities initiated by members of the community. The Program has performed well over the four years since it was last reviewed, and has become increasingly robust as officers have applied lessons learned from practice.

Officers from a variety of teams across Council have undertaken focussed development work with members of their networks over the last several years, including education activities offered by environmental services, one-on-one coaching offered by cultural programs and events, and analysis, support and constructive feedback offered by community services. The number and quality of proposals to the small grants program has improved as a direct result of this work.

Officers are confident that the Program is now sufficiently robust to enable consideration of applications from artists practicing professionally (sole traders, small business) in the case of community and cultural grants, and incorporated community groups in the case of environmental grants. Officers believe that expanding the eligibility criteria in this way will support the development of quality cultural offerings in Waverley, and community-initiated contributions to Waverley's Environmental Action Plan. As the maximum grant amount remains small, and grants objectives support projects, any risk associated with expanding eligibility criteria is small.

Officers have just completed a formal EOI process that will enable the purchase of an electronic grants management system. It is anticipated that use of the system will enable officers to reallocate resources from the front end of the grants administration process to the back end, with more time allocated to following up, and documenting, the outcomes the Program produces for the community. Council's endorsement of the revised guidelines for the Small Grants streams will enable officers to action the improvements proposed during the set-up phase for the new electronic management system.

Table 1. Small Grants Applications and Approvals 2015/16–2018/19.



5. Financial impact statement/Timeframe/Consultation

Sufficient funds are available in the 2019/20 budget to cover the grants recommended in Table 1. Payment of endorsed grants can be made in July 2019. An EOI can be conducted in the second quarter. Endorsed changes to the guidelines for Small Grants can be implemented with Round 1 2019/20, scheduled for September 2019.

Consultations relating to the recommendations made in this report have been undertaken with Cultural Programs, Environmental Services, Urban Planning Policy and Strategy and Venue Hire. Further internal consultations relating to the administration of Council's Community Grants Program are yet to be finalised, and will be reported to Council in the near future.

6. Conclusion

This report has provided an update on review actions to improve process, management and outcomes of Council's community grants programs. While improvement strategies are being consulted on, officers seek endorsement of 2019/20 community grants funding for agencies delivering key social and cultural programs and activities. Amended guidelines for the management of Council's small grants program have also been presented for adoption.

7. Attachments

1. Community Grants 2019/20 [↓](#)
2. Summary of changes to Small Grants Guidelines [↓](#)
3. Small Grants - Community and Cultural Grants Guidelines [↓](#)
4. Small Grants - Environmental Grants Guidelines [↓](#)
5. Small Grants - Creative Streets Grants Guidelines [↓](#) .

Community Grants Program: List of Grants Proposed for 2019/20

Grants proposed for 2019/20 under Council's community grants program will ensure the delivery of a range of services to the local community that meet outcomes described in Council's plans and support identified needs groups in Waverley. Funding also supports community based cultural organisations delivering participatory cultural activities. Amounts proposed are based on grants allocated in 2018/19 with CPI added for 2019/20.

Organisation	Programs and Activities Supported	2018-19	2019-20
Australian Kiteflyers Society	The Australian Kiteflyers Society has about 30 members and relies on volunteer participation. Council's grant enables the Society to bring skilled kite flyers, designers and makers to showcase their works in the Festival of the Winds, held annually on the second Sunday in September. The Society reports that 40 professional kite flyers participated in the 2018 Festival, and estimates that 100,000 people attended to watch the kites and join in kite related activities, many designed to engage children.	\$15,360	\$15,744
Waverley Bondi Beach Band	The Waverley Bondi Beach Band aims to provide a lifelong performance opportunity for players from school to mature aged, conducts the Australian School Band and Orchestra Festival, and performs at a number of significant local events including Carols by the Sea, and Anzac Day memorial services. The Band relies on volunteers, and Council's grant enables the group to fund its regular rehearsals.	\$4,428	\$4,539
Waverley Randwick Philharmonic Society	The Waverley Randwick Philharmonic Society aims to provide performance opportunities to classical musicians of all ages, and performance experience to young, 'up and coming' conductors and soloists. The Society reports that in 2018/19, 50 members contributed to 6 performances with a total attendance of more than 300. The Society relies on volunteers, and Council's grant enables the group to fund its regular rehearsals.	\$4,285	\$4,392
WAYS Youth and Family Services	WAYS is a regional provider of 'wrap around' youth services including WAYS Secondary High School for young people who have disengaged from school, Bondi Drop in Youth Space providing recreational activities and after school care, and WAYS Wellness Centre providing health and counselling services, training, and a housing referral service.	\$77,836	\$79,782

Organisation	Programs and Activities Supported	2018-19	2019-20
	Council's grant contributes to service coordination, and the operation of the Youth Space. WAYS reports that around 2,000 Waverley residents receive its newsletter, and in 2018/19, WAYS provided service of some kind to many hundreds of young people. Under Council's Community Tenancy Policy, WAYS also receives Council subsidies to support its operation from Council owned facilities at 63 Wairoa Avenue North Bondi, and Tiffany Plaza Bondi Junction.		
Beaches Outreach Program (BOP)	<p>The Beaches Outreach Program (BOP) delivers outreach services on Friday nights across Eastern suburbs beaches and open spaces, providing intervention and support to vulnerable young people who may be affected by alcohol or drugs, and ensuring they get home safely.</p> <p>Council's grant part funds the employment of BOP outreach workers who undertake the night time patrols. BOP reports making contact with 150 young people on each patrol in 2018/19, and providing service to 55 on average per patrol, with 28% identified as Waverley residents.</p>	\$51,588	\$52,878
Bondi Beach Cottage (BBC)	<p>Bondi Beach Cottage provides support for women who are victims of domestic violence, and a mix of occasional child care and family support services including counselling, case work and case coordination. BBC also runs support groups targeting post natal depression, relationships, and parenting.</p> <p>Council's grant helps to support the employment of a generalist counsellor. BBC reports that in 2018/19 this position supported 100 clients, 70% of whom were Waverley residents. Under Council's Community Tenancy Policy, BBC also receives a subsidy to support its operation from the Council owned facility at 42 Brighton Boulevard Bondi.</p>	\$8,431	\$8,642
Bondi Toy Library	<p>The Bondi Toy Library provides a toy lending service operating on a subscription basis. The service is open three mornings a week. Council's grant supports the employment of staff. The Toy Library reported membership of 120 in 2018/19, with Waverley residents making up 80% of members. Under Council's Community Tenancy Policy, the Toy Library also receives a subsidy to support its operation from the Council owned facility at the corner of Wairoa Ave and Brighton Boulevard North Bondi.</p> <p>In the coming year, Council officers will initiate discussion with the service about options for extending its reach, including collaboration and partnerships.</p>	\$22,141	\$22,695

Organisation	Programs and Activities Supported	2018-19	2019-20
Bondi Beach Playgroups	Bondi Beach Playgroups delivers playgroup activities at Wairoa Avenue, Francis Street (Thomas Hogan Reserve) and Kimberley Reserve, relying on the work of volunteers. Council's grant helps the group to maintain and update play facilities and equipment. Informal play activities and social interactions for parents and carers provide invaluable support in the early years. A small increase in funding is recommended for the 2019/20 year. Under Council's Community Tenancy Policy, the Playgroups also receive a subsidy to support their operation from the Council owned facility at the corner of Wairoa Ave and Brighton Boulevard North Bondi.	\$957	\$2,000
Eastern Area Tenants Service Inc (EATS)	EATS provides a tenancy advice and support service, including web based information on tenants' rights and obligations, participates in Council's Homeless Coalition, supports the DV roster at Waverley Court, and provides representation for tenants at the NCAT tribunal. Council's grant supports the development of resources targeting local need, including web based resources, outreach and information seminars. EATS reports providing assistance to 740 Waverley residents in 2018/19, with the vast majority seeking information on their rights in private rental. Under Council's Community Tenancy Policy, EATS also receives a rental subsidy to support its operation from the Council owned facility at 74 Newland Street Bondi Junction.	\$18,723	\$19,191
Junction Neighbourhood Centre Inc (JNC)	Waverley's local neighbourhood centre, Echo, amalgamated with the Junction Neighbourhood Centre in 2012. JNC operates a 'drop in' Centre in Bondi Junction and provides programs and services to a range of identified needs groups including people who are socially isolated, older people and people with disabilities. Programs offered include an 'assisted form filling service', one-on-one help with digital technology such as phones, a community gardening group, English conversation groups, and various craft groups. Council's grant supports the employment of a coordinator at the Bondi Junction Centre. JNC reports that the centre provided support for 224 people over the course of 2018/19, with 80% being Waverley residents. JNC also receives a rental subsidy to support its operation from the Council owned facility at 59 Newland Street Bondi Junction.	\$19,793	\$20,288

Organisation	Programs and Activities Supported	2018-19	2019-20
Randwick Waverley Community Transport Inc. (RWCT)	RWCT is a regional community transport provider, operating out of the Mill Hill Centre in Bondi Junction. Council's grant pays for drivers who support weekly programs and a monthly social outing for frail older participants at the Waverley Community and Seniors Centre, with an average of 6 people transported on each of 576 round trips reported for 2018/19. RWCT also receives a rental subsidy to support its operation from the Mill Hill Centre, and is allocated space to park fleet vehicles in the Office Works car park.	\$19,085	\$19,562
Wayside Chapel (Norman Andrews House)	Through Norman Andrews House, the Wayside Chapel delivers 'drop in' services to rough sleepers, and other disadvantaged people in Waverley, including medical, legal, counselling, referral and case coordination services, showering and washing facilities, training and social activities. Council's grant supports the employment of the Coordinator for Norman Andrews House. Wayside reports that an average of 40 visitors attended the Centre each day in 2018/19, with 80% identified as Waverley residents. Wayside contributes to Council's Homeless Coalition and works in partnership with a wide range of agencies to support people who are homeless.	\$39,666	\$40,658
Holdsworth Community	Holdsworth Community, Woollahra's local neighbourhood centre, absorbed the services of Junction House in 2014. Junction House received a Waverley Council grant of around \$40,000 to provide social services for people with intellectual disabilities. With Council endorsement, the full grant was transferred to Holdsworth for a period of three years. Expectations of amalgamation delayed review of the arrangement until 2018. In the 2018 review, Holdsworth advised that all of the clients associated with Junction House had moved on to other, more age appropriate, services. As an alternative for 2018/19, officers accepted Holdsworth's proposal to trial the HomeShare model in Waverley. HomeShare is a fee based scheme that aims to match an older home owner with a younger person who is willing to provide companionship, and undertake some household tasks, in exchange for affordable accommodation. The first phase of the trial was completed in May 2019. The second is underway, and completion and acquittal of the 2018/19 grant is expected by December 2019. Officers will provide a report to Council on the outcomes of the trial following its acquittal.	\$40,295	Up to \$21,302

Organisation	Programs and Activities Supported	2018-19	2019-20
	Officers recommend that Council endorses a grant of up to \$21,302 for 2019/20, providing that the trial is completed successfully and indicates the viability of the HomeShare model in the Waverley LGA. This is the equivalent of 2018/19 funding covering the six month period that will remain in this financial year, after completion of the trial, from December 19 until June 20.		
EOI	Officers recommend that an EOI for \$20,000 is undertaken with the goal of promoting partnerships and collaborative arrangements between Waverley's community services to strengthen the sustainability of the service network.		\$20,000

Summary Table: Substantive Changes to Guidelines Proposed

July 2019

Current	Proposed	Reason
Small Grants – Community & Cultural		
Funding available Individuals and organisations meeting the program criteria can apply for one grant per round, up to the value of \$3,000 . Grants over this amount may be made in special circumstances.	Funding available Individuals and groups meeting the program criteria can apply for one grant per round, up to the value of \$5,000 . Grants over this amount may be made at Council's discretion. Applicants are encouraged to contribute to their proposed project through cash or 'in-kind' contributions. Grant funding may be repeated to help new initiatives get off the ground, or where a small contribution makes a significant difference to an organisation's capacity to deliver a valued program, provided that the acquittal submitted after each round demonstrates the value of a further contribution.	Increases the maximum grant amount from \$3,000 to \$5,000. The amount has not been reviewed for many years. It is beneficial that grantees have sufficient grant funds to achieve positive outcomes with their projects. Other changes provide Council with discretion and, encourage grant applicants to advise what contribution they are making to their project. Allows repeat funding for certain types of projects and places some additional requirements on repeat applicants.
Who can apply Individuals and community groups are eligible to apply.	Who is eligible to apply Individuals, community groups and services, and sole traders and small business engaged in the creative industries are eligible to apply.	Clarifies relationship of small grants with business applicants, and enables Council to provide small grant support to artists and small businesses (such as theatre companies) to promote cultural participation, and strengthen cultural practice in Waverley.
Grants are not available for Projects that duplicate existing services or programs	Grants are not available for Projects that duplicate existing services or programs, or 'top up' funding for programs funded by other agencies General donations to charities Projects that directly contravene Council policies	This prevents agencies applying for funding for 'projects' that top up (provide more of) core service provision funded by another agency (eg State or Federal Government) This advises that Council will not consider donations as part of the small grants program

Current	Proposed	Reason
<p>Selection Criteria</p> <p>Project Proposals must:</p> <p>Include a clear and concise description of the project proposed</p> <p>Provide an identifiable cultural, social or recreational benefit to the Waverley community, or an identified target group within the community, that aligns with the strategies in the Waverley Community Strategic Plan</p> <p>Ensure that the proposal accords with social justice principles of equity, access, rights and participation for everyone in the community</p> <p>Provide a clear description of the project's goals and a plan for implementation that is consistent with the goals, and is achievable within a 12 month time frame</p> <p>Demonstrate that the proposal provides value for money</p> <p>Have a limited time frame or a plan for financial sustainability beyond the term of the grant.</p>	<p><i>Criteria at left remain as minimum requirements. The following assessment criteria have been added.</i></p> <p>Assessment Criteria</p> <p>Does the proposed project represent an appropriate use of local government resources</p> <p>What is the relative merit of the project proposed, and what is the nature and extent of the community benefit it will provide</p> <p>Does the application provide evidence that the applicant has access to all of the resources required to implement the project successfully, including for example project partners, project venue, skills and expertise, other funds if required</p> <p>Does support for the project generate any identifiable risks or ongoing liabilities to Council, and are there plans in place for mitigation.</p>	<p>Documents considerations used in assessment of applications, increasing openness and transparency</p>
<p>Application Process</p>	<p>Application Process – Proposed use of Council Venues</p> <p>Applicants planning to use a Council venue for their project must liaise with the relevant venue prior to completing their small grant application to ensure the suitability and availability of the venue.</p> <p>Applicants must include the cost of venue hire fees in the total project budget supplied with their small grant application, even if the grant will not be used to cover those costs. Incorporated not-for-profit organisations are eligible for reduced rate venue</p>	<p>Included to ensure that applicants consider the full cost of their proposal when planning to use a Council venue to implement their project.</p>

Current	Proposed	Reason
	hire fees. Standard rates apply to individuals, unincorporated community groups and for-profit applicants.	
Small Grants – Environmental		
Available Funding Organisations meeting the program criteria can apply for one grant per round, up to the value of \$3,000 .	Funding available Organisations meeting the program criteria can apply for one grant per round, up to the value of \$5,000 .	Increases the maximum grant amount from \$3,000 to \$5,000. The amount has not been reviewed for many years. It is beneficial that grantees have sufficient grant funds to achieve positive outcomes with their projects.
Eligibility Local micro-businesses applying for grants must be based within the boundaries of the Waverley LGA, have a maximum of 5 employees , not be part of a bigger chain of businesses and not be dependent on external funding for their operations.	Who is eligible to apply Micro-businesses based within the Waverley LGA, with not more than 5 full time equivalent employees and independent of a larger chain or external funding that supports their operation Incorporated community groups	This clause is intended to distinguish very small from larger businesses. Many very small businesses are operated using part time and casual staff. This change would enable a very small business to apply for a grant even though they have more than 5 employees on their books, if those employees are part time or casual workers. This would enable incorporated community organisations to apply. Over the past several years Council has established strong working relationships with a number of local community groups made up of volunteers actively working to improve Waverley's environment. The opportunity to apply for a Small Grant would enhance the contribution that these groups can make.
Application Process	Application Process – Proposed use of Council Venues Applicants planning to use a Council venue for their project must liaise with the relevant venue prior to	Included to ensure that applicants consider the full cost of their proposal when planning to use a

Current	Proposed	Reason
	<p>completing their small grant application to ensure the suitability and availability of the venue.</p> <p>Applicants must include the cost of venue hire fees in the total project budget supplied with their small grant application, even if the grant will not be used to cover those costs. Incorporated not-for-profit organisations are eligible for reduced rate venue hire fees. Standard rates apply to individuals, unincorporated community groups and for-profit applicants.</p>	Council venue to implement their project.
Small Grants – Creative Streets		
<p>Goals</p> <p>Waverley Council offers small grants to support community initiatives that aim to improve Waverley's streetscapes. Projects must make a positive contribution to public space, and align with the goals in the Waverley Community Strategic Plan. The Program is based on the Tactical Urbanism approach to place-making. This approach encourages 'short term action for long term change'. Small changes can have a big impact on our streets and communities.</p>	<p>Waverley Council offers one small grant a year to support a community initiative that improves a Waverley streetscape. The project must make a positive contribution to a public space in line with Waverley's Community Strategic Plan, utilising Waverley's Urban Intervention Framework. The Urban Intervention Framework encourages 'short term action for long term change'. It recognises that small changes can have a big impact on our streets and communities.</p>	The program's goals now reference Council's endorsed Urban Interventions Framework.
<p>Available Funding</p> <p>Individuals and organisations meeting the program criteria can apply for one grant per round, up to the value of \$3,000.</p>	<p>Funding available</p> <p>Individuals and organisations meeting the program criteria can apply for one grant per round, up to the value of \$5,000.</p>	Increases the maximum grant amount from \$3,000 to \$5,000. The amount has not been reviewed for many years. It is beneficial that grantees have sufficient grant funds to achieve positive outcomes with their projects.

Current	Proposed	Reason
<p>Selection Criteria</p> <p>Project Proposals must:</p> <p>Include a clear and concise description of the project proposed</p> <p>Provide an explanation of how the proposed project is expected to improve the streetscape</p> <p>Provide information about the ownership of the property that the proposal involves. Applications that include written evidence of consent of the property owner will be considered favourably</p> <p>Provide a clear description of the project's goals and a plan for implementation that is consistent with the goals, and is achievable within the budget and a 12 month time frame</p> <p>Demonstrate that the proposal provides value for money</p> <p>Have limited time frame, or a plan for sustainability beyond the term of the grant</p> <p>Ensure that the proposal accords with social justice principles of equity, access, rights and participation for everyone in the community.</p>	<p><i>Criteria at left remain as minimum requirements. The following assessment criteria have been added.</i></p> <p>Assessment Criteria</p> <p>Does the proposed project represent an appropriate use of local government resources</p> <p>What is the relative significance of the streetscape improvement proposed, and what is the nature and extent of the community benefit it will provide</p> <p>Does the application provide evidence that the applicant has access to all of the resources required to implement the project successfully, including for example approvals, project partners, project venue, skills and expertise, other funds if required</p> <p>Does support for the project generate any identifiable risks or ongoing liabilities to Council, and are there plans in place for mitigation.</p>	<p>Documents considerations used in assessment of applications, increasing openness and transparency.</p>

Small Grants – Community and Cultural Grants Guidelines

Goals

Waverley Council offers small grants to support community initiatives in the delivery of social, cultural and recreational benefits to Waverley's community. We encourage innovative project proposals that align with Waverley's Community Strategic Plan. The plan drives the delivery of projects and programs to address identified needs and aspirations in the community underpinned by the social justice principles of equity, access, rights, and participation for all.

The goals in the Waverley Community Strategic Plan 2018-29 include:

- Facilitate opportunities that recognise Waverley's unique place in the Australian contemporary cultural landscape
- Preserve and interpret the unique cultural heritage of Waverley.
- Create a resilient, caring and cohesive community.
- Nurture a safe, healthy and well-connected community that embraces challenges and has the resilience to adapt to change.
- Strengthen people's inclusion in community life, promote diversity and celebrate Aboriginal and Torres Strait Islander culture past, present and future.
- Improve health and quality of life through a range of recreational opportunities.

Grants play an important role in stimulating community development initiatives and facilitating community engagement with the development of programs, services, and activities. Grants provision works from the ground up to enable the community to take the lead on addressing issues and creating outcomes that are important to them.

Funding available

Grants are made available in two rounds a year, with closing dates usually scheduled in April and September. Individuals and groups meeting the program criteria can apply for one grant per round, up to the value of \$5,000. Grants over this amount may be made at Council's discretion. Applicants are encouraged to contribute towards their proposed project through cash and/or in-kind contributions.

Grant funding may be repeated to help new initiatives get off the ground, or where a small contribution makes a significant difference to an organisation's capacity to deliver a valued program, provided that the acquittal submitted after each round demonstrates the value of a further contribution.

Who is eligible to apply

Individuals, community groups and services are eligible to apply, and sole traders and small business engaged in the creative industries.

Exclusions

- Applicants that have not acquitted previous grants, or who have outstanding debts of any kind to Waverley Council.
- Political parties.

Project proposals must:

- Include a clear and concise description of the project proposed.
- Provide an identifiable cultural, social or recreational benefit to the Waverley Community, or an identified target group within the community, that aligns with the strategies in the Waverley Community Strategic Plan.
- Ensure that the proposal accords with social justice principles of equity, access, rights, and participation for everyone in the community.
- Provide a clear description of the project's goals and a plan for implementation that is consistent with the goals, and is achievable within the budget and a 12-month time frame.
- Demonstrate that the proposal provides value for money.
- Have a limited time frame, or a plan for financial sustainability beyond the term of the grant.

New ideas or creations, unique solutions and innovation are welcomed.

Grants are not available for:

- Projects that are already completed or will be completed prior to Council approval.
- Projects or programs that will rely on recurrent funding from Council.
- Projects that duplicate existing services or programs, or 'top up' funding for programs funded by other agencies.
- General donations to charities.
- Projects that directly contravene Council policies.

Assessment criteria

- Does the proposed project represent an appropriate use of local government resources?
- What is the relative merit of the project proposed, and what is the nature and extent of the community benefit it will provide?
- Does the application provide evidence that the applicant has access to all of the resources required to implement the project successfully, including for example project partners, project venue, skills and expertise, other funds if required?
- Does support for the project generate any identifiable risks or ongoing liabilities to Council, and are there plans in place for mitigation?

General terms and conditions

The approval of a small grant indicates that Council is willing to provide support for the project in the form of the endorsed grant amount.

It does not imply that Council is entering into a partnership with the grantee, or that Council has granted any other approvals that may be required to implement the project. It is the responsibility of the grantee to obtain the relevant approvals, whether they be from Council or other agencies.

Responsibilities of grant recipients

Submission of an application requires acceptance of the following conditions:

- Use the funding for the purpose stated in the application within 12 months or make an application for a variation and/or extension.
- Accept Council's general terms and conditions, and any special conditions that may be specified in your letter of offer.

- Appropriately acknowledge Council support in promotional material and other information relating to the project.
- Submit Council's acquittal form and provide a short evaluation report immediately following project completion, including:
 - A financial statement with evidence of expenditure.
 - A brief project summary, and a photo that Council may use to promote awareness of community achievements under the Small Grants Program.

Application process

Applicants must complete and submit the Small Grants Community and Cultural application form by the advertised deadline. Applications received after the closing date will be assessed in the next round.

Please ensure that your application provides the detail required for assessment of your proposal against the criteria. This includes detail about what you plan to do, who will be involved in the delivery of the project and who will benefit from it, when and where you plan to do it, how the proposal has value for the community and how the grant funding will help you to deliver it.

Each application must include information about the applicant, including contact details for a nominated person, and if the application is made on behalf of an organisation, information about the nature of the organisation.

Proposed use of Council venues

Applicants planning to use a Council venue for their project must liaise with the relevant venue prior to completing their small grant application to ensure the suitability and availability of the venue. Applicants must include the cost of venue hire fees in the total project budget supplied with their small grant application, even if the grant will not be used to cover those costs. Incorporated not-for-profit organisations are eligible for reduced rate venue hire fees. Standard rates apply to individuals, unincorporated community groups and for-profit applicants.

Some activities, such as the use of the bar at the Bondi Pavilion, attract costs such as the hire of security to ensure event safety. Other costs that may be incurred include equipment hire, cleaning, and security bonds. These costs must be factored into your project budget to ensure that your proposal is financially viable.

Contacts for Venue Hire

Phone: 9083 8300

https://www.waverley.nsw.gov.au/business/venue_hire

Assessment process

Council officers will assess project proposals against the selection criteria. A report with recommendations for funding will be submitted to Council for consideration and approval. The report will include summary information about applicants and their project proposals, and officers' recommendations. After Council has made a decision, an officer will contact applicants about the outcome of their application. The assessment and approval process takes about eight weeks from the closing date for each round.

Application closing dates and submission

You may submit an application at any time, but applications are assessed twice a year around April and September. The closing date for the next round of assessment is provided on the Small Grants/Cultural and Community web page.

You can submit your application:
By email
smallgrants@waverley.nsw.gov.au

By post/in person to
Julie Jenkinson
Mill Hill Community Centre
31-33 Spring Street
Bondi Junction NSW 2022

Small Grants – Environmental Grants Guidelines

Goals

Waverley Council offers grants to support environmental improvement projects and initiatives in the Waverley Local Government Area that align with Council's Community Strategic Plan and Environmental Action Plan. These guide the delivery of Council's projects and programs to achieve our environmental targets. Council's targets focus on reducing greenhouse gas emissions, increasing sustainable transport, waste reduction and reuse, water quality and use, and biodiversity.

For more information, please visit www.waverley.nsw.gov.au/environment

The objectives of the Environmental Grants are to:

1. Encourage schools, child care centres, incorporated community groups, and local micro-businesses to identify and implement projects that work towards building a sustainable local community and environment.
2. Encourage and support projects that assist Waverley Council to reach its EAP targets.
3. Help participants to develop skills and knowledge that equips them to play an active and ongoing role in protecting and improving the environment.

Funding available

Grants are made available in two rounds a year, with closing dates usually scheduled in April and September. Organisations meeting the program criteria can apply for one grant per round, up to the value of \$5,000. Applicants are encouraged to contribute towards their proposed project through cash and/or in-kind contributions. In each round, preference will be given to applicants that have not already received a grant within the current financial year.

Who is eligible to apply

1. Public and independent schools and childcare centres based within the boundaries of the Waverley local government area.
2. Parent and Citizen Committees (P&C), Management Committees of Out-of-School Hours (OOSH) and Out-of-School Care (OOSC) organisations that are incorporated and have endorsement by the school
3. Other incorporated community groups.
4. Micro-businesses based within the Waverley LGA, with no more than five full time equivalent employees, that are independent of a larger chain or external funding that supports their operation.

Exclusions

1. Applicants that have not acquitted previous grants, or who have outstanding debts of any kind to Waverley Council.
2. Political parties.
3. Government organisations except schools.

Funding priorities

Environmental Grants are available to fund 'on the ground' projects with real measurable outcomes. Projects must have a positive and desirable effect on the environment, and meet one or more of the following priorities:

Waste

- Reduce waste generation.
- Encourage waste diversion through recycling, composting, worm farming, reusing etc.
- Reduce illegal dumping.
- Reduce littering.

Water

- Reduce mains water consumption (e.g. Water tanks, dual flush toilets, etc.).
- Reduce water pollution in Waverley's waterways (e.g. litter reduction projects).

Greenhouse gas emissions

- Reduce car use and/or increase travel by public transport, walking, cycling or the use of non-motorised vehicles.
- Reduce electricity use (e.g. lighting upgrades, solar panels, etc.).
- Reduce gas use.

Biodiversity

- Contribute to the protection of native species and ecological communities (e.g. bush regeneration, education).
- Enhance habitat connectivity and improve weed management (e.g. native gardens).
- Increase awareness of Intertidal Protected Areas and Bronte to Coogee Aquatic Reserve.

Grants are not available for

- Projects that are already completed or will be completed prior to Council approval.
- Projects or programs that will rely on recurrent funding from Council.
- Projects that duplicate existing services or programs.
- Projects that directly contravene Council policies.
- Research and development projects.

Assessment Criteria

The following assessment criteria will be applied to project proposals:

1. The project has clear, achievable and measurable goals.
2. How well the project contributes to achieving at least one of Council's environmental targets as specified in our EAP. See:
http://www.waverley.nsw.gov.au/council/plans_policies_and_reports/environmental_action_plan
3. The project will deliver clear benefits and improvement to the environment.
4. How well the project encourages further action aimed at protecting and enhancing the environment (education and behaviour change).
5. Wider community reach and benefits.
6. Longevity – sustainable over the long term (i.e. can be maintained after the funding ceases).
7. The project has the capacity to be implemented by, or used as a demonstration model or case study for, other organisations in the community.

Weightings

The criteria will have the following weightings in assessment:

- Project's demonstrated potential to deliver at least one EAP target (30%).
- Project's potential to deliver tangible environmental benefits (20%).
- Project's capacity to encourage further action aimed at protecting and enhancing the environment (education AND behaviour change) (20%).
- Long-term project sustainability including applicant's ability to support and maintain the project (in kind contribution, volunteer hours and sponsorships) (20%).
- Project's potential to benefit the broader community (10%).

General terms and conditions

The approval of a small grant indicates that Council is willing to provide support for the project in the form of the endorsed grant amount.

It does not imply that Council is entering into a partnership with the grantee, or that Council has granted any other approvals that may be required to implement the project. It is the responsibility of the grantee to obtain the relevant approvals, whether they be from Council or other agencies.

Responsibilities of grant recipients

Submission of an application requires acceptance of the following conditions:

- Use the funding for the purpose stated in the application within 12 months, or make an application for a variation and/or extension.
- Accept Council's general terms and conditions, and any special conditions that may be specified in your letter of offer.
- Provide evidence of expenditure of funds including copies of all receipts in a final report after 12 months.
- Provide an evaluation of the project, outlining what has been achieved in a final report after 12 months
- Return any unspent funds exceeding \$100 to Council.
- Appropriately acknowledge Council support in all promotional material and information that relates to the grants-funded project.
- Adhere to the principles of access and inclusion at all times.
- Provide Council access to information for any media or promotional purposes e.g. online case study
- Provide photos to be used for media and promotional purposes.

Application process

Applicants must complete and submit the Small Grants - Environmental Grant application form.

Please ensure you provide sufficient information about your proposed project or initiative to enable assessment against the criteria. This includes details about what you plan to do, who will be involved in the delivery of the project and who will benefit from it, when you plan to do it, where the project will be implemented, why the proposal is important and how the grant funding will assist you. The more detail you can provide, the better understanding the assessors will have of what you hope to do with the grant.

Each application must include information about the applicant, including contact details for a nominated person, and if the application is made on behalf of an organisation, information about the nature of the organisation.

Proposed use of Council venues

Applicants planning to use a Council venue for their project must liaise with the relevant venue prior to completing their small grant application to ensure the suitability and availability of the venue. Applicants

must include the cost of venue hire fees in the total project budget supplied with their small grant application, even if the grant will not be used to cover those costs. Incorporated not-for-profit organisations are eligible for reduced rate venue hire fees. Standard rates apply to individuals, unincorporated community groups and for-profit applicants.

Some activities, such as the use of the bar at the Bondi Pavilion, attract costs such as the hire of security to ensure event safety. Other costs that may be incurred include equipment hire, cleaning and security bonds. These costs must be factored into your project plan to ensure its financial viability.

Contacts for Venue Hire

Phone: 9083 8300

https://www.waverley.nsw.gov.au/business/venue_hire

Assessment process

Council officers will assess project proposals against the selection criteria. A report with recommendations for funding will be submitted to Council for consideration and approval. The report will include summary information about applicants and their project proposals, and officers' recommendations. After Council has made a decision, an officer will contact applicants about the outcome of their application. The assessment and approval process takes about eight weeks from the closing date for each round.

Application closing dates and submission

You may submit an application at any time, but applications are assessed twice a year around April and September. The closing date for the next round of assessment is provided on the Small Grants/Environmental web page.

You can submit your application:

By email

smallgrants@waverley.nsw.gov.au

By post/in person to

Julie Jenkinson

Mill Hill Community Centre

31-33 Spring Street

Bondi Junction NSW 2022

For further information about the Environmental Grants, please contact:

Sustainability Engagement Officer

Waverley Council

P: 02 9083 8049

E: environment@waverley.nsw.gov.au

Small Grants – Creative Streets Grants Guidelines

Goals

Waverley Council offers one small grant a year to support a community initiative that improves a Waverley streetscape. The Project must make a positive contribution to a public space in line with Waverley's Community Strategic Plan, utilising Waverley's Urban Intervention Framework. The Urban Intervention Framework encourages 'short term action for long term change'. It recognises that small changes can have a big impact on our streets and communities.

The goals in Waverley's Community Strategic Plan, include:

- Preserve and interpret the unique cultural heritage of Waverley.
- Nurture a safe, well-connected community that embraces challenges and has the resilience to adapt to change.
- Improve health and quality of life through a range of recreational opportunities.
- Build and maintain streetscapes that have a welcoming sense of place.

The objectives of Urban Interventions are to:

- Inspire action to deliver respected and valued spaces.
- Raise awareness of our environment.
- Encourage participation and engagement.
- Promote understanding of the local area.
- Build networks and partnerships.
- Gather data on our spaces and how they are used.
- Test ideas for improvements.

For more information please visit:

https://www.waverley.nsw.gov.au/council/plans_policies_and_reports/community_strategic_plan

Funding available

A grant of up to \$5,000 is made available once a year, with the closing date for applications usually scheduled in April. Grants over this amount may be made at Council's discretion. Applicants are encouraged to contribute towards their proposed project through cash and/or in-kind contributions.

Who is eligible to apply

Individuals, community groups and services, precinct groups, schools and local businesses are eligible to apply. The project has to be carried out in Waverley's streets.

Exclusions

- Applicants that have not acquitted previous grants, or who have outstanding debts of any kind to Waverley Council.
- Political parties.

Project proposals must:

- Include a clear and concise description of the project proposed.

- Provide an explanation of how the proposed project is expected to improve the streetscape, and provide community benefit.
- Provide information about the ownership of the property that the proposal involves. Applications that include written evidence of consent of the property owner will be considered favourably.
- Provide a clear description of the project's goals and a plan for implementation that is consistent with the goals, and is achievable within the budget and a 12-month time frame.
- Demonstrate that the proposal provides value for money.
- Have a limited time frame, or a plan for sustainability beyond the term of the grant.
- Ensure that the proposal accords with social justice principles of equity, access, rights, and participation for everyone in the community.

New ideas or creations, unique solutions and innovation are welcomed. Where a project proposal relates to land or property belonging to another party, the applicant will be directed to obtain relevant approvals from that party before a grant will be released.

Grants are not available for:

- Projects that are already completed or will be completed prior to Council approval.
- Projects or programs that will rely on recurrent funding from Council.
- Projects that duplicate existing activities, or 'top up' funding for programs funded by other agencies
- General donations to charities.
- Projects that directly contravene Council policies.

Assessment criteria

- Does the proposed project represent an appropriate use of local government resources?
- What is the relative significance of the streetscape improvement proposed, and what is the nature and extent of the community benefit it will provide?
- Does the application provide evidence that the applicant has access to all of the resources required to implement the project successfully, including for example approvals, project partners, skills and expertise, other funds if required?
- Does support for the project generate any identifiable risks or ongoing liabilities to Council, and are there plans in place for mitigation?

General terms and conditions

The approval of a small grant indicates that Council is willing to provide support for the project in the form of the endorsed grant amount.

It does not imply that Council is entering into a partnership with the grantee, or that Council has granted any other approvals that may be required to implement the project. It is the responsibility of the grantee to obtain the relevant approvals, whether they be from Council or other agencies.

Responsibilities of grant recipients

Submission of an application requires acceptance of the following conditions:

- Use the funding for the purpose stated in the application within 12 months or make an application for a variation and/or extension.
- Accept Council's general terms and conditions, and any special conditions that may be specified in your letter of offer.
- Appropriately acknowledge Council support in promotional material and other information relating to the project (Council logo can be supplied on request).

- Submit Council's acquittal form and provide a short evaluation report immediately following project completion, including:
 - A financial statement with evidence of expenditure.
 - A brief project summary, and a photo that Council may use to promote awareness of community achievements under the Small Grants Program.

Application process

Applicants must complete and submit the Creative Streets application form by the advertised deadline. Applications received after the closing date will be assessed in the next round.

Please ensure that your application provides the detail required for assessment of your proposal against the criteria. This includes detail about what you plan to do, who will be involved in the delivery of the project and who will benefit from it, when and where you plan to do it, how the proposal has value for the community and how the grant funding will help you to deliver it.

Each application must include information about the applicant, including contact details for a nominated person, and if the application is made on behalf of an organisation, information about the nature of the organisation. Prospective applicants are encouraged to liaise with a Council officer during development of their project proposal. Please contact Francisco Mota, on 9083 8159 or francisco.mota@waverley.nsw.gov.au

Assessment process

Council officers will assess project proposals against the selection criteria. A report with recommendations for funding will be submitted to Council for consideration and approval. The report will include summary information about applicants and their project proposals, and officers' recommendations. After Council has made a decision, an officer will contact applicants about the outcome of their application. The assessment and approval process takes about eight weeks from the closing date for each round.

Application closing dates and submission

You may submit an application at any time, but applications are assessed once a year around April. The closing date for the next round of assessment is provided on the Small Grants/Creative Streets web page.

You can submit your application:
By email
smallgrants@waverley.nsw.gov.au

By post/in person to
Julie Jenkinson
Mill Hill Community Centre
31-33 Spring Street
Bondi Junction NSW 2022

REPORT
CM/7.11/19.07**Subject:** Venue Hire Grant Application - Friends of Bondi Pavilion**TRIM No:** SF19/2004**Author:** Andrew Best, Manager, Facilities**Director:** Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council, under section 356 of the *Local Government Act 1993* and the Venue Hire Grants Program 2019–20, grants \$5,653 in financial assistance to Friends of Bondi Pavilion for the use of multiple rooms at Bondi Pavilion to accommodate the Salty Arts Festival on 17 November 2019.

1. Executive Summary

Council introduced a Venue Hire Grants Program in April 2017. The program provides financial assistance to community/not-for-profit groups wishing to use Council's community venues. The provision of financial assistance enables groups to deliver their activities to the benefit of the local community.

An application has been received from Friends of Bondi Pavilion Incorporated requesting a grant to cover the full cost of hiring community venues at Bondi Pavilion to stage the Salty Arts Festival on 17 November 2019.

Officers have assessed the application against the assessment criteria, and recommend that Council grants \$5,653 in financial assistance to Friends of Bondi Pavilion to support the successful delivery of the event.

2. Introduction/Background

Council provides a range of community venues and meeting spaces that support a diverse range of community services and activities. The Venue Hire Grant Program aims to support not-for-profit groups that provide identifiable social, recreational and cultural benefits to the Waverley community.

A Venue Hire Grant application can be submitted at any time throughout the year, which allows Council to support one-off, ad hoc community events that use its venues, and to provide assistance to new regular hirer groups who intend to use the venues on an ongoing basis.

Friends of the Bondi Pavilion has applied for a grant to cover the full cost of hiring multiple rooms at the Bondi Pavilion for the Salty Arts Festival 2019.

At its meeting on 21 May 2019, Council provided three small grants to different groups to support the delivery of different cultural programming components of the Salty Arts Festival.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 21 May 2019	CM/7.8/19.05	That Council approves grants to the value of \$50,541 to individuals and organisations as set out in Table 1 of this

		report under its Small Grants Program 2018–19 (Round 2), with conditions where specified in Attachment 1 to this report.
Council 12 April 2017	CM/7.10/17.04	<p>That:</p> <ol style="list-style-type: none"> 1. Introduces a Venue Hire Grant Program under s 356 of the Local Government Act to provide financial assistance to community groups to support the cost of hiring Council's community venues, commencing 1 July 2017. 2. Under s 356 of the Local Government Act, provides the financial assistance as set out in Attachment 1 to this report to support those listed organisations with venue hire costs until 30 June 2017.

4. Discussion

Details of the application

The Salty Arts Festival will celebrate the past, present and ongoing social and cultural heritage of the Bondi Pavilion and Bondi more broadly.

The festival will engage with a wide range of community groups and individuals who have a history and connection with Bondi and the Pavilion including the Surfing and Swimming communities, migrant communities including the Maori, Jewish, Russian, Brazilian and other Latin American communities, the Indigenous community, the Artistic Community and anyone with a strongly held collective identity and sense of place that comes with a connection to the Pavilion itself.

The festival will comprise of a range of activities that celebrates the history and diversity of the Bondi Pavilion through the telling of community stories, presentation of memorabilia and archives, events celebrating achievements of individuals, cultural groups and current and future visions.

Assessment of the application

Council officers have assessed the grant application received against a set of qualifying criteria, which to provide consistency of approach has been closely aligned to the criteria used by Council's Small and Community Grants Programs. A summary of the application requirements is provided below:

- The evidence of financial hardship provided.
- Description of the community benefit the applicant expects the activity will provide, and its alignment with Council's Strategic Plan.
- Evidence that the activity will benefit Waverley residents.
- Evidence that the group is capable of carrying out the planned activity, e.g. relevant experience.
- Suitability of the proposed activity for, and in keeping with, the primary purpose of the venue requested.

The value of the hire of the combined spaces to be used for the festival is \$11,306 at the standard rate of hire. Through the application of the 50% discount available to not-for-profit groups in Council's Fees and Charges, the fee is reduced to \$5653. Friends of Bondi Pavilion has applied for a grant to cover the remaining cost.

After assessing the application against the eligibility and assessment criteria, officers recommend that Council approves financial assistance of \$5,653.

5. Financial impact statement/Timeframe/Consultation

The total value of the hire fees for the multiple venues to be used as part of the proposed event is \$5,653 at the not-for-profit rate.

If approved, the applicant will be notified of the outcome of their application. A venue hire agreement will be created with no venue hire fees payable. The group will be required to provide a refundable security bond for the event in line with Council procedure.

6. Conclusion

This report recommends that Council grants \$5,653 in financial assistance to Friends of Bondi Pavilion to support the delivery of the Salty Arts Festival on 17 November 2019.

7. Attachments

Nil.

CONFIDENTIAL REPORT
CM/7.12/19.07

Subject: Venue Hire Grant Application - Waverley Woollahra Art Centre

TRIM No: SF19/2004

Author: Andrew Best, Manager, Facilities

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council declines to provide financial assistance to the Waverley Woollahra Art Centre under the Venue Hire Grants Program 2019–20 for the use of community meeting rooms in the School of Arts building to host an art exhibition.

1. Executive Summary

Council introduced a Venue Hire Grants Program in April 2017. The program provides financial assistance to community/not-for-profit groups wishing to use Council's community venues. The provision of financial assistance enables groups to deliver their activities to the benefit of the local community.

Waverley Woollahra Art Centre Cooperative Ltd (WWAC) has submitted a venue hire grant application for the use of community meeting rooms at the School of Arts building for an end-of-year art exhibition.

Council officers have assessed the application against the Venue Hire Grant Program criteria, and do not feel that the application meets the requirement and, therefore, a grant award is not warranted for this application.

2. Introduction/Background

Council provides a range of community venues and meeting spaces that support a diverse range of community services and activities. The Venue Hire Grant Program aims to support not-for-profit groups that provide identifiable social, recreational and cultural benefits to the Waverley community

A Venue Hire Grant application can be submitted at any time throughout the year, which allows Council to support one-off, ad hoc community events that use its venues, and to provide assistance to new regular hirer groups who intend to use the venues on an ongoing basis.

WWAC has applied for a grant to cover the full cost of hiring community rooms in the School of Arts building to host an end-of-year art exhibition.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 12 April 2017	CM/7.10/17.04	That: <ol style="list-style-type: none"> Introduces a Venue Hire Grant Program under s 356 of the Local Government Act to provide financial assistance to community groups to support the cost of hiring Council's community venues, commencing 1 July 2017. Under s 356 of the Local Government Act, provides the financial assistance as set out in Attachment 1 to this report to support those listed organisations with venue hire costs until 30 June 2017.

4. Discussion

The WWAC operates from the School of Arts building located at 138 Bondi Road, Bondi. An arts school has operated from the building for over 40 years, and Council has a long record of supporting the activities of the centre through a variety of means.

Council has provided subsidised accommodation to the centre for its entire tenure of the building, and the centre was awarded a new five-year lease with a further five-year option at the February 2019 Council meeting. The lease provides the centre with an 80% rental subsidy through the application of Council's Community Tenancy Policy.

Council continues to support the centre in the funding and delivery of the annual Waverley Art Prize (WAP), which includes the provision of both financial support and staff resourcing. The WAP also generates significant revenue for the centre, with participation rates having increased significantly in recent years. In addition, Council has also provided a number of small grants to the centre in recent years towards the cost of delivering specific programs and projects.

Council further supports the centre through the promotion of the centre's school holiday program through its own marketing channels to help drive utilisation and participation in the program.

Details of the application

In its grant application, WWAC has requested financial assistance to cover the full cost of hiring the Community Hall and Room A in the School of Arts building as the venue for an end-of-year art exhibition to be held over four full days' hire from 11 to 15 December 2019.

The total value of the room hire fees for the period being requested is \$5,077.50 at the standard rate of hire. Through the application of the 50% discount available to not-for-profit groups in Council's Fees and Charges, the fee is reduced to \$2,538.75. WWAC has applied for a grant to cover the remaining cost.

The art exhibition is the annual end-of-year exhibition, and is open to all artists over 16 years of age to exhibit their works. The centre charges each entrant \$30 per artwork. Artworks can be purchased by the public who visit the exhibition, with WWAC taking a 30% commission on all sales. The 2018 exhibition saw 103 entries submitted, with purchase prices for the art ranging from \$90 to \$1,000.

Two individual judges select the successful entrants, and a \$1,000 prize is awarded to the winner and \$500 to the runner up. Prizes are donated by local business, community and arts supporters.

Assessment of the application

Council officers have assessed the grant application received against a set of qualifying criteria, which to provide consistency of approach has been closely aligned to the criteria used by the Waverley Council Small and Community Grants Programs. A summary of the application requirements is provided below:

- That evidence of financial hardship is provided.
- Description of the community benefit the applicant expects the activity will provide, and its alignment with Waverley Council's Strategic.
- Evidence that the activity will benefit Waverley residents.
- Evidence that the group is capable of carrying out the planned activity, e.g. relevant experience.
- Suitability of the proposed activity for, and in keeping with, the primary purpose of the venue requested.

The information provided by WWAC indicates that the exhibition generates significant funds and no evidence of financial hardship has been provided to support the application. Officers therefore do not recommend the awarding of a grant to the WWAC for the proposed activity.

It should be noted that the end-of-year exhibition has been an annual event staged by WWAC at the venue for a number of years. Council officers had not previously charged for the use of the space, as it was considered that the event was a joint collaboration with Council, and therefore funded by Council in the same way as the Waverley Art Prize, with no venue fees being payable. When this misunderstanding came to light, WWAC representatives were informed that they would be required to lodge a venue hire grant application for this year's event.

5. Financial impact statement/Timeframe/Consultation

The standard rate of hire for the proposed period of hire is \$5,077.50. Through the 50% discount available to not-for-profits in the Fees and Charges, this sum would be reduced to \$2,538.75, which is the amount of financial assistance WWAC is now seeking.

Officers will write to the applicant to advise them of the outcome of their application.

6. Conclusion

After assessing the venue hire Grant application received from the WWAC against the Council-endorsed assessment criteria, it is recommended that Council does not approve a grant on this occasion.

7. Attachments

Nil.

REPORT
CM/7.13/19.07

Subject: High Impact Events 2019-20

TRIM No: A17/0607

Author: Shaun Munro, Acting Manager, Outdoor and Flagship Events

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council:

1. Approves the following program of high impact events scheduled for the period 1 July 2019 to 30 June 2020:
 - (a) Bondi Winter Magic.
 - (b) City2Surf.
 - (c) Festival of the Winds.
 - (d) Sculpture by the Sea.
 - (e) Bondi to Bronte Swim.
 - (f) Carols by the Sea.
 - (g) Dudley Page New Year's Eve.
 - (h) Flickerfest.
 - (i) Open Air Cinema.
 - (j) Bowl-A-Rama.
 - (k) Latin American Festival.
 - (l) Ocean Lovers Festival.
 - (m) North Bondi RSL ANZAC Day Dawn Service Ceremony.
 - (n) Bondi Blitz.
 - (o) Global Table.
2. Notes that all scheduled high impact events outlined in Attachment 1 to this report are required to comply with Council's existing Events Policy and Event Management Guidelines.

3. Commences negotiations with the relevant event organisers regarding future contractual and/or procurement arrangements for the delivery of approved high impact events from 2019 onwards in accordance with the next steps outlined in Attachment 1 to this report.

1. Executive Summary

Council permits a number of high impact events to take place across the local government area. These events are designed to foster a welcoming and inclusive community and a creative environment which supports cultural activity and stimulates the local business economy.

The number of these types of events is limited to ensure compliance with the Council's Events Policy and Events Management Guidelines, to manage impact on resident amenity and balance community expectations and needs.

This report provides to Council the list of high impact events currently scheduled for the period 1 July 2019 to 30 June 2020. The schedule includes a number of annually held events and is a mix of Council managed, venue managed and co-produced events.

Council resolved in December 2017, that all new high impact events be submitted to Council for approval.

2. Introduction/Background

In June 2015, Council approved the current Events Policy and Events Management Guidelines which is used to assess and categorise the events held in the Waverley local government area.

The purpose of the Policy is to:

- Ensure all events were assessed using the same criteria and the required conditions applied.
- Remove any ambiguity as to what events were and were not covered by the policy.
- Consolidate and ratify the operational practices applied to high impact events.
- Formally endorse the Events Management Guidelines detailing the conditions required to be met by event organisers to ensure events are safe, accessible and sustainable and respectful to its location.

The Events Policy categorises high impact events as events that meet any of the following criteria:

- Involves more than 1,000 patrons.
- Finishes after 9.00 pm on any day.
- Infrastructure footprint exceeds 150 m².
- Includes liquor sale/supply for consumption.
- Involves amplified noise, music, entertainment or activities.
- Includes fencing, stage, audio/visual equipment, tiered seating.
- Requires road closures or otherwise impacts on the normal use of roads and/or requires special/additional public transport provisions.
- Involves fireworks/pyrotechnics.

Since this time, further process modifications have been implemented including:

- The introduction of a development application for use across Bondi Beach and Bondi Park for high impact temporary events.
- Improved management of the delivery of high impact events and of Council's Sustainable Events policies with interim guidelines in use pending adoption of a policy.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 17 July 2018	CM/7.9/18.07	<p>That Council:</p> <ol style="list-style-type: none"> Notes the program of high impact events scheduled for the period 1 July 2018 to 30 June 2019 and the current approval process, as set out in Attachment 1 to this report. Notes that all scheduled high impact events are required to comply with Council's existing Events Policy and Event Management Guidelines. Commences negotiations with the relevant event organisers regarding future contractual and/or procurement arrangements for the delivery of the following events from 2019 onwards in accordance with the next steps outlined in Attachment 1 to this report: <ol style="list-style-type: none"> City2Surf. Sculptures by the Sea. Bowl-A-Rama. Open Air Cinema, to be held within the Bondi Pavilion internal courtyard area. Flickerfest. Bondi Winter Magic. Latin American Festival. Consideration be given to making this festival a more wide-ranging, multicultural event. Notes that all contractual/procurement arrangements will be brought back to Council for final approval.
Council 20 March 2018	CM/7.3/18.03	<p>That Council:</p> <ol style="list-style-type: none"> Following the additional information provided by the organisers, Council enters into an Event Venue Hire Agreement with Avisso Public Relations to hold the Ocean Lovers Festival at Bondi Beach, Bondi Park and Bondi Pavilion over four days in April 2019, subject to the deletion of the bonfire element of the event. All First-Nation-related components of the festival to be the subject of further consultation between the Ocean Lovers event organiser and Aboriginal traditional owners. This resolution be communicated to the La Perouse Local Aboriginal Land Council and referred to the Eastern Region

		<p>Local Government Aboriginal and Torres Strait Islander Forum (ERLGATSIF).</p> <ol style="list-style-type: none"> 4. The event organiser makes a presentation to the Bondi Beach Precinct. 5. A further report come back to Council in four months on the progress of the event organiser's event management and delivery plan, and its processes to put in place cultural protocols and permissions based in Aboriginal sovereignty. 6. No events take place at Ben Buckler and Mackenzie's Point.
<p>Council 20 March 2018</p>	<p>CM/7.2/18.03</p>	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the review undertaken of high impact events between October 2015 and December 2017. 2. Notes the list of high impact events for 2018 that have been previously delivered or scheduled. 3. Approves the proposed changes to the event reporting process for all future events. 4. Notes a review of Council's Events Policy will be undertaken with a report submitted by September, and consideration be given to the following: <ol style="list-style-type: none"> (a) Minimising cumulative effects of events occurring concurrently and/or consecutively. (b) Establishing more stringent selection criteria to determine if events are consistent with Council's Community Strategy and place making vision (including cultural, climatic and natural considerations) for event locations that include iconic and sensitive beachside environments. (c) Improving the monitoring of events while underway for noise, waste management and other compliance issues. (d) Ensuring best practice outcomes for events in Waverley consistent with relevant laws and regulations. (e) Analysing the 117 complaints over the past three years generated by the Sculptures by the Sea event.
<p>Operations and Community Services Committee 6 March 2018</p>	<p>OC/5.3/18.03</p>	<p>That the item be deferred to the next Council meeting for an updated report that emphasises environmental issues and other issues raised by Councillors.</p>

Council 20 February 2018	CM/7.11/18.02	That Council grants up to \$17,000 in financial assistance, under section 356 of the Local Government Act 1993, to the Bondi Association for Arts and Music to help cover the costs of running the 2018 Latin American Festival.
Council 12 December 2017	CM/5.2/17.12	That: <ol style="list-style-type: none"> 1. Council officers review all high impact events delivered since the introduction of the Events Management Policy and Guidelines in 2015 in terms of compliance with the Policy and Guidelines, with a particular focus on waste, noise and traffic management. 2. Council receives a report on the Review including any recommendations for changes to and compliance with the current restrictions. 3. Council officers provide a quarterly report to the Strategic Planning Committee including: <ol style="list-style-type: none"> (a) Numbers of requests for events. (b) Number of events held in the previous quarter, including related issues and outcomes of events held. 4. All future proposed high impact events (as defined in the Events Management Policy) be submitted to Council for approval.

4. Discussion

Council officers co-ordinate an annual program of high impact events which are delivered in accordance with Council's Events Policy and Event Management Guidelines. This report seeks to improve Council's oversight of those events.

Attachment 1 to this report provides a list of the high impact events currently scheduled for 1 July 2019 to 30 June 2020.

The 1 July 2019 to 30 June 2020 program is made up of three types of events:

1. Council-managed events: these are events that are funded from Council's operational budgets annually and are solely produced by Council officers.
2. Venue-managed events: these are events where Event Producers enter into an agreement that provides them with access to specific areas of Council managed land for the staging of an event.
3. Co-produced events: events where Council partners with event producers to deliver events. Council may provide financial or in-kind support as its contribution to the delivery of these events.

A summary of each high impact event under the three categories is provided in Attachment 1. The table details the date/s and location of the events as well as information on the estimated audience and target demographic for each event.

Also included in the table are updates on the development of agreements, licenses or memorandums of understanding with relevant event producers, outlining the terms under which the events are managed and delivered, in accordance with Council's Events Policy and Event Management Guidelines.

Any event impacts arising from the Bondi Pavilion Restoration work that require consideration by Council for alternative event delivery arrangements will be outlined in future reports, as required.

5. Financial impact statement/Timeframe/Consultation

Financial impact statement

The 2019–20 budget includes revenue and expenditure estimates for all the annual events based on 2018–19 actuals.

Officers are currently working on a Sponsorship Policy to assist in providing clear guidelines for the processes of sourcing and accepting sponsorship and partnership opportunities in the future.

Timeframe

As per Council's resolution of 12 December 2017, future one-off high impact events will continue to be submitted to Council for approval and a quarterly report will be provided to Council.

Consultation

Council officers currently consult with and manage stakeholder meetings with numerous internal and external stakeholders to ensure the safe and legislatively compliant delivery of all events irrespective of whether they are Council managed, venue managed or co-produced. Externally, officers typically consult with local Police, Emergency Services, NSW Traffic Management Centre, Office of Liquor and Gaming, Building Code of Australia, NSW Food Authority and numerous other legislative bodies where required. Internally, officers work with almost all areas of Council but predominantly with Traffic, Planning, Waste, Facilities, Sustainability and Parks.

6. Conclusion

The schedule for high impact events to take place during the period 1 July 2019 to 30 June 2020 is a mix of Council-managed, venue-managed and co-produced events assessed in accordance with Council's Events Policy and Events Management Guidelines.

The schedule of high impact events for 2019-20 will all be managed in accordance with Council's Events Policy and Events Management Guidelines to ensure the delivery of high quality and safe events.

7. Attachments

1. High Impact Events 2019-20 [link](#) .

Attachment 1 – Waverley Council High Impact Events for 2019-20

Name	Date	Event Type	Description	Comments
Bondi Winter Magic	28 June - 28 July 2019	Co-Produced Event with Bondi and Districts Chamber of Commerce	<p>Bondi Winter Magic – a destination marketing program co-produced with the Bondi and District Chamber of Commerce (BDCC). The campaign features a number of events and activities to attract people to Bondi in the winter months to help attract business and stimulate the local economy.</p> <p>The destination marketing campaign started in 2010 as the Bondi Bohemia event. The event draws tens of thousands of visitors to Bondi to experience attractions such as the Bondi Ice Rink, Ferris Wheel and Bondi Feast.</p> <p>Estimated Audience: 60,000 + Target Demographic: Families – All ages</p>	<p>Current Status: Partnership between Council and the Bondi and Districts Chamber of Commerce.</p> <p>Next Steps: Letter of agreement with the Bondi and Districts Chamber of Commerce to be finalised. Consider alternative locations during Bondi Pavilion Heritage Restoration Project.</p>
Bondi Winter Magic Ice Rink	28 June - 21 July 2019	Venue Managed Event	<p>The Ice Rink is one of the major attractions for Bondi Winter Magic on Bondi Beach. The Ice Rink has become an integral part of the program and a real draw card for visitors and the local community.</p> <p>Estimated Audience: 20,000 (included in 60,000 above) Target Demographic: Families – All ages</p>	<p>Current Status: An EOI process for the event to deliver the event for three years from 2019-21 was conducted in 2019.</p> <p>Next Steps: Consider alternative locations during Bondi Pavilion Heritage Restoration Project.</p>
Bondi Winter Magic Ferris Wheel	28 June - 28 July 2019	Venue Managed Event	<p>The Ferris Wheel is one of the major attractions for Bondi Winter Magic on Bondi Beach. Whilst the Ferris Wheel is very popular it is in its third year in the Bondi Winter Magic program and alternative attractions may be sourced in future years.</p> <p>Estimated Audience: 20,000 (included in 60,000 above) Target Demographic: Families – All ages</p>	<p>Current Status: An EOI process for the event to deliver the event for three years from 2019-21 was conducted in 2019.</p> <p>Next Steps: Consider alternative locations during Bondi Pavilion Heritage Restoration Project.</p>

Name	Date	Event Type	Description	Comments
Bondi Winter Magic Bondi Feast	9 - 20 July 2019	Council Managed Event	<p>A fringe-style comedy, theatre and music festival held at Bondi Pavilion and produced internally by Council's Cultural Programs team. The festival runs over ten nights in July each year and takes place within the Bondi Pavilion main building.</p> <p>In 2019 the event again features a small outdoor circus tent in an internal courtyard, involves outdoor performance that finishes after 9pm, where alcohol is served and should be categorised as a High Impact Event. Event approved under the blanket DA for Bondi Beach DA-282/2015 use of Bondi Beach and Bondi Park for a variety of temporary events.</p> <p>Estimated Audience: 3,000 Target Demographic: 18-35 years of age</p>	Next Steps: Consider alternative locations during Bondi Pavilion Heritage Restoration Project.
City2Surf Fun Run	11 August 2019	Venue Managed Event	<p>City2Surf Fun Run incorporating Council Marquee program – This is a large annual fun run event, starting in the City and ending at Bondi Beach. 2019 will be the events' 49th year. The event has raised tens of millions of dollars for charity since its inception and is categorised by the Department of Premier and Cabinet as a Category B Hallmark event.</p> <p>Estimated Audience: 80,000 Target Demographic: All ages</p>	<p>Current Status: A new license agreement has been negotiated with the event producers for a further five years.</p> <p>Next Steps: Consider impacts of Bondi Pavilion Heritage Restoration Project.</p>
Council Marquee Program (City2Surf)	11 August 2019	Council Managed Event	<p>Alongside the principal event, Council runs a Marquee Program for organisations to provide post-run hospitality to staff, customers and patrons who have participated in the run. Originally established as a management plan to control drinking and anti-social behaviour after the event, the marquee program now provides a safe environment to control post-event functions and provides Council with revenue. In 2017, Council conducted a tender process that was granted to Exponet to provide the Marquees for the program for five years.</p> <p>Estimated Audience: 8,000 Target Demographic: All ages</p>	Current Status: This is program run by Council officers with the marquees subject to a five year tender with an end date of 2021.

Name	Date	Event Type	Description	Comments
Festival of the Winds	8 September 2019	Council Managed Event	<p>2019 is the 41st year of this much loved kite festival. The festival takes place annually on a Sunday in September and is co-produced by Council and the Australian Kite Flying Society. Festival of the Winds is a family-friendly event that can attract in excess of 80,000 people. It features kite flying demonstrations from local and international kite makers, a kite flying competition and an extensive entertainment program that includes multi-cultural music and dance, kite making workshops, a children's entertainment area, an art exhibition and food stalls. The event is held on Bondi Beach, Bondi Park and in the Bondi Pavilion.</p> <p>Estimated Audience: 80,000 Target Demographic: Families – All ages</p>	Next Steps: Consider impacts of Bondi Pavilion Heritage Restoration Project.
Sculpture by the Sea	24 October - 10 November 2019	Venue Managed Event	<p>The Sculpture by the Sea event is a sculpture exhibition that takes place over 18 days at the end of October to beginning of November each year. The event has been running since 1997 and is categorised by the Department of Premier and Cabinet as a Category B Hallmark event. Hallmark events are recognised for enhancing awareness, appeal and profitability of a destination at a particular time. Hallmark events typically have an international and/or national audience and provide significant economic and social benefits. Sculptures are installed in Marks Park and along the coastal walk from Bondi to Tamarama Beach.</p> <p>Estimated Audience: 520,000 Target Demographic: All ages</p>	Current Status: A new license agreement is being negotiated with the event producers for a further five years.
Bondi to Bronte Swim	2 December 2019	Venue Managed Event	<p>This event has been running since 2001 and is a large annual swim event co-delivered in alternating years by North Bondi and Bronte SLSC's. The Bondi to Bronte swim is one of Sydney and Australia's most iconic ocean swims. Each year the majority of funds raised is allocated to purchasing valuable lifesaving equipment for both Surf Clubs.</p> <p>Estimated Audience: 5,000 Target Demographic: All ages</p>	Next Steps: Permit to be assessed through event application process.

Name	Date	Event Type	Description	Comments
Carols By the Sea	11 December 2019	Council Managed Event	<p>A community carol singing event that takes place in the Dolphin Court area of Bondi Park and is a popular celebration of the festive season. The event is held on the second Wednesday of December each year and attracts an audience of around 1,500. The event features a guest choir, children's entertainment as well as a special guest each year.</p> <p>Estimated Audience: 1,500 Target Demographic: Families – All ages</p>	Next Steps: Consider impacts of Bondi Pavilion Heritage Restoration Project.
Dudley Page New Year's Eve	31 December 2019	Council Managed Event	<p>A ticketed family friendly New Year's Eve event held at Dudley Page Reserve in Dover Heights. Originally established as a management plan to control drinking and anti-social behaviour in the park, the event is now popular with Waverley families who wish to view the world famous Sydney fireworks but avoid the crowds in the City centre. The event features children's entertainment, a music stage, food and beverage offerings including a licensed bar.</p> <p>Estimated Audience: 3,500 Target Demographic: Families – All ages</p>	Current Status: Regular annual event developed as part of Council's event calendar.
Flickerfest	11 - 20 January 2020 (dates TBC)	Co-Produced Event with Flickerfest	<p>Flickerfest International Short Film Festival – The event is an Academy and BAFTA accredited international short film competition. The 2019 festival will be the 28th year of the event.</p> <p>The festival runs for ten days with screenings taking place at the Bondi Pavilion in both the first floor theatre and the outdoor amphitheatre. The event is classified as High Impact as it has amplification, is outdoors and finishes after 9pm. The festival is currently managed under a venue hire agreement with the event producers which is negotiated annually. Council partners with the organiser through the provision of in-kind support for the event such as provision of flagpoles on Campbell parade for banners.</p> <p>Estimated Audience: 5,000 Target Demographic: All ages</p>	<p>Current Status: Venue Hire Agreement.</p> <p>Next Steps: Consider impacts of Bondi Pavilion Heritage Restoration Project.</p>

Name	Date	Event Type	Description	Comments
Open Air Cinema	29 January - 8 March 2020 (dates TBC)	Venue Managed Event	<p>Open Air Cinema – The outdoor cinema was relocated within the Bondi Pavilion Courtyards in 2019. The cinema has been operated by Fairfax Media Publications Pty Ltd for three years and currently hold a two year agreement that ends in 2020.</p> <p>Bondi Beach has been the venue for an outdoor cinema for over 15 years. This includes first seven years inside the Bondi Pavilion. Due to increased patronage the following seven years were in the Dolphin Court. The event was relocated within the Bondi Pavilion Courtyards in 2019 and is a well-established and much loved event for local residents of all ages. Postcode statistics from 17,136 ticket sales in 2018 show that over 60% of attendance is Waverley Council residents, the remainder made up of Randwick, Woollahra and City of Sydney residents. Demographics show that 77.7% of tickets are purchased by females. Age demographics show that 39.3% of attendance is 26-35 year olds, with remaining sales almost evenly spread across the ages of 18-25, 36-45, 46-55 and 56+. The cinema screens movies over a six week period starting at the end of January and running to early March. The previous license allowed for 42 screenings per season.</p> <p>Estimated Audience: 17,000 Target Demographic: All ages</p>	<p>Current Status: A new two year license agreement was negotiated with the event producers in 2019.</p> <p>Next Steps: Consider impacts of Bondi Pavilion Heritage Restoration Project.</p>
Bowl-A-Rama	15 - 16 February 2020	Venue Managed Event	<p>An annual international skateboard competition that has been held in the Bondi Skate Park and South Bondi Park for 14 years. The event is a well-established and much loved event for local residents of all ages, but particularly for the youth and the local skateboarding community who have been instrumental in assisting Council in developing and maintaining the valuable community recreational asset. The event runs over two days on a weekend in February each year. It's the largest professional skate bowl event in the Southern Hemisphere and attracts many of the world's best skateboarders as well as spectators both international and interstate. The event provides significant stimulus to the local economy and is supported by Destination NSW.</p> <p>Estimated Audience: 3,500 Target Demographic: All ages – skateboarding community</p>	<p>Current Status: A new three year license agreement was negotiated with the event producers in 2019. The 2019 event was postponed.</p>

Name	Date	Event Type	Description	Comments
Latin American Festival	15 March 2020	Co-Produced Event with Bondi Association of Arts and Music	<p>Latin American Festival – is a ticketed cultural festival featuring music, dance workshops and food stalls held at the Bondi Pavilion. Council has delivered an annual South American Festival at the Bondi Pavilion for around 30 years. In recent years the event has been co-produced with the Bondi Association of Artists and Musicians (BAAM).</p> <p>Estimated Audience: 2,000 Target Demographic: Families – All ages</p>	<p>Current Status: Venue Hire agreement. Council agreed to support in kind and financial support for the 2019 festival.</p> <p>Next Steps: Develop a three year partnership subject to Council approval.</p>
Ocean Lovers Festival	19-22 March 2020	Venue Managed Event	<p>The Ocean Lovers Festival has an overarching environmental and conservationist theme that brings together over a period of four days, water sport demonstrations by renowned sports stars, films, workshops and talks on ocean conservationism by internationally respected conservationists as well as performances by local and international musicians. Events took place at a number locations in the Bondi Beach area, the Bondi Pavilion was the hub for the event with the majority of events taking place in the theatre and various other rooms, as well as an eco-market in the courtyards.</p> <p>Estimated Audience: TBC Target Demographic: All ages</p>	<p>Current Status: Event successfully delivered April 2019 with significant benefits to Council via strong alignments with Community Strategic Plan.</p> <p>Next Steps: In kind support for 2020 event to be sought via report to Council.</p>
Anzac Day Dawn Service	25 April 2020	Venue Managed Event	<p>Anzac Day Dawn Service – The Dawn Service takes place on ANZAC Day each year in front of the memorial on Ramsgate Avenue at Bondi Beach. The event is organised by Tobruk House and the North Bondi RSL club. The event has grown annually and in 2018 attracted more than 15,000 people and is venue managed by the Outdoor Events team in consultation with police, Sydney Buses and Council's traffic team.</p> <p>Estimated Audience: 15,000 Target Demographic: All ages</p>	N/A

Bondi Blitz	April 2020 (Date TBC)	Co-Produced Event by Caring Waverley and Waverley Action Youth Services	<p>Bondi Blitz – is a daytime Youth Music Event run in conjunction with NSW Youth Week and takes place in the Dolphin Court area of Bondi Park. The event is co-produced by Council's Caring team and Waverley Action Youth Services. The event provides young local musicians the opportunity to perform to a live audience and showcase their talents. Organisers currently apply for a small grants and venue hire grant to assist with operational costs and venue hire.</p> <p>Estimated Audience: 1,000 Target Demographic: Local youth</p>	N/A
Global Table	5 May 2020	Council Managed Event	<p>The event is a Multi-Cultural Food Festival held in Oxford Street Mall in Bondi Junction. The event features an entertainment stage with cultural dance and performance from a wide range of nations. The event also features one long table through the centre of the mall where the community can come together and sample food offerings from around the globe.</p> <p>Estimated Audience: 8,000 Target Demographic: All ages</p>	N/A

REPORT
CM/7.14/19.07

Subject: City2Surf Licence Agreement 2019-2023 - Update

TRIM No: SF19/2013

Author: Shaun Munro, Acting Manager, Outdoor and Flagship Events

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council:

1. Notes the acquisition of the City2Surf event by The Ironman Group.
2. Authorises the General Manager, or delegated representative, to finalise and execute a five-year licence agreement with The Ironman Group for the delivery of the City2Surf event from 2019.

1. Executive Summary

The City2Surf fun run has been held as an annual event since September 1971. The 2020 run will mark the 50th anniversary of the event.

On 21 May 2019, Council resolved to execute a licence agreement with Fairfax Media Events. Council Officers were notified by Fairfax Media Events on 22 May 2019 that the City2Surf event had been sold to The Ironman Group and the acquisition would be effective on 1 June 2019. It is recommended that Council now execute the licence agreement with Iron Man Group.

The City2Surf event will now be managed by The Ironman Group and a new licence agreement has been agreed with them based on the one previously prepared for Fairfax Media Events with only minor amendments, including reflecting the new ownership.

2. Introduction/Background

City2Surf has been held as an annual event since September 1971. It has raised over \$40 million since 2008, when the fundraising tally was first recorded. The 2020 run will mark the 50th anniversary of the event.

Operative provisions for the event have been covered by a licence agreement between Council and Fairfax Media Events.

On 21 May 2019, Council resolved to authorise the General Manager, or delegated representative, to finalise and execute renewal of a five-year licence agreement with Fairfax Media Events for the delivery of the City2Surf Event from 2019 to 2023. On 22 May 2019, Council officers were notified of the sale of the event by Fairfax Media Events to The Ironman Group. With the acquisition being effective on 1 June 2019, The Ironman Group will manage the events from 2019 onwards.

The previous licence agreement was with Fairfax Events and covered the period 2014–2018. A new agreement for the period 2019 to 2023 had been negotiated with Fairfax Media Events, which included a

number of amendments that were beneficial for both parties and detailed in the report to Council on 21 May 2019. The Ironman Group has agreed to the same licence agreement with some minor amendments.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 21 May 2019	CM/7.5/19.05	That Council authorises the General Manager, or delegated representative, to finalise and execute renewal of a five-year licence agreement with Fairfax Media Events for the delivery of the City2Surf Event from 2019 based on the terms set out in this report.
Council 17 July 2018	CM/7.9/18.07	<p>That Council:</p> <ol style="list-style-type: none"> Notes the program of high impact events scheduled for the period 1 July 2018 to 30 June 2019 and the current approval process, as set out in Attachment 1 to this report. Notes that all scheduled high impact events are required to comply with Council's existing Events Policy and Event Management Guidelines. Commences negotiations with the relevant event organisers regarding future contractual and/or procurement arrangements for the delivery of the following events from 2019 onwards in accordance with the next steps outlined in Attachment 1 to this report: <ol style="list-style-type: none"> City2Surf. Sculptures by the Sea. Bowl-A-Rama. Open Air Cinema, to be held within the Bondi Pavilion internal courtyard area. Flickerfest. Bondi Winter Magic. Latin American Festival. Consideration be given to making this festival a more wide-ranging, multicultural event. Notes that all contractual/procurement arrangements will be brought back to Council for final approval.
Council 12 December 2017	CM/8.16/17.2	That Council, in negotiations for the 2018 City to Surf, and future City to Surf Agreements, requests Fairfax Media to invite a team of up to eight athletes from the Indigenous Marathon Program to participate in the 2018 event and future events, and that these athletes are sponsored by Fairfax Media and other participating and/or supporting organisations, and that sufficient funds are provided by sponsors for athletes' travel and expenses including

		accommodation in Sydney for the weekend of the event.
Council 18 March 2014	CON.5/14	<p>That:</p> <ol style="list-style-type: none"> 1. The report be treated as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as it relates to a matter specified in section 10A(2) of the <i>Local Government Act 1993</i>; 2. Council authorise the General Manager and Mayor to finalise detailed licence documentation and execute a five year licence agreement with Fairfax Media Publications Pty Ltd for the annual City 2 Surf event from 2014, based on the terms set out in the report.

4. Discussion

Following notification of the sale of the City2Surf event to The Ironman Group, Council officers have been in discussion with the key personnel that have previously managed the City2Surf seeking assurance on how the event will be managed in the future. Council officers have also meet with the Managing Director, Oceania, from The Ironman Group and senior even team members to provide background on the company and confirm their approach to managing the event. The Ironman Group subsequently wrote to Council to formally table their commitment to the City2Surf event and its history. Key points included in their letter include:

- The Ironman Group is a US-based company that is the largest mass participation sports company in the world with more than 300 events across 50 countries servicing over 1 million athletes a year.
- In the Oceania region (Australia and NZ) they deliver 29 events and have 100 staff across five offices.
- The Ironman Group recognises that the City2Surf is an event with 48 years of esteemed history, and its foundation is in its strong community involvement and support and the fact that since its first year in 1971 has been a charity driven event. This strong charity and community focus needs to remain at the core of the event.
- Most of the Fairfax Media Events team who worked on City2Surf have agreed to come and work for The Ironman Group and will continue to carry out their usual roles across operations, marketing and partnerships for City2Surf.

The acquisition includes the retention of all City2Surf events staff that work on the planning and delivery of the event, including the Head of Sport with whom Council officers had been negotiating the renewal of the 2019 to 2023 licence agreement.

Council officers have established excellent working relationships with event organisers and managers over a number of years. With the retention of key staff, coordination between Council officers and City2Surf event organisers for the 2019 event has continued and is unchanged from previous years. Council officers have no concerns about the quality of event delivery as a result of the acquisition by The Ironman Group, and see very little risk that the future management and delivery of the event will be any different to past experience.

A key element of the City2Surf is the charitable nature of the event with over \$40 million raised since 2008 when the fundraising tally was first recorded. The Ironman Group has provided assurances regarding the fundamental nature of the event as a charitable offering and to this end noted the appointment of a full-

time charity liaison manager, supporting The Ironman Group's commitment to continue to drive and grow the charity aspect of the fun run.

Minor amendments to licence have been made following negotiations with The Ironman Group, none of which are material.

5. Financial impact statement/Timeframe/Consultation

Financial impact

City2Surf has raised \$40 million for more than 900 charities in the past 10 years. This significant contribution to fundraising is the reason Council does not apply an event fee for the City2Surf event. The off-peak high impact event fee amount would ordinarily be \$45,000.

Council will continue to apply cost recovery charges for services that are critical to assisting in the delivery of the event. The cost recovery amount varies each year depending on the level of service required. In 2018, Council incurred costs over \$70,000 for services such as:

- Waste services and cleaning
- Ground cleaning and litter management for streets and parks
- Removal and replacement of fixtures and fittings along the Course
- Site safety staff supervision related to Event Set Up and Event Pack Down
- Staff overtime
- Damage caused to plants, grass and Licensor assets
- Installing and removing banners along Campbell Parade
- Lost parking meter revenue

Additional venue hire fees are applied for the use of the Bondi Pavilion and Bondi Skate Park as per Council Fees and Charges policy.

Consultation

Council officers consulted with their counterparts at City of Sydney and Woollahra Council on the acquisition of City2Surf to discuss potential risks of the acquisition. Neither Council identified any risks associated with the acquisition.

6. Conclusion

That Council authorises the General Manager, or delegated representative, to finalise and execute signing of the five-year licence agreement.

7. Attachments

Nil.

**REPORT
CM/7.15/19.07**

Subject: Sculpture by the Sea - Licence Agreement 2019-2023

TRIM No: SF19/3007

Author: Shaun Munro, Acting Manager, Outdoor and Flagship Events

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council:

1. Approves the use of Marks Park for Sculpture by the Sea for 2019, subject to Sculpture by the Sea Incorporated entering into a licence agreement with Council relating to use of the park and the staging of the event.
2. Authorises the General Manager, or delegated representative, to finalise negotiations and execute a licence agreement with Sculpture by the Sea Incorporated with respect to the Sculpture by the Sea event and the use of Marks Park from 2019 based on the terms set out in this report.

1. Executive Summary

Sculpture by the Sea is a sculpture exhibition that takes place over 18 days from the end of October each year. The event has been running since 1997 and is categorised by the NSW Department of Premier and Cabinet as a Category B Hallmark event.

Operative provisions for the event were previously covered by a Council report approved in June 2014. The previous provisions covered the period 2014 to 2018 and a new agreement has been developed in conjunction with Sculpture by the Sea to cover the next five years.

Council officers have been working with Sculpture by the Sea over the past several months to develop a draft licence agreement (Attachment 1) and are in the final stages of negotiation.

2. Introduction/Background

Sculpture by the Sea is a sculpture exhibition that takes place over 18 days from the end of October each year. The event has been running since 1997 and is categorised by the NSW Department of Premier and Cabinet as a Category B Hallmark event. Sculptures are installed in Marks Park and along the coastal walk from Bondi Beach to Tamarama Beach.

The Sculpture by the Sea organisation that runs the event is funded and supported through sponsorship from Government grants; philanthropic donations; commission from the sale of sculptures; brochure sales, and visitor donations.

Council is a major sponsor of the event providing the use of its coastal walk and parks, water and electricity, parking facilities, park remediation and the services of Council venue managers, rangers and parks staff. Council also provides a community grant, specific grant funding for accessibility programmes, and funding for the Mayor's prize on an annual basis.

The support provided to Sculpture by the Sea on an annual basis can be estimated as follows:

Traffic management	\$65,000
Park remediation	\$50,000 (in 2018)
Event/Park fee waiver	\$35,000
Grants	\$16,000 (including \$5,000 for accessibility 'Tactile Tours' programme)
Mayor's Prize	\$ 5,000

Operative provisions for the event were previously covered by a Council report approved in June 2014. The provisions of that report covered the period 2014 to 2018. In line with good practice standards and to ensure transparency and probity, a formal agreement has been developed in conjunction with Sculpture by the Sea to cover the next five-year period.

Council officers have been working with Sculpture by the Sea over the past several months to develop the licence agreement and view the document as being in the final stages of negotiation.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 17 July 2018	CM/7.9/18.07	<p>That Council:</p> <ol style="list-style-type: none"> Notes the program of high impact events scheduled for the period 1 July 2018 to 30 June 2019 and the current approval process, as set out in Attachment 1 to this report. Notes that all scheduled high impact events are required to comply with Council's existing Events Policy and Event Management Guidelines. Commences negotiations with the relevant event organisers regarding future contractual and/or procurement arrangements for the delivery of the following events from 2019 onwards in accordance with the next steps outlined in Attachment 1 to this report: <ol style="list-style-type: none"> City2Surf. Sculptures by the Sea. Bowl-A-Rama. Open Air Cinema, to be held within the Bondi Pavilion internal courtyard area. Flickerfest. Bondi Winter Magic. Latin American Festival. Consideration be given to making this festival a more wide-ranging, multicultural event. Notes that all contractual/procurement arrangements will be brought back to Council for final approval.

4. Discussion

Operative provisions for Sculpture by the Sea were previously covered by a Council report approved in June 2014. The report recommended the event be approved by Council for five years, an event management delivery plan be submitted by Sculpture by the Sea each year and an event permit be issued once the event management delivery plan had been assessed and approved.

That five-year period has come to an end. In line with good practice, Council officers have drafted a licence agreement in conjunction with Sculpture by the Sea to formalise operative provisions for the next five years. Key provisions within the agreement have been carefully considered and outline both Council's and the event organiser's responsibilities.

A number of clauses were identified in drafting the agreement that were based on key learnings from the delivery of the event over a number of years. Council officers from Outdoor Events, Parks, and Projects and event managers from Sculpture by the Sea contributed to these key points.

Councillors will also be aware of recent communication from Sculpture by the Sea expressing dissatisfaction with Council's decision to construct an accessibility pathway on Marks Park to improve access for people with disabilities in line with Council's legal obligations. Council officers had discussions with representatives of Sculpture by the Sea to try to address issues of concern, and clauses have been included in the draft agreement to allow greater operational flexibility for the event organisers to manage impacts.

As part of the communication and discussions held, Sculpture by the Sea signalled that the licence agreement should be for an initial one-year term with an optional extension of four years. This was to enable the event organisers to seek expressions of interest (EOI) for the locations for Sculpture by the Sea should the pathway have a significant operational impact on the event. To ensure that Council is not involved in possible anti-competitive practices (i.e. being the de facto 'backstop' bid in an EOI process), Council has drafted the licence agreement so the any extension has to be mutually agreed. This also means that, in the event of an EOI process being held, Council will be able to decide whether it wishes to be a 'bidder' or not.

Table 1. Clause development.

Clause development	Reason for decision
Lease term	One year with an option for a four-year extension if mutually agreed.
Modifications to the Licensed Area	Provision for the event organiser to make minor modifications of a temporary and/or reversible nature to the park; or restrict public access to any area of Marks Park. Provided that in doing so they comply with the obligations under the licence and with all law.
Maintenance and repairs	To direct the event organiser to carry out replacement or repairs to any damage made to the licensed area, with the exception of damage to turf.
Dispute resolution	To formalise a more structured partnership between Council and Sculpture by the Sea.
Communications (Monthly meetings)	Open communication channels so that potential issues can be raised and managed in a timely and efficient manner.
Confidentiality	To promote working in good faith and to work in partnership, ensuring confidentiality around discussions, meetings and in relation to any disputes.
Sponsorship	Elevation of Council to Major Sponsor status from event host. This recognises Council's significant contribution to the event.
Media	To ensure that all media releases are to be centrally coordinated through the event working group.
Sale and/or supply of	To formalise a process and conditions for the approval of a liquor licence

alcohol	for the event each year.
In-kind support	To formally outline Council's in-kind support for the event through waiving event fees and providing services such as staff costs, park rehabilitation and waste management, as well as financial contributions for grants and contributions.
Geotechnical certification	To ensure ground stability for sculptures and machinery required to install them.
Sculpture selection and engineering	For Council to have greater oversight and understanding of engineering and safety processes.

Council officers engaged the services of law firm Maddocks to review the final draft of the agreement to ensure Council interests are adequately reflected as well as to address recent legislative changes to the *Crown Land Management Act 2016*.

The draft agreement is currently with Sculpture by the Sea for their consideration. Although negotiations are ongoing, the execution of the licence agreement is contingent on Council's decision on this report.

5. Financial impact statement/Timeframe/Consultation

Financial impact statement

Operational budgets to contribute to service costs, traffic management, turf remediation as well as grants and donations have been allocated to Community, Assets and Operations, and Engaging budgets to cover Council commitments and in-kind support for the event that are outlined in the licence agreement.

Timeframe

Planning for the exhibition commences six months before occupation of the event site. Monthly Working Group meetings will be conducted to maintain ongoing communication and consultation between Council and event organisers.

Consultation

The agreement has been developed in conjunction with Sculpture by the Sea. Projects, Parks, Cultural, Outdoor Events, Resource Recovery and General Counsel have contributed to discussion during the negotiation and drafting of the agreement.

6. Conclusion

Based in the above, it is recommended that Council authorises the General Manager, or delegated representative, to finalise and execute signing of the five-year licence agreement.

7. Attachments

1. Draft licence agreement [↓](#) .

**Deed of Licence for Sculpture by the Sea
at Bondi to Tamarama Coast Walk
and Other Associated Locations**

Waverley Council
ABN 12 502 583 608

AND

Sculpture by the Sea Incorporated
ABN 84 103 984 756

[7913011: 24449619_3]

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Deed of Licence for Sculpture by the Sea at Bondi to Tamarama Coast Walk and other associated locations

Dated

Parties

Name	Waverley Council ABN 12 502 583 608
Address	Bondi Road and Paul Street, BONDI JUNCTION NSW 2022
Email	John.clark@waverley/nsw.gov.au
Contact	John Clark
Short name	Licensor

Name	Sculpture by the Sea Incorporated (trading as Sculpture by the Sea) ABN 84 103 984 756
Address	Suite 301, 61 Marlborough Street, Surry Hills NSW 2010
Email	
Contact	
Short name	Event Organiser

Background

- A. The Licensor is appointed under the CLM Act as Crown Land Manager of the Crown Land and is responsible for the care, control and management of the Crown Land under the CLM Act.
- B. The Event Organiser and the Licensor agree that the Event Organiser is to take a licence of the Licensed Area and manage the Event and activities in the Licensed Area for the Occupation Period during the Term in accordance with the terms and conditions set out in this Licence.

This Deed witnesses

1. Crown Land Management Act 2016

- 1.1 The Event Organiser acknowledges that this Licence is subject to the provisions of the CLM Act.

1.2 The Event Organiser:

1.2.1 releases and indemnifies the Licensor, Minister and the State in respect of any claims, actions, suits, debts, liability including liability for personal injury or death or for property damage, or other obligations that are brought against, suffered or incurred by the Licensor, Minister or State caused by, arising from or in connection with:

- (a) the use and/or occupation of the Licensed Area and Area Immediately Surrounding the License Area during the Occupation Period;
- (b) the carrying out of the Event;
- (c) the impact of this Licence and the Event on native title rights and interests under the *Native Title Act 1993* (Cth);
- (d) negligence on the part of the Event Organiser or an Event Organiser's Associate;
- (e) a breach of this Licence by the Event Organiser or an Event Organiser's Associate, its officers, volunteers, employees, agents or Subcontractors; or
- (f) a wrongful or unlawful act of the Event Organiser or an Event Organiser's Associate.

1.3 Clause 1.2 applies even though the Minister and the State are not party to this Licence, and the Licensor holds the benefit of clause 1.2 on trust for, and may enforce clause 1.2 directly against the Event Organiser on behalf of each of the Minister and State.

1.4 The consent of the Minister and the State is not required for any amendment to or waiver of rights under this Licence.

1.5 Subject to any other provisions of this Licence, the Event Organiser must not during the Term of this Licence, sub-licence, part with possession of the Licensed Area during the Occupation Period, transfer or create any interest in the Licence or authorise or permit any person to occupy the Licensed Area without the prior written consent of the Licensor.

2. Length of Licence

2.1 This Licence shall, unless terminated earlier in accordance with the terms of this Licence, start on the Commencing Date and continue in force until the Expiry Date.

2.2 Between 9 and 3 months prior to the Expiry Date, the Event Organiser may provide the Licensor with a written notice requesting to extend the Term by a period of 4 years.

2.3 The Licensor may, in its absolute discretion, accept or reject the Event Organiser's request to extend the Term by providing a written notice to that effect to the Event Organiser.

2.4 If the Licensor agrees to extend the Term by written notice under clause 2.3, the Expiry Date will be extended by the period of 4 years, and during that extended period of the Term the Licence shall continue on the same terms as this Licence, unless the parties otherwise agree to a variation to this Licence that will apply during the extended period of the Term.

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- 2.5 The Event Organiser may not provide the Licensor with a written notice under clause 2.2, and the Licensor may not agree to extend the Term under clause 2.3, more than once.
-

3. Occupation Period

- 3.1 The Event Organiser agrees that:
- 3.1.1 the relevant Event, Event Set Up and Event Pack Down may only be held during the Occupation Period;
 - 3.1.2 the Event Organiser may only conduct the Event during the Event Period;
 - 3.1.3 the Event Set Up may only be carried out during the Event Set Up Period; and
 - 3.1.4 the Event Pack Down must be completed within the Event Pack Down Period.
- 3.2 Without limiting clause 3.1:
- 3.2.1 the Event Organiser must ensure that there is no overlap between the Event Period and the Event Pack Down Period; and
 - 3.2.2 the Event Organiser must so far as is practicable, minimise any overlap between the Event Period and the Event Set Up Period.
- 3.3 The Event Organiser agrees to set up produce, co-ordinate and manage each Event in each year in accordance with this Licence.
-

4. Licence

Grant of Licence

- 4.1 The Licensor grants to the Event Organiser (and its clients, agents, consultants assisting in each Event) and the Event Organiser agrees to take the non-exclusive licence to:
- 4.1.1 use the Licensed Area and the entrances to the Licensed Area during the Occupation Period for each Event and for no other purpose unless otherwise agreed in writing between the parties on the terms set out in this Licence;
 - 4.1.2 during the Occupation Period, install and subsequently remove the Equipment in the Licensed Area in accordance with the terms set out in this Licence.

Nature of Licence

- 4.2 This Licence is personal to the Event Organiser.
- 4.3 The Event Organiser expressly acknowledges and agrees that:
- 4.3.1 this Licence does not give the Event Organiser any right to exclusive possession or occupancy of the Licensed Area;
 - 4.3.2 this Licence will not create, or be construed as creating, any form of tenancy or other right or interest in or to the Licensed Area, other than a contractual right;

- 4.3.3 this Licence does not constitute a lease at Law and the Event Organiser will not claim before a court or tribunal that this Licence constitutes a lease at Law; and
- 4.3.4 if a court or tribunal determines that this Licence is a lease at Law, the Licensor may, at its option, terminate this Licence by written notice to the Event Organiser.

No warranty

- 4.4 The Licensor does not warrant that the Licensed Area is suitable for any of the purposes or uses of the Event Organiser including the Event.
- 4.5 The Event Organiser acknowledges and agrees that:
 - 4.5.1 the Licensed Area is licensed to the Event Organiser on an 'as is' basis; and
 - 4.5.2 the Event Organiser has made its own enquiries as to the suitability, state, repair and condition of the Licensed Area.

Modifications to the Licensed Area

- 4.6 Despite clauses 4.7 and 4.8, the Event Organiser may:
 - 4.6.1 make minor modifications of a temporary and/or reversible nature; or
 - 4.6.2 restrict public access,to Marks Park, or any area of Marks Park, provided that in doing so the Event Organiser continues to comply with its obligations under this Licence, including to comply with all Law.
- 4.7 Any minor modifications of a temporary and/or reversible nature to the Licensed Area must be agreed between the Licensor and Event Organiser.
- 4.8 Any requests for modifications to the Licensed Area that are of a substantial nature must be submitted in writing by the Event Organiser to the Licensor at least 90 days prior to the Event Period. The Licensor may accept or reject these requests at its absolute discretion.

Postponement, cancellation, repair

- 4.9 If at any time between the date that is:
 - 4.9.1 4 months prior the Occupation Period; and
 - 4.9.2 the date on which the Event Organiser gives the Event Organiser notice of acceptance of the Event Management and Delivery Plan under clause 6.3.1,the Event Organiser gives written notice to the Licensor of a Major Defect, then the Licensor must investigate the Event Organiser's claim and if, in the Licensor's reasonable opinion, there is a Major Defect, the Licensor may (in its absolute discretion):
 - 4.9.3 postpone or cancel the Event;
 - 4.9.4 repair the Major Defect;
 - 4.9.5 isolate and restrict access to the Major Defect area; or
 - 4.9.6 take any other action that is reasonable under the circumstances.

5. Conditions of Use

5.1 The Event Organiser must:

- 5.1.1 not commence the Event unless there is an Event Management and Delivery Plan in place for that Event, in respect of which the Licensor has issued a notice under clause 6.3.1;
- 5.1.2 only install Equipment in the Licensed Area after obtaining the Licensor's prior written approval for the installation of the Equipment under clause 6 of this Licence;
- 5.1.3 ensure that there is a safe and manageable number of people within the Licensed Area at any one time;
- 5.1.4 comply with and ensure its employees, contractors, subcontractors and volunteers comply with all reasonable directions from the Licensor, its officers and employees and any other Authority;
- 5.1.5 comply with and ensure its employees, contractors, subcontractors and volunteers comply with Police requirements and conditions of any consent provided by the Police;
- 5.1.6 not permit more than 110 Sculptures to be installed within the Licensed Area;
- 5.1.7 comply with the Sculpture selection process, conditions concerning placement, timelines and Licensor participation requirements set out in Schedule 1;
- 5.1.8 allow a representative of the Licensor to be a member of the SERP, following consultation with the Event Organiser regarding the person who will be a member of the SERP as the Licensor's representative in each year of the Term;
- 5.1.9 not fix or adhere Equipment into rock or any infrastructure of the Licensor without the Licensor's prior written approval;
- 5.1.10 at the conclusion of the Event Period and prior to the commencement of the Event Pack Down Period, fully fence and exclude public access to Marks Park in readiness for the Event Pack Down the following day;
- 5.1.11 remove all Equipment and waste from the Licensed Area during the Event Pack Down Period;
- 5.1.12 not put up any other third party (sponsor) marketing materials or branding in the Licensed Area that is visible to the public outside the Licensed Area (but within the Waverley Council Local Government Area) for the Event, unless approved by the Licensor as part of the Event Management and Delivery Plan, or unless otherwise approved by the Licensor;
- 5.1.13 in accordance with the Event Management and Delivery Plan or as otherwise approved by the Licensor, install signage along the Coast Walk on the first day of the Event Set Up Period advising runners and walkers that the event is happening;
- 5.1.14 remove any signage or branding that was erected or installed during the Occupation Period, or otherwise in connection with the Event, from the

Licensed Area (and any other areas within the Waverley Local Government Area) during the Event Pack Down Period;

- 5.1.15 not allow sponsorship of the Event to be linked to any illegal product or service, alcohol (unless in an approved area in accordance with a liquor license) or any tobacco products;
- 5.1.16 identify and obtain any Authorisations required by any Authority prior to installing or delivering any Equipment, including any permit (such as crane permits) required by the Licensor's 'Events Policy' and 'Event Management and Delivery Guidelines' as amended from time to time; and
- 5.1.17 give the Licensor prompt written notice of any damage to the Licensed Area or anything likely to be a risk to the Licensed Area or any person in the Licensed Areas;
- 5.1.18 ensure that all food and beverage sales services occur within a Food and Beverage Area (with the exception of any food and beverage tasting stations outside of a Food and Beverage Area, where the stations and their location have been approved by the Licensor in the Event Management and Delivery Plan);
- 5.1.19 ensure that no drinks are served in glass cups, bottles or containers within the Licensed Area, unless served within the VIP Area as approved by the Licensor in the Event Management and Delivery Plan;
- 5.1.20 comply with the relevant food and beverage regulations, including the Licensor's 'Event Waste Management Guidelines' as amended from time to time and any other requirements stipulated by Liquor and Gaming NSW and ensure that any caterers for the Event contact the Licensor to obtain application forms and guidelines for food handling;
- 5.1.21 ensure that the use of any Equipment (including Vehicles) is controlled so as to minimise nuisance for other Park users, local residents or the public generally;
- 5.1.22 ensure that noise (including construction and installation noise) is kept to an audible inoffensive level and to the extent that is practicable is not audible more than 10m from the Licensed Area and act upon any noise complaint immediately;
- 5.1.23 install and maintain appropriate exclusion zones for public safety during the Event Set Up Period and Event Pack Down Period, including a hard crowd control barrier perimeter around Marks Park and an appropriate barrier delineating and separating members of the public from each work area at all times;
- 5.1.24 engage security or police to provide crowd control and assist in managing the impact of the Event during the Occupation Period (including pre, during and post Event);
- 5.1.25 ensure that pedestrian traffic is not obstructed unless required for purpose of public safety and in accordance with the Event Management and Delivery Plan;
- 5.1.26 ensure that the Licensed Area and the Area Immediately Surrounding the Licensed Area are kept clean to the satisfaction of the Licensor during the Occupation Period;
- 5.1.27 at the end of the Occupation Period, leave the Licensed Area and the Area Immediately Surrounding the Licensed Area clean and tidy;

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- 5.1.28 not cause or permit damage to be caused to the Licensed Area or the Licensor's property, including vegetation, without the written consent of the Licensor;
- 5.1.29 during the Event Set Up and Event Pack Down periods, install and maintain a Trackmat pad (or other suitable ground protection) for Vehicles moving across, onto and off:
- (a) Marks Park;
 - (b) Tamarama Park; and
 - (c) any other grassed area within the Licensed Area where the movement of Vehicles is likely to present a risk of damage to the turf or ground beyond reasonable wear and tear;
- 5.1.30 minimise the movement of Vehicles within the Licensed Area across, onto and off exposed grass areas and only permit such movement where such movement will not cause turf or ground damage beyond reasonable wear and tear;
- 5.1.31 consult with the Licensor regarding Vehicle movements on exposed grass areas where there is a risk of damage beyond reasonable wear and tear;
- 5.1.32 not cause or permit the movement of Vehicles on exposed grass areas within the Licensed Area during the Event Period without the prior written consent of the Licensor;
- 5.1.33 not make any structural alterations or additions to the Licensed Area without the Licensor's prior written consent;
- 5.1.34 in relation to the Event, the use of the Licensed Area and the Equipment comply with all Laws and the Licensor's 'Event Management and Delivery Guidelines as amended from time to time';
- 5.1.35 arrange for a sufficient number of medical personnel to be present at the Event;
- 5.1.36 not do anything which might in any way endanger, nor omit to do anything reasonably required to prevent danger to, any person, the Licensed Area or the Area Immediately Surrounding the Licensed Area;
- 5.1.37 not bring into the Licensed Area flammable, volatile, explosive or hazardous substances, including pyrotechnics and naked flames, without the prior written consent of the Licensor and any relevant Authority;
- 5.1.38 ensure that at all times agents, contractors, licensees and invitees of the Event Organiser are properly supervised and under the control of representatives of the Event Organiser;
- 5.1.39 not breach any copyright or other third party Intellectual Property Rights in staging the Event;
- 5.1.40 not make any collections, whether for charity or otherwise, without the prior consent of the Licensor;
- 5.1.41 ensure that trucks are not laid over in a residential street, or streets, anywhere within the Waverley Local Government Area for more than fifteen minutes during the Occupation Period;

- 5.1.42 comply with the directions of the Licensor or any relevant Authority in relation to security, crowd control and emergency control;
- 5.1.43 ensure that all event-related noise ceases by 7:00pm every night during the Occupation Period; and
- 5.1.44 comply with the vegetation protection requirements set out in Schedule 3.

Structural certification

- 5.2 In each year of the Term, the Event Organiser must provide the Licensor with:
- 5.2.1 after the SERP meeting referred to in clause 6 of Schedule 1, an assessment conducted by the Engineer of all Sculptures, that:
 - (a) is addressed to the Event Organiser and Licensor and in a form that is acceptable to the Licensor acting reasonably; and
 - (b) assesses which Sculptures require either or both of assessment and management to ensure that they will be structurally sound during the Event Period; and
 - 5.2.2 prior to the Event Period but following installation of the Sculptures, a certificate from the Engineer of all Sculptures requiring certification by the SERP that:
 - (a) is addressed to the Event Organiser and Licensor and in a form that is acceptable to the Licensor acting reasonably;
 - (b) certifies that:
 - (i) the Sculpture has been properly and safely installed; and
 - (ii) all components of the Sculpture are secure and the Sculpture is structurally sound, including having regard to the Geotechnical Report.

Geotechnical certification

- 5.3 In the first year of the Term, not less than 28 days prior to the Occupation Period, the Event Organiser must provide the Licensor with a Geotechnical Report prepared by the Geotechnical Expert.
- 5.4 The Geotechnical Report must be addressed to the Event Organiser and Licensor and in a form that is acceptable to the Licensor acting reasonably and include the following:
- 5.4.1 a visual Inspection of the Licensed Area and assessment of the existing conditions by the Geotechnical Expert;
 - 5.4.2 geotechnical mapping and subsurface exploration of the Licensed Area's substrata and supporting documentary photography;
 - 5.4.3 the measurement of geotechnically significant cross-sections and an initial field 'risk assessment' of the various geotechnical hazards to the Australian Geomechanics Society (**AGS**) guidelines;
 - 5.4.4 written observations of the various issues or features identified, related analysis and suitable sketch plans to accompany the report;

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- 5.4.5 sufficient detail; appropriate notes, sketches and diagrams; an AGS risk assessment of the site risks; and specific recommendations including but not limited to:
- (a) site stability issues and the manner in which the installation of Equipment should proceed from a geotechnical perspective;
 - (b) recommendations on the foundation or footing system and types and suitability of ground conditions to support the installation of Equipment;
 - (c) recommended safe bearing capacity of the foundation material;
 - (d) load limitations of proposed exhibition spaces (inclusive of combined static and live loads of the Sculptures and anticipated peak crowd numbers within a designated exhibition space);
 - (e) load limitations on access routes for Equipment (including Vehicles) within the Licensed Area; and
 - (f) exclusions zones for Vehicles within the Licensed Area;
- 5.4.6 consideration and reference to the Licensor's Coastal Risks and Hazards Vulnerability Study available on Licensor's website (or otherwise supplied by the Licensor); and
- 5.4.7 an assessment of whether further or ongoing geotechnical assessment is required in subsequent years of the Term, and the nature and extent of such ongoing assessments (if any).
- 5.5 The Event Organiser and the Engineer, must ensure that all Event operations and Equipment:
- 5.5.1 are within the limits prescribed by the Geotechnical Report; and
 - 5.5.2 comply with any ongoing survey, assessment, monitoring or other requirements (if any) prescribed by the Geotechnical Report.

Event Organiser Commitments

- 5.6 The Event Organiser shall provide the following to the Licensor in each year of the Term:
- 5.6.1 invitations for Waverley Council Councillors to all promotional and VIP events;
 - 5.6.2 acknowledgement that the Licensor is the major sponsor of the Event in all marketing materials and external communications;
 - 5.6.3 a reasonable quantity of Sculpture by the Sea books, calendars or similar marketing materials in each year that any such publications are produced, to be agreed between the Event Organiser and the Licensor;
 - 5.6.4 within six weeks of the conclusion of the Occupation Period, a report containing details of the numbers of participants, general comments and recommendations for improvement in relation to the 'Tactile Tours' program and Small Grant
 - 5.6.5 within six weeks of the conclusion of the Occupation Period, a report containing general comments and recommendations for improvement in relation to the Community Grant; and

- 5.6.6 any other support plans and post-event reports as required by the Licensor, relating to any grants received by the Event Organiser from the Licensor

6. Event Management and Delivery Plan

Event Organiser to submit Event Management and Delivery Plan

- 6.1 The Event Organiser must, at least 12 weeks prior to the commencement of the Occupation Period for each year of the Term, at its cost, develop and submit a Draft Event Management and Delivery Plan to the Licensor, which must include the items listed in clause 6.2 and must comply with:
- 6.1.1 the Licensor's Events Policy and Event Delivery Guidelines;
 - 6.1.2 the terms of this Licence; and
 - 6.1.3 any further conditions as required by NSW Police.
- 6.2 The Draft Event Management and Delivery Plan must include, without limitation:
- 6.2.1 the Event name;
 - 6.2.2 contact details for the Event Organiser during the Occupation Period, including telephone number, email address and street address (if different to the address listed in this Licence);
 - 6.2.3 the Event Period, Event Set Up Period, Event Pack Down Period and the proposed activities during those times such as, but not limited to:
 - (a) the proposed time to install and subsequently remove the Equipment in the Licensed Area;
 - (b) details of supporting activities (e.g. launch events, sponsorship activations, VIP, educational and residents' events);
 - (c) a description of how impacts on the Licensed Area and the Area Surrounding the Licensed Area will be managed during the Event Period, Event Set Up Period and Event Pack Down Period,
 - 6.2.4 proposed Subcontractors, sponsors and/or partners of the Event;
 - 6.2.5 a detailed and to scale plan of the Licensed Area illustrating the location of:
 - (a) all of the Event Organiser's Equipment;
 - (b) the layout for the Event, including entry and egress points and emergency exits;
 - (c) the location, timing and conditions of any liquor licensed area; and
 - (d) the location of any Food and Beverage Area;
 - 6.2.6 the size and height of the Equipment, which must comply with the height restrictions in the Waverley LEP 2012;

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- 6.2.7 a transport management plan, including:
- (a) a detailed breakdown of Event Set Up and Event Pack Down delivery logistics (including Vehicle sizes) and a plan for managing approaching or arriving Vehicles if they cannot be immediately accommodated in a loading or unloading area at either Marks Park or Tamarama Park (including so as to ensure compliance with clause 5.1.41);
 - (b) public transport information for dissemination through marketing materials and media;
 - (c) a list of any required crane permits;
 - (d) bus tour and school group tour information with maps showing drop-off and pick up zones, and bus layover and temporary parking areas; and
 - (e) a parking plan for Event personnel that covers the Licensed Area for the Occupation Period,
- 6.2.8 a list of all structural and electrical Equipment certifications that are required to be provided to the Licensor;
- 6.2.9 a signage plan, detailing the number, the type, the location and design of temporary signage and/or branding;
- 6.2.10 a food and beverage plan, that includes:
- (a) plans of a dedicated area in Marks Park and a dedicated area in Tamarama Park for the use of food, beverage and hospitality services;
 - (b) a list of operating hours and any special events taking place;
 - (c) a menu of food and beverages that will be made available and prices;
 - (d) food handling procedures to be followed;
 - (e) details of any liquor license (if applicable); and
 - (f) waste management arrangements for commercial food and beverage operator;
- 6.2.11 a waste minimisation, management and cleaning plan, that complies with the Licensor's 'Event Waste Management Guidelines' as amended from time to time and includes at a minimum:
- (a) the provision and use of recycling and general waste bins, provided and maintained by the Licensor;
 - (b) the provision of park and public cleaning services, provided by the Licensor;
 - (c) waste management arrangements for any commercial food and beverage operators (not provided by the Licensor) that cover the removal of bulk and commercial waste generated by food and beverage operators;
 - (d) waste removal plan for general site waste including but not limited to Sculpture packing, crates and packaging and sponsor activation waste (not provided by the Licensor);

(e) waste removal plan for surplus product from information stands (provided by the Licensor); and

(f) best practice for all waste streams generated from the Event,

where appropriate prepared in accordance with the Licensor's 'Waste Guidelines and the Sustainable Events Checklist' and 'Event Delivery Guidelines' as amended from time to time;

6.2.12 a security and crowd management plan to:

(a) manage crowds, including during regular Event operations and emergency evacuations;

(b) protect property and Equipment; and

(c) ensure the safety of participants and the public,

in the Licensed Area during the Event Set Up Period, Event Period and Event Pack Down Period. The plan must be developed in consultation with the Licensor and NSW Police, and must include:

(a) details of the security and first aid communication systems to be used and a contact list of all key personnel on site;

(b) anticipated crowd numbers expected to visit the Licensed Area during the Event Period; and

(c) plans for monitoring and managing safe crowd capacity within the Licensed Area;

6.2.13 an amenities plan for the provision of adequate toilets (including existing facilities and additional facilities to be provided by the Event Organiser), accessible toilets, water and first aid facilities within the Licensed Area during the Event (including the numbers and placement of those amenities), and a program for the servicing of those amenities during the Event (servicing of existing and additional facilities to be provided by the Licensor);

6.2.14 a plan for the provision of appropriate shade at and in the vicinity of each Food and Beverage Area;

6.2.15 a plan for the installation of Sydney Water free water stations (or similar) across the Licensed Area;

6.2.16 a services plan that includes details of required access to existing electrical and other services that will be provided by the Licensor to the Event Organiser as in-kind support;

6.2.17 a marketing and media plan, which must include at a minimum:

(a) methods and materials that will be used to market the Event and activities, including details of the marketing and media key messaging and images to be used;

(b) pre-Event and on site promotional strategies;

(c) distribution methods;

- (d) details of any Event sponsorship, including the Event Sponsors, location of any third party sponsorship of the Event and any signage, marketing materials or branding to be placed within the Licensed Area;
 - (e) media releases and schedule;
 - (f) merchandising; and
 - (g) details of the type of recognition to be given to the Licensor as a major sponsor of the Event;
- 6.2.18 a noise management plan that addresses the noise impacts of Vehicles during the Event Set Up and Event Pack Down periods;
- 6.2.19 a risk management plan that meets the requirements of the *Work Health and Safety Act 2011* and the regulations made under it, and includes:
 - (a) emergency and evacuation procedures for the Event, including in the case of: injury to any person, including patrons, members of the public or staff; patrons affected by heat and dehydration; power failure; bomb or threat or terrorism; fire; evacuation; high winds or storm; or crowd crush;
 - (b) a communication strategy for the Event;
 - (c) a risk assessment undertaken by a suitably qualified risk assessor that confirms that the Event may be safely and lawfully conducted in accordance with this Licence; and
 - (d) consideration and appropriate treatment of the risks associated with the Event Set Up, Event and Event Pack Down;
- 6.2.20 public relations, media and complaint management strategies for communicating with and responding to enquiries from the media and the local community in relation to the Event, including a complaint logbook to record all complaints received during the Occupation Period. These strategies are to be developed in conjunction with the Licensor, with a clear and agreed delineation of responsibility for particular areas of complaint and for responding to media enquiries;
- 6.2.21 the location of any proposed designated time and area required for any liquor licence obtained by the Event Organiser in accordance with clause 9; and
- 6.2.22 any other matter the Licensor or the Event Organiser consider necessary for inclusion in such a document for the logistics of the Event.

Review by Licensor of Draft Event Management and Delivery Plan

- 6.3 Within 1 month of receiving the Draft Event Management and Delivery Plan, the Licensor may give the Event Organiser written notice:
 - 6.3.1 accepting the Draft Event Management and Delivery Plan;
 - 6.3.2 rejecting the Draft Event Management and Delivery Plan; or
 - 6.3.3 otherwise commenting on, or requiring amendments to the Draft Event Management and Delivery Plan.

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- 6.4 If the Licensor issues a notice under clause 6.3.2 or clause 6.3.3, the Event Organiser must promptly re-submit an amended Draft Event Management and Delivery Plan in duplicate to the Licensor, incorporating any comments or required amendments notified by the Licensor under clause 6.3.3, by no later than 4 weeks before the Occupation Period, in which case clauses 6.1 to 6.3 will reapply.
- 6.5 If in respect of a Draft Event Management and Delivery Plan the Licensor issues a notice under clause 6.3.1, that version of the Draft Event Management and Delivery Plan will become the Event Management and Delivery Plan for the purposes of the Event that is the subject of that plan, and the Licensor and the Event Organiser must each attach a dated copy of the Event Management and Delivery Plan to their respective counterparts of this Licence.
- 6.6 If the Licensor issues a notice under clause 6.3.1, this notice is to be taken as approval:
- 6.6.1 for the Event to proceed in that year of the Term; and
- 6.6.2 for the installation of Equipment in the Licensed Area,
- in accordance with the approved Event Management and Delivery Plan.
- 6.7 The written approval of the Licensor under clause 6.6 may be granted subject to such conditions as may be determined by the Licensor, including a condition that the Event Organiser pay additional costs for damage caused by any acts or omissions of the Event Organiser and/or their Associates.
- 6.8 The Licensor may, upon reasonable grounds, withdraw consent for any Equipment to be installed, used or placed in the Licensed Area and Area Immediately Surrounding the Licensed Area at any time.
- 6.9 Prior to any withdrawal of consent under clause 6.8, the Licensor must consult with the Event Organiser and endeavour to resolve in good faith any problems or concerns identified with respect to the Equipment.
- 6.10 The Licensor must consult provide the Event Organiser with written reasons for any withdrawal of consent under clause 6.8.
- 6.11 The Licensor is not liable for, and the Event Organiser releases the Licensor from, all claims, actions, suits, debts, liability, costs and expenses that are caused by or arise from or in connection with the Licensor's withdrawal or refusal of consent to the installation of any Equipment.

Amendments to final Event Management and Delivery Plan

- 6.12 The Licensor and the Event Organiser agree to negotiate in good faith if either party requires the Event Management and Delivery Plan to be altered.
- 6.13 Any alteration to the Event Management and Delivery Plan requires the Licensor's approval in writing.

Compliance with Event Management and Delivery Plan

- 6.14 The Event Organiser must comply with the Event Management and Delivery Plan in each year of the Term and ensure that each of the Event Organiser's Associates also comply with the Event Management and Delivery Plan.
- 6.15 The Licensor does not owe or assume a duty of care or other responsibility or obligation to the Event Organiser to review or check the Draft Event Management and Delivery Plan

for its suitability, or for errors, omissions, inconsistencies, ambiguities, discrepancies or compliance with this Licence.

- 6.16 No review of, comment upon or approval or rejection of, or failure to review, comment upon, approve or reject, any Draft Event Management and Delivery Plan by or on behalf of the Licensor will not:

6.16.1 relieve the Event Organiser from, or otherwise limit, alter or affect, the Event Organiser's liabilities or responsibilities under this Licence; or

6.16.2 prejudice the Licensor's rights against the Event Organiser under this Licence.

Failure to comply is breach of Licence

- 6.17 Any failure by the Event Organiser or any of the Event Organiser's Associates to comply with, or implement, any term or condition of the Event Management and Delivery Plan will be a breach of this Licence.

7. Communications

Required meetings and authorisations

- 7.1 The Program Working Group will meet:
- 7.1.1 at a minimum of once a month throughout each year of the Term; and
- 7.1.2 at times and places agreed between the parties.
- 7.2 The Event Organiser will arrange meetings as required (at its cost) with the Licensor, Police, Roads and Maritime Services, medical/first aid teams, Sydney Buses and any other organisation or Authority involved in the operation of the Event.
- 7.3 During the Occupation Period, the Event Organiser will arrange daily briefings on site conditions with Event staff and volunteers.
- 7.4 The Event Organiser will be responsible for providing prior written notice to any appropriate Authority in relation to the staging of the Event including medical authorities and personnel and to apply for permission to conduct the Event annually, or as required, from any appropriate Authority.

Communications with the media and residents

- 7.5 All responses to media enquiries and other interactions between the Event Organiser and the media in relation to the Event are to be in accordance with the Licence, including clauses 7 and 11.
- 7.6 Each party must direct all media releases that relate to the Event to the Program Working Group before issuing the release.
- 7.7 A party must not issue a media release in relation to the Event without having obtained the prior approval of the Program Working Group to the issue of the media release.
- 7.8 The Event Organiser will organise a 'resident's night' event prior to or shortly after the commencement of the Event Period. The Event Organiser will, subject to privacy laws and rules, communicate details of this event to residents adjoining the Licensed Area between four and two weeks prior to the date of the 'resident's night' event.

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- 7.9 The Event Organiser must acknowledge the Licensor as a major sponsor of the Event in all relevant communications to the public regarding the Event.

8. Right of access

- 8.1 The Licensor at all times retains a right of access, for such purposes as it thinks fit, over the Licensed Area provided that, except in the case of an emergency, such access does not materially and adversely affect the Event or safety of any person at the Event.
- 8.2 The Event Organiser agrees that the Licensor's access to the Licensed Area is not inconsistent with the Event Organiser's rights and enjoyment of its licence under this Licence.

9. Sale and/or Supply of Alcohol

- 9.1 The Event Organiser must seek approval for a liquor licence from Liquor and Gaming NSW in consultations with the Licensor and NSW Police, to sell and/or supply alcohol for any specific events within a designated area within the Licensed Area. The plan of the proposed designated area to be attached to the application for the liquor licence must be approved by the Licensor and included in the Event Management and Delivery Plan in accordance with clauses 6.2.10(e) and 6.2.21.
- 9.2 The Event Organiser:
- 9.2.1 must provide the Licensor with a copy of the application before it is submitted to NSW Liquor and Gaming;
 - 9.2.2 acknowledges that:
 - (a) its application should be consistent with this Licence; and
 - (b) the Licensor may make submissions to require conditions to be imposed on the liquor licence consistent with this Licence; and
 - 9.2.3 must produce a valid approved liquor licence (or evidence of no objection) to the Licensor no later than 14 days prior to the commencement of any Licensed Event.
- 9.3 The Licensor consents to the sale and/or supply of liquor within a designated area of the Licensed Area, at a designated time, with an approved liquor licence and subject to the following conditions being strictly complied with:
- 9.3.1 no liquor may be sold and/or supplied to people under the age of 18;
 - 9.3.2 liquor may only be consumed in a designated area approved by the liquor licence and must not be taken away from this area;
 - 9.3.3 liquor may only be sold or supplied in accordance with the liquor licence provided to the Licensor no later than 14 days prior to the Licensed Event;
 - 9.3.4 the Event Organiser must ensure the licensee under the Liquor Licence complies with and implements the harm minimisation conditions under the *Liquor Act 2007* and any requirements set out in any guidelines published by the Secretary of the Office of Liquor, Gaming and Racing; and

- 9.3.5 the Event Organiser must not, and must ensure that its contractors, Subcontractors, employees, agents and the Event Sponsors do not sell or provide liquor in areas and/or at times where they are unlicensed to do so.

- 9.4 The Licensor does not consent to any commercial food and beverage provider in Marks Park applying for a liquor license, or selling or supplying liquor in Marks Park to members of the public, as part of their normal operations.

10. Marketing Material and Promotion

- 10.1 The Event Organiser:

- 10.1.1 acknowledges and agrees that any marketing material that will be deployed in the Waverley Local Government Area must:
- (a) be approved by the Licensor before it is used;
 - (b) use the Licensor's logo when required and approved by the Licensor;
 - (c) not promote liquor products unless approved in writing by the Licensor, in accordance with a liquor license and within a designated area; and
 - (d) not contain any unethical, sexually explicit or offensive material;
- 10.1.2 acknowledges and agrees that during the Event, the Event Organiser must:
- (a) promote the use of public transport;
 - (b) promote reuse and recycling measures; and
 - (c) acknowledge the Licensor as a major sponsor of the Event;
- 10.1.3 must ensure that if any filming and/or photography of the Event is permitted and approved under the Event Management and Delivery Plan, the Licensor is acknowledged in the credits (if there are credits); and
- 10.1.4 must use reasonable endeavours to ensure all Event Organiser's Associates, patrons, guests, media and industry representatives recognise and comply with the requirements in this clause 10.

11. Safety

- 11.1 The Event Organiser must comply with all reasonable directions of the Licensor's officers with respect to safety during the Event.
- 11.2 The Event Organiser must ensure that an accredited safety officer is present at Marks Park from the commencement of the Sculpture installation process in Marks Park until all Sculptures have been installed. A second accredited safety officer must be engaged to supervise the installation of Sculptures across the remainder of the Licensed Area (outside Marks Park), until all Sculptures across the Licensed Area have been installed.
- 11.3 The Event Organiser must ensure the safety of Event staff, members of the public and patrons within the Licensed Area during the Occupation Period.

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- 11.4 The Event Organiser must take all reasonable precautions to prevent unruly and unsafe behaviour and interference with the safety and convenience of the general public and patrons during the Occupation Period.
- 11.5 All staff or employees of the Event Organiser or its Subcontractors who engage with children during the course of their work on the Event must undergo a Working with Children (DOCS) security check.
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12. Security

- 12.1 The Event Organiser must, at its own cost provide security as reasonably necessary and/or engage the services of the NSW Police in the Licensed Area during the Occupation Period. In particular the Event Organiser must:
- 12.1.1 provide security for its Equipment including an appropriate level of overnight security;
 - 12.1.2 assign security to monitor and address crowd behaviour within the Licensed Area;
 - 12.1.3 assign security as requested by the NSW Police;
 - 12.1.4 ensure the level of security and/or number of police required is included in the Event Management and Delivery Plan and approved by the Licensor in consultation with NSW Police; and
 - 12.1.5 comply with all reasonable directions of the Security Service and police.
- 12.2 Without limiting clause 12.1 the Event Organiser must:
- 12.2.1 develop strategies and submit a security and crowd management plan as part of the Event Management and Delivery Plan;
 - 12.2.2 maintain a register of the security licence details and first aid records of all security personnel;
 - 12.2.3 ensure that all security personnel:
 - (a) wear the appropriate uniform and be clearly identifiable;
 - (b) clearly display details of their security licence while in the Licensed Area;
 - (c) do not have firearms while in the Licensed Area; and
 - (d) comply with the requirements of the Licensor or their authorised nominees;
 - 12.2.4 provide to the Licensor, information of the Security Service procured within the Licensed Area no later than 28 Days before the commencement of the Event. The information provided is to include copies of the following:
 - (a) the Security Service's current master security licence;
 - (b) evidence of currency of an insurance policy on usual terms with a reputable insurer for public and products liability insurance for an amount of no less than \$20,000,000; and

(c) details of any relevant contacts at the Security Service.

- 12.3 The Event Organiser must ensure that the Security Service complies with the Event Management and Delivery Plan.

13. Managing the public

- 13.1 The Event Organiser must:

- 13.1.1 prior to the Event, assess and include in the Event Management and Delivery Plan anticipated crowd numbers expected to visit the Licensed Area during the Occupation Period;
- 13.1.2 prior to the Event, liaise with NSW Police, the Licensor, Sydney Buses, Roads and Maritime Services, Waverley Council Community Safety Advisory Committee and neighbouring residents and businesses, as appropriate, in relation to the management of crowd numbers;
- 13.1.3 when preparing the Event Management and Delivery Plan, develop and include in that plan an effective strategy for managing public order and safety during the Occupation Period;
- 13.1.4 implement and maintain an effective system for communicating with persons on the Licensed Area during the Occupation Period; and
- 13.1.5 during the Event, comply with and ensure that its employees, agents and Subcontractors comply with all reasonable directions of the Licensor and Police.

14. Equipment

- 14.1 The Event Organiser must:

- 14.1.1 ensure that all materials and Equipment used to conduct the Event:
 - (a) are safe and suitable for the purpose and location for which they are intended;
 - (b) meet, and are used in accordance with, the requirements of this Licence;
 - (c) comply with all applicable Law and Australian standards; and
 - (d) are used in accordance with the applicable requirements and specifications of the manufacturer of the Equipment (if any);
- 14.1.2 must, at any time, allow the Licensor to inspect any materials or Equipment used for the Event under this Licence;
- 14.1.3 not permit any person to install or operate Equipment unless that person has all necessary authorisations and qualifications to install or operate the Equipment; and
- 14.1.4 keep the Equipment in good working order and condition, ensuring the Equipment is kept safe and secure at all times.

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- 14.2 Unless otherwise specified in this Licence, the Event Organiser must provide (at its own cost) all materials and Equipment necessary for the Event.
- 14.3 Prior to the Licensed Area being opened to the public, the Event Organiser must, at its cost, provide to the Licensor certifications addressed to the Event Organiser and Licensor in respect of all structural Equipment or infrastructure, such as marquees (Structural Equipment) intended to be used for the Event:
- 14.3.1 in a form, and from certified engineers, that are acceptable to the Licensor acting reasonably; and
- 14.3.2 certifying that the relevant Equipment meets all applicable legal and safety standards applicable to the Equipment's intended use during the Event.
- 14.4 The Event Organiser will be solely responsible for providing or hiring all Structural Equipment, fixtures and materials required for the conduct of the Event, ensuring:
- 14.4.1 the location and size of all Structural Equipment is indicated on site maps;
- 14.4.2 any marquee has sufficient emergency exits of a minimum of 1,000mm wide, along with signage denoting these exits;
- 14.4.3 marquee wall heights do not exceed 4,000mm and the total height of marquees or other structures, from the ground to the highest point, do not exceed 6,000mm;
- 14.4.4 all Structural Equipment is installed as per AS1170 and signed off by a certified engineer.
- 14.5 All Sculptures must be positioned at least 2 metres from the edge of a potential step or fall area with a drop greater than 600mm, unless a written risk assessment (including details of appropriate treatments, if any) and sign-off by a suitably qualified risk management practitioner are provided to the Licensor at least 28 days prior to the Occupation Period.
- 14.6 During the Event Pack Down Period, the Event Organiser must remove the Event Organiser's property and Equipment from the Licensed Area, including the Event Organiser's fixtures, and make good any damage caused by their removal, as required by clause 17.
- 14.7 All Sculptures must be removed by the Event Organiser or its Subcontractors (including Sculptures that have been sold by their artists). Purchasers of Sculptures are not permitted to load and remove the Sculptures from the Licensed Area.
- 14.8 The Event Organiser, its Associates and participating artists must comply with the requirements of the Licensor's *Waverley Art Collection – Acquisition and Deaccessioning Guidelines 2018* if offering artworks to the Licensor.

15. Statutory and Other Requirements

- 15.1 The Event Organiser must make itself aware of all industrial matters, including all Statutory Requirements, work health and safety requirements, awards, codes of industrial conduct, industry agreements and site agreements which may apply to the Event.

15.2 The Event Organiser must:

- 15.2.1 comply at all times with the Statutory Requirements, awards and codes of industrial conduct, industry agreements and site agreements relating to the Event or the Equipment; and
- 15.2.2 minimise nuisance or interference to other persons in the surrounding area.

16. Insurance and Indemnity

Insurance required by the Event Organiser

- 16.1 The Event Organiser must procure and maintain during the Term, and must in each year of the Term provide the Licensor with evidence of, a public liability insurance policy for the Event Organiser for not less than \$20 million per Event, in aggregate for any single event, no later than twenty-eight (28) Business Days prior to the commencement of the Occupation Period which must:
- 16.1.1 indemnify the Licensor and the Event Organiser for their legal liability for personal injury, death and/or property damage:
 - (a) arising from the use and occupation of the Licensed Area and/or the Area Immediately Surrounding the Licensed Area; or
 - (b) arising in connection with the Event;
 - 16.1.2 include insurance for damage caused to the Licensed Area and the Area Immediately Surrounding the Licensed Area during the Occupation Period whether in connection with the setting up or packing up of the Event or arising through the actions of the public attending the Event.
- 16.2 The Event Organiser must procure and maintain during the Term, and must on each anniversary of the Commencing Date provide the Licensor with evidence of, workers' compensation insurance for it and its contractor's employees including paid and volunteer participants as required by law for the term of this Licence and any continuation of the Licence after the Terminating Date.
- 16.3 The Event Organiser must not do or fail to do anything, or allow anything to be done or not done:
- 16.3.1 which might increase the cost of any insurance the Event Organiser or the Licensor procures; or
 - 16.3.2 which might adversely affect the Event Organiser's or the Licensor's rights under any insurance the Event Organiser or the Licensor procures.

The Event Organiser to notify the Licensor of claims

- 16.4 The Event Organiser must notify the Licensor in writing of:
- 16.4.1 injury, death or damage to property that could or is likely to give rise to a claim against the insurances in clause 16 within 24 hours of the occurrence; and
 - 16.4.2 any claim against the insurances in clause 16 within five (5) Business Days after becoming aware of the claim. The Event Organiser must give the Licensor any information that the Licensor requires about the claim.

17. Maintenance, replacements and repairs

- 17.1 The Event Organiser must keep the Licensed Area and Area Immediately Surrounding the Licensed Area in the same condition as it was in at the date the Event Organiser first entered occupation of the Licensed Area (reasonable wear and tear excepted). This may include repairing or replacing anything in the Licensed Area which is damaged by the Event Organiser or in connection with the Event.
- 17.2 The Event Organiser must give the Licensor prompt written notice of any damage to the Licensed Area or anything likely to be a risk to the Licensed Area or any person in the Licensed Area.
- 17.3 If anything in the Licensed Area or the Area Surrounding the Licensed Area is damaged by the Event Organiser or an Event Organiser's Associate, or in connection with the Event or this Licence, then:
- 17.3.1 if a condition report has been signed in accordance with either clause 18.4 or 18.5 (**Condition Report**), then within 14 Days after the Condition Report has been signed; and
 - 17.3.2 after consultation with the Event Organiser,
- the Licensor may in its absolute discretion:
- 17.3.3 direct the Event Organiser to, at its cost, carry out any replacement or repair works identified in the Condition Report (or, if no Condition Report has been signed, the replacement or repair works to ensure compliance with clause 17.1); or
 - 17.3.4 without limiting any other right that the Licensor may have under this Licence or at law, notify the Event Organiser that the Licensor will carry out the replacement or repair works identified in the report (or, if no Condition Report has been signed, the replacement or repair works to ensure compliance with clause 17.1), and the cost of all such repairs must be paid by the Event Organiser to the Licensor on demand;
- 17.4 If the Licensor directs the Event Organiser under clause 17.3.3 to carry out any replacement or repair works, the Event Organiser must comply with the terms of that notice by the earlier of:
- 17.4.1 a date agreed between the parties; or
 - 17.4.2 the Make Good Date.
- 17.5 If the Licensor issues a notice under clause 17.3.4,
- 17.5.1 the Licensor may carry out the replacement or repair works identified in the notice; and
 - 17.5.2 the Event Organiser must pay to the Licensor on demand all costs incurred by the Licensor in carrying out the replacement or repair works identified in the notice.
- 17.6 Clauses 17.3 and 17.4 do not apply to any damage caused to turf in the Licensed Area, provided that such damage:
- 17.6.1 is not caused by or in connection with, contributed to or related to a breach of this Licence by the Event Organiser; and

- 17.6.2 does not also involve damage to irrigation infrastructure, vegetation or anything else other than turf.

18. Pre and Post Site Inspections and Debrief

Prior to the Event

- 18.1 The Licensor and the Event Organiser must each appoint a representative and provide the other party with the contact details of such representative.
- 18.2 The representatives must meet within three Business Days prior to the Occupation Period each year during the Term to conduct a pre-occupation condition inspection of the Licensed Area and the Area Immediately Surrounding the Licensed Area. Photographs of any pre-existing damage must be taken and provided to the Licensor by both representatives.

After the Event

- 18.3 The Licensor's representative and the Event Organiser must meet within five Business Days of the end of the Event Pack Down Period to conduct a post-Event condition inspection of the Licensed Area and the Area Immediately Surrounding the Licensed Area.
- 18.4 Within 14 Days of the post-Event condition inspection under clause 18.3, the representatives must together compile, prepare and sign a written report of the condition of the Licensed Area and the Area Immediately Surrounding the Licensed Area based on the physical inspections. The report must include reference to:
- 18.4.1 assessment of the condition of the Licensed Area and the Area Immediately Surrounding the Licensed Area;
 - 18.4.2 any repairs which the Event Organiser is required to carry out to the Licensed Area and the Area Immediately Surrounding the Licensed Area due to:
 - (a) damage to the Licensed Area and the Area Immediately Surrounding the Licensed Area caused or contributed to by the Event Organiser, an Event Organiser's Associate or a Subcontractor of the Event Organiser;
 - (b) the Event Organiser's use of the Licensed Area and the Area Immediately Surrounding the Licensed Area.
- 18.5 If:
- 18.5.1 the parties fail to meet in accordance with clause 18.3 (and an alternative meeting time has not been agreed by the parties); or
 - 18.5.2 the parties fail to compile, prepare and sign a condition Report under clause 18.4,

the Licensor may prepare and sign a post-Event condition report based on a post-Event condition inspection of the Licensed Area by a representative of the Licensor, including reference to the matters to be included in the condition report under clause 18.4.

De-brief

- 18.6 The Event Organiser is required to meet with the Licensor within 6 weeks after the conclusion of the Occupation Period at a time and place to be decided by the Licensor to discuss the Event.
- 18.7 The Event Organiser is required to provide to the Licensor a de-brief report of the Event and activities within 3 months of the Occupation Period, including at a minimum:
- 18.7.1 a summary of the Event including the number of people who attended the Event;
 - 18.7.2 a medical report summary;
 - 18.7.3 the effectiveness of the Event Management and Delivery Plan and any deficiencies arising from implementing that plan including reporting on crowd control, outcome of communication strategy, and waste;
 - 18.7.4 details of any incidents or events that occurred or threats or complaints made including details of how the Event Organiser managed and resolved such incidents, events, complaints or threats under its risk management plan;
 - 18.7.5 issues identified;
 - 18.7.6 improvements recommended;
 - 18.7.7 images of the Event; and
 - 18.7.8 any other items as reasonably requested by the Licensor.

19. Termination of Licence on default**Licensor may terminate Licence**

- 19.1 The Licensor may terminate this Licence (effective immediately) if the Event Organiser:
- 19.1.1 fails to comply with this Licence in the Licensor's opinion (in its absolute discretion) and has not rectified the failure within 7 Business Days of receiving written notice from the Licensor;
 - 19.1.2 fails to comply with the Event Management and Delivery Plan in the Licensor's opinion (in its absolute discretion) and has not rectified the failure within 7 Business Days of receiving written notice from the Licensor;
 - 19.1.3 becomes insolvent or unable to pay its debts as they fall due or the Licensor suspects on reasonable grounds that this is true;
 - 19.1.4 enters into a composition or arrangement with its creditors or calls a meeting of creditors with a view to entering into a composition or arrangement;
 - 19.1.5 has a mortgagee seek to exercise a right of possession or control over the whole or part of its property;
 - 19.1.6 has execution levied against it by creditors, debenture holders or trustees under floating charge;

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- 19.1.7 being an incorporated entity is a party to proceedings voluntarily or compulsorily which has the object or which may result in the winding up of the Event Organiser, or has a winding up order made against it, or passes a resolution for winding up or is a party to the appointment of or has an official manager, receiver, provisional liquidator, liquidator or administrator appointed to whole or any part of its property; or
- 19.1.8 if notice is given that the Event Organiser is required to be registered or licensed under any relevant legislation for the purposes of the carrying out of the Event and does not comply with a notice and is not so licensed or that licence is cancelled, withdrawn or suspended and has not rectified the failure within 7 Business Days of receiving written notice from the Licensor.
- 19.2 If the Licensor terminates this Licence under clause 19.1,
- 19.2.1 the Event Organiser must immediately vacate the Licensed Area and remove any Equipment; and
- 19.2.2 the Licensor will not be liable to, and the Event Organiser releases the Licensor from all claims, actions, suits, debts, liability costs and expenses that are suffered or incurred by the Event Organiser caused by or arising from or in connection with the cancellation of the Event.
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20. Termination of Licence – s3.43 to apply

- 20.1 Without limiting the Event Organiser's statutory or other rights apart from this Licence, the parties acknowledge that this Licence shall terminate under section 3.43 of the CLM Act if the dedication or reservation over the land or part of the land that comprises the whole or part of the Licensed Area is revoked, unless the revocation notification otherwise provides.
- 20.2 Where only part of the Licensed Area is affected by the revocation or proposed revocation the parties undertake to consult to determine if an agreement under section 3.43(3) of the CLM Act can be reached for the continuation of this Licence in respect to that part of the Licensed Area not affected by the revocation.
- 20.3 The Event Organiser expressly acknowledges that as provided by section 3.43(4) of the CLM Act no compensation is payable in respect of the termination of this Licence by the operation of section 3.43 and no compensation shall be payable.
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21. Extension or cancellation of Event

- 21.1 If the Licensor or the Event Organiser determines:
- 21.1.1 in its reasonable opinion, that the Licensed Area or the Event is affected or is likely to be affected by weather or conditions resulting from weather, or anything else, to an extent that:
- (a) public health and safety is or is likely to be adversely affected; or
- (b) there is or there is likely to be damage caused to the Licensed Area;
- 21.1.2 that there may be serious safety concerns at the Licensed Area; or
- 21.1.3 there is a Force Majeure Event;

any party may by written notice to the other party at any time cancel, delay, postpone or suspend the Event.

- 21.2 If a party serves a notice in writing on the other party at any time prior to the Occupation Period in the relevant year to postpone the Event under clause 21.1 or clause 4.9.3, the parties agree that the Event is postponed to such other date as agreed between the parties after meeting and endeavouring to negotiate in good faith an alternative Event Period for that year. If an alternative Event Period cannot be agreed between the parties within 20 Business Days after a notice is received to postpone the Event under clause 21.1 or clause 4.9.3, the Event in that year of the Term may be cancelled by either party issuing a written notice to the other party.
- 21.3 The Licensor will not be liable to, and the Event Organiser releases the Licensor from all claims, actions, suits, debts, liability costs and expenses that are suffered or incurred by the Event Organiser caused by or arising from or in connection with any cancellation, delay, postponement or suspension of the Event

22. Licensors Role

Licensor responsibilities

- 22.1 The Licensor may appoint agents or others to exercise any of the Licensor's rights or perform any of the Licensor's duties under this Licence. Communications from the Licensor override those from the agents or others if they are inconsistent.
- 22.2 Nothing in this Licence will be taken to:
- 22.2.1 require the Licensor to act in a manner that contravenes the CLM Act, *Local Government Act 1993* (NSW) or any other Law; or
 - 22.2.2 unlawfully fetter the discretions of the Licensor
- and the provisions of this Licence will be interpreted accordingly.
- 22.3 Without limiting clause 22.2 the Event Organiser acknowledges that:
- 22.3.1 the Licensor may have a role as consent authority in respect of the Licensed Area and may charge reasonable inspection fees, and the Licensor cannot fetter their discretion when performing any function as a consent authority; and
 - 22.3.2 the Licensor will not be liable to the Event Organiser under this Licence for any acts or omissions of the Licensor undertaken in exercising any of its statutory rights, duties or powers under the CLM Act, *Environmental Planning and Assessment Act 1979* (NSW) or the *Local Government Act 1993* (NSW) or the exercise of any other statutory right, power or duty that the Licensor may lawfully exercise.

In-kind support

- 22.4 The Licensor will provide the following services to the Event Organiser as in-kind support at no cost to the Event Organiser in each year of the Term:
- 22.4.1 event fees and park use fees will be reduced by the Licensor to the amount of \$1.00 payable upon demand;

-
- 22.4.2 staff costs (including overtime) for Event staff, parks staff and waste management staff will be reduced by the Licensor to the amount of \$1.00 payable upon demand;
- 22.4.3 a Traffic Management Plan will be prepared by the Licensor, which will include:
- (a) traffic management information for dissemination through marketing and media;
 - (b) details of crowd safety and road congestion mitigation measures;
 - (c) assessment of and mitigation measures for the impact on residential parking and access measures for local residents;
 - (d) the provision of Variable Message Sign (VMS) plans and placement information;
 - (e) details of any road closures or directional alterations to assist vehicle flows;
 - (f) measures to assist with pedestrian ingress and egress to and from the Licensed Area; and
 - (g) resident notification letters relating to the above;
- 22.4.4 authorised traffic controllers and the infrastructure required to give effect to the Traffic Management Plan will be provided by the Licensor;
- 22.4.5 power, water and other existing services as requested by the Event Organiser will be provided by the Licensor;
- 22.4.6 the provision, use and servicing of recycling and general waste bins in the Licensed Area during the Occupation Period will be provided by the Licensor. This does not include the provision of commercial waste services for any food and beverage operators and does not include the removal of bulk or large waste associated with the Event Set Up or Event Pack Down;
- 22.4.7 the provision of public cleaning services (including toilet cleaning) during the Occupation Period;
- 22.4.8 the sum of \$5,000 for the 'Mayor's Prize';

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- 22.4.9 the sum of \$5,000 in the form of a Small Grant for 'Tactile Tours'; and
 - 22.4.10 the sum of \$10,000 in the form of a Community Grant for any reasonable purpose.
 - 22.5 Any requests for the provision of additional in-kind support, or for any additional financial or other contributions from the Licensor, must be made in writing by the Event Organiser to the Licensor at least 60 days before the commencement of the Occupation Period.
-

23. Subcontractors

Performance

- 23.1 The obligations, duties and liabilities of the Event Organiser under this Licence are unaffected by the fact that the Event Organiser contracts for the performance of any service, work or other activity by a Subcontractor.
 - 23.2 The Event Organiser must ensure that each Subcontractor:
 - 23.2.1 complies with the requirements of this Licence and does not (by act or omission) cause the Licensor to be in breach of this Licence;
 - 23.2.2 provides at its own expense everything necessary to perform the services it is engaged to provide and in accordance with the terms set out in this Licence;
 - 23.2.3 performs the services it is engaged to provide with a high degree of professional skill, care, competence and diligence;
 - 23.2.4 complies with the Event Organiser's directions regarding the services it is engaged to provide;
 - 23.2.5 takes out all appropriate insurance policies as a minimum those set out in clause 16);
 - 23.2.6 performs the services it is engaged to provide promptly, punctually and efficiently to meet any program or other requirement of the Event Organiser; and
 - 23.2.7 complies with all applicable Laws.
 - 23.3 The Event Organiser must monitor, manage and co-ordinate the performance of services provided by any of its Subcontractors or other consultants in relation to this Licence.
 - 23.4 The Event Organiser must monitor and report on compliance by any of its Subcontractor's or other consultants engaged in connection with the Event with statutory requirements in respect of the Event and any order of a court or relevant authority or body affecting the Event.
 - 23.5 The Event Organiser shall be liable to the Licensor for the acts, defaults and omissions of any employees and agents of Subcontractors as if they were those of the Event Organiser.
-

24. Dispute Resolution

- 24.1 Any Dispute must be dealt with under this clause 24.
-

Notice of Dispute

24.2 If a party wishes to have a Dispute resolved, it must give a written notice (**Notice of Dispute**) to the other party. A Notice of Dispute must state that it is a notice under this clause 24.2 and must specify in reasonable detail:

24.2.1 the legal basis for and detailed particulars of the Dispute;

24.2.2 the facts relied on; and

24.2.3 the relief or outcome sought.

Negotiation

24.3 Within 14 days of the Notice of Dispute, the parties' representatives must meet and in good faith endeavour to resolve the Dispute.

Referral to the Program Working Group

24.4 If the Dispute is not resolved within 21 days of the Notice of Dispute, the Dispute must be referred to the Program Working Group.

24.5 The Program Working Group must, within 7 days of the referral under clause 24.4, meet and in good faith endeavour to resolve the Dispute.

Referral to the Executive Steering Committee

24.6 If the Dispute is not resolved by the Program Working Group within 35 days of the Notice of Dispute, the Dispute must be referred to the Executive Steering Committee.

24.7 The Executive Steering Committee must, within 7 days of the referral under clause 24.6, meet and in good faith endeavour to resolve the Dispute.

25. Confidentiality and Good Faith**Good Faith**

25.1 Each party will in good faith endeavour to progress the actions set out in this Licence within the timeframes allocated.

25.2 For the purposes of this Licence, acting in good faith means:

25.2.1 devoting sufficient resources to take the actions required under this Licence promptly and efficiently;

25.2.2 allocating people with the necessary knowledge, skills, experience and availability to take the actions required under this Licence;

25.2.3 bona fide endeavouring to reach practical positions in the public interest;

25.2.4 diligently pursuing the objectives and purposes of this Licence;

25.2.5 accurately recording minutes and other records of meetings and conversations; and

25.2.6 putting positions, negotiating and communicating openly, respectfully and constructively.

25.3 A party must not collude with any other person to delay the actions required by this Licence or to frustrate or render fruitless negotiations required under this Licence.

Confidentiality

25.4 Each party must keep confidential all Confidential Information and not disclose or allow to be disclosed any Confidential Information except in accordance with this Licence.

25.5 Each party may disclose Confidential Information only:

25.5.1 for the purposes of performing its obligations under this Licence;

25.5.2 as required by law;

25.5.3 as permitted or required in writing by the other party; or

25.5.4 if the information is already in the public domain (unless in the public domain due to a breach of confidentiality by any person).

25.6 The parties may only use Confidential Information to perform their obligations under this Licence.

25.7 Each party must take whatever measures are reasonably necessary to prevent the disclosure or misuse of Confidential Information, including:

25.7.1 implementing and complying with necessary security measures to safeguard Confidential Information from unauthorised access or use; and

25.7.2 keeping Confidential Information under the party's control.

26. Notices

Giving notices

26.1 Notices under this Licence must be in writing and may be served on a party by:

26.1.1 delivering it personally to the party;

26.1.2 leaving it at or sending it by prepaid post to the party's address specified in this Licence, or such other address notified by the party; or

26.1.3 email to the party's email address specified in this Licence, or such other email address notified by the party.

26.2 This section does not apply to notices served in proceedings in any court.

Time notice is given

26.3 A notice, consent, information, application, request or other communication is to be treated as delivered, given or made at the following time:

26.3.1 if it is delivered personally or left at the party's address, when it is left at the relevant address;

26.3.2 if it is sent by post:

- (a) using express post, 2 Business Days after it is posted; and
- (b) using any other prepaid post, 5 Business Days after posting; or

26.3.3 if it is sent by email, at the time the email is sent, unless the sender receives notification that the email was not received by the recipient.

26.4 If a notice, consent, information, application, request or other communication is delivered, given or made 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 whom it is sent, it is to be treated as having been given or made at 9:00am on the next Business Day in the place of the party to whom it is sent.

27. Miscellaneous

27.1 The Event Organiser may assign merchandising, catering, promotional and exhibiting rights after discussion and approval by the Licensor.

Entire agreement

27.2 This document contains everything 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 document was executed, except as permitted by law.

Execution of separate documents

27.3 This document is properly executed if each party executes either this document or an identical document. In the latter case, this document takes effect when the separately executed documents are exchanged between the parties.

Further acts

27.4 Each party must promptly execute all documents and do all things that another party from time to time reasonably requests to effect, perfect or complete this document and all transactions incidental to it.

Governing law and jurisdiction

27.5 This document 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.

Joint and individual liability and benefits

27.6 Except as otherwise set out in this document, any agreement, covenant, representation or warranty under this document 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.

Severability

27.7 If a clause or part of a clause of this document 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 document, but the rest of this document is not affected.

Variation

- 27.8 No variation of this document will be of any force or effect unless it is in writing and signed by the parties to this document.

Waiver

- 27.9 The fact that a party fails to do, or delays in doing, something the party is entitled to do under this document, 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.

Force Majeure

- 27.10 Neither party will be liable to any failure to observe its obligations under this Licence where such failure is wholly or substantially due to a Force Majeure Event.

Licensor may perform Event Organiser's obligations

- 27.11 The Licensor may do anything that the Event Organiser should have done under this Licence if the Event Organiser does not do so promptly or if, in the Licensor's opinion, the Event Organiser does not do so properly.
- 27.12 The Event Organiser indemnifies the Licensor against, and must pay to the Licensor on demand, all costs and expenses incurred by the Licensor under clause 27.10.

Operation of indemnities

- 27.13 Each indemnity in this Licence is:
- 27.13.1 in addition to, and does not limit or exclude, any other rights or remedies that the party benefitting from the indemnity may have; and
 - 27.13.2 a continuing obligation, separate and independent from the other obligations of the parties and survives termination of this Licence.
- 27.14 It is not necessary for a party to incur expense or make payment before enforcing a right of indemnity conferred by this Licence.

Continuing obligations

- 27.15 The obligations of the Event Organiser in clauses 17.4, 17.5, 18.6, 18.7, 24 and 25 are continuing obligations and survive the termination of this Licence.

28. Definitions and interpretation**Definitions**

- 28.1 In this document the following definitions apply:

Area Immediately Surrounding the Licensed Area means footpaths, roadways, infrastructure and land (other than privately owned land) that is within 20 metres of the Licensed Area.

Authorisation means:

- (a) an approval, consent, declaration, exemption, accreditation, notarisation, licence, permit, certificate, waiver or other authorisation, however described, required by any law; and
- (b) in relation to anything that could be prohibited or restricted by law if an Authority acts in any way within a specified period, the expiry of that period without that action being taken,

including any variation, modification, renewal or amendment with any Authority.

Authority means any:

- (a) government, government department, government agency or government authority;
- (b) governmental, semi-governmental or judicial person carrying out any statutory authority or function; or

other person (whether autonomous or not) who is charged with the administration of a Law.

Business Day means a day that is not a Saturday, Sunday or public holiday in Sydney.

CLM Act means the *Crown Lands Management Act 2016* (NSW).

Coast Walk means the land identified in clause 1.1.9 in Schedule 2.

Commencing Date means the date that this Licence is fully executed by the parties.

Confidential Information means any confidential information relating to a party that:

- (a) is contained in reports or other documents that are marked as 'confidential' and disclosed to the other party under this Licence;
- (b) is disclosed or discussed during a meeting of the Program Working Group or Executive Steering Committee or during any other discussion between the parties in relation to the Licence or Event, and is expressly stated to be confidential at the time that it disclosed or discussed.

Crown Land Manager has the same meaning as defined in the CLM Act.

Dispute means a disputes between the parties arising out of or in connection with the Licence or the Event.

Draft Event Management and Delivery Plan means the draft of the Event Management and Delivery Plan document prepared and submitted in accordance with clause 6.

Engineer means a suitably experienced, qualified and accredited structural engineer who has the necessary skills, training and experience to properly perform the role of Engineer under this Licence and is engaged by the Event Organiser, with the consent of the Licensor acting reasonably, to act as an independent expert and provide the certifications required under clause 5.2 of this Licence.

Equipment means all equipment, vehicles and structures relating to the Event, including:

- (a) a Sculpture;
- (b) a Vehicle;
- (c) marquees, fencing, facilities for serving food and beverages, waste facilities and generators.

Event means the event known as 'Sculpture by the Sea'.

Event Management and Delivery Plan means for each year of the Term, the Event Management and Delivery Plan for which a notice has been issued under clause 6.5 in that year.

Event Organiser means Sculpture by the Sea Incorporated (ABN 84 103 984 756).

Event Organiser's Associate means each of the Event Organiser's employees, officers, agents, Subcontractors, consultants, invitees, sublessees, licensees and any other person or under the control or discretion of the Event Organiser.

Event Pack Down means the event pack down to occur during the Event Pack Down Period.

Event Pack Down Period means the period of time immediately following the Event Period and finishing no later than 6.00 p.m. six days after the final day of the Event Period, or such other period of time approved by the Licensor in its absolute discretion and set out in the Event Management and Delivery Plan.

Event Period means:

- (a) a period of 18 days spanning between late October and early November for each year during the Term; or
- (b) if requested by the Event Organiser, such other date as the Licensor may approve in its absolute discretion.

Event Set Up means the event set up to occur during the Event Set Up Period.

Event Set Up Period means the period of time commencing no earlier than 7.00am eleven days before the first day of the Event Period.

Event Sponsors means the companies who have agreed with the Event Organiser to become sponsors of the Event.

Executive Steering Committee means the committee consisting of:

- (a) the General Manager of the Licensor;
- (b) the Chair of the Board of the Event Organiser; and
- (c) if agreed between the parties, any other representative of the parties.

Expiry Date means later of:

- (a) four months after the end of the Occupation Period in the Expiry Year; or
- (b) if no Event is held in the Expiry Year, then 31 December of the Expiry Year.

Expiry Year means the year 2019 or, if the Term is extended in accordance with clause 2.4, the year 2023.

Food and Beverage Area means an area within the Licensed Area that is approved by the Event Management and Delivery Plan for the sale of food and beverages for the Event.

Force Majeure Event means an act of war (whether declared or not) or terrorism, civil commotion or riot, earthquake, tsunami, flood, medical pandemic, natural disaster or national or state wide industrial action (other than where caused or contributed to by the Event Organiser or any Subcontractor), but only to the extent these render it impossible for the Event Organiser to safely and lawfully conduct the Event or for a party to perform the relevant obligation under this Licence.

Geotechnical Expert means a suitably qualified and accredited geotechnical engineer who has the necessary skills, training and experience to properly perform the role of Geotechnical Expert under this Licence and is engaged by the Event Organiser, with the consent of the Licensor acting reasonably, to act as an independent expert and provide the Geotechnical Report under this Licence.

Geotechnical Report means the report prepared by a Geotechnical Expert as required by clause 5.3 and in accordance with clause 5.4.

Intellectual Property Rights means all rights in relation to copyright, registered designs, registered and unregistered trademarks, patents, trade secrets, know-how (and rights to register those rights).

Law includes any legislation or any rule, principle, duty or requirement of or under common law or equity, and for the avoidance of doubt includes any Authorisations and the lawful requirements of Authorities.

Licence means this deed between the Licensor and the Event Organiser.

Licensed Area means the each area of land identified in Schedule 2.

Licensor means the Waverly Council (ABN 12 502 583 608).

Major Defect means a defect in the Licensed Area that poses an immediate and serious public health and safety risk to one or more users of the Licensed Area.

Make Good Date means within 28 Days after the Licensor has notified the Event Organiser of repairs that need to be carried out in accordance with clauses 18.4 and 18.5 unless otherwise agreed by the Licensor.

Marks Park means the land identified in clause 1.1.5 of Schedule 2.

Minister means the Minister administering the CLM Act.

Occupation Period means the dates and times comprising the:

- (a) Event Set Up Period;
- (b) Event Period; and
- (c) Event Pack Down Period.

Program Working Group means the working group consisting of:

- (a) the Director, Customer Service and Organisation Improvement of the Licensor;
- (b) David Handley, founding Director of the Event Organiser; and
- (c) if agreed between the parties, any other representative of the parties.

Sculpture means an installation, sculpture, structure or artwork temporarily displayed in the Licensed Area for viewing by the public as part of the Event.

Security Service means a reputable and independent security service licensed under the *Security Industry Act 1997* (as amended from time to time) approved by the Licensor and employed by the Event Organiser under this Licence.

SERP means the Sculpture Engineering Review Panel consisting of at least one representative of each of the Licensor and the Event Organiser, at least one appropriately qualified and experienced engineer and at least one senior artist, as well as any other person that the Event Organiser requires to be part of the SERP from time to time. The Licensor may request that any other person be part of the SERP from time to time, subject to the approval of the Event Organiser. Such approval by the Event Organiser will not be unreasonably withheld.

Services means all services in connection with the Licensed Area, including electricity, gas, water, and telecommunication services.

State means the State of New South Wales.

Statutory Requirements means the requirements of any Authority, which has jurisdiction affecting the provision of services under this Licence.

Subcontractor means a person or entity engaged by or on behalf of the Event Organiser to perform services, works or activities associated with this Licence.

Tamarama Park means the land identified in clauses 1.1.7 and 1.1.8 in Schedule 2.

Term means the period from the Commencing Date until the Terminating Date.

Terminating Date means the Expiry Date or the date that this Licence is terminated in accordance with clauses 19 and 20, whichever occurs first.

Vehicle means a vehicle, truck, forklift and other delivery, installation or construction heavy machinery and equipment.

Interpretation

- 28.2 In the interpretation of this document, the following provisions apply unless the context otherwise requires:
- 28.2.1 headings are inserted for convenience only and do not affect the interpretation of this document;
 - 28.2.2 a reference in this document to dollars or \$ means Australian dollars and all amounts payable under this document are payable in Australian dollars;
 - 28.2.3 a reference in this document 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;

- 28.2.4 a reference in this document to any agreement or document is to that agreement or document as amended, novated, supplemented or replaced;
- 28.2.5 a reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this document;
- 28.2.6 an expression importing a natural person includes any company, Licensor, partnership, joint venture, association, body corporate or governmental agency;
- 28.2.7 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;
- 28.2.8 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;
- 28.2.9 references to the word 'include' or 'including' are to be construed without limitation;
- 28.2.10 a reference to this document includes the agreement recorded in this document; and
- 28.2.11 any schedules and attachments form part of this document.

Schedule 1 Sculpture Selection and Engineering: Process and Timelines

1. Sculpture selection process completed by Curatorial Panel in early May in each year of the Term.
2. Site meetings with local successful artists to occur in mid to late May in each year of the Term.
3. The Event Organiser Founding Director and Site Manager to generate a Draft Site Map.
4. The Event Organiser Site Manager generates 'Site Issues' spreadsheet for each artist. This includes initial responses to each application from the Site Manager and questions for the artist.
5. The Event Organiser must provide to the Licensor preliminary details of Sculptures selected, the Draft Site Map and the preliminary Site Issues Spreadsheet for each artist. The Licensor's representative may provide comments to the Event Organiser Site Manager.
6. SERP meets to confirm which proposed Sculptures require (or potentially require) certification under clauses **Error! Reference source not found.** and 5.2.2. The SERP must include a representative of the Licensor. If the Licensor requests that an extra representative or representatives be included in the Curatorial Panel, the Event Organiser must not unreasonably refuse such a request.
7. 12 weeks prior to the commencement of the Occupation Period, the Event Organiser is to receive completed 'Site Issues' forms from artists. These forms are to include responses to SERP panel classifications. The Licensor may request to see any or all of these forms, in which case the Event Organiser must promptly provide these. The Licensor's representative may provide input to, and/or request further clarification from, the Event Manager Site Manager and/or the Engineer relating to any aspect of these completed Site Issues forms
8. The Licensor's representative is to, within three Business Days from the receipt of the certifications required by clause **Error! Reference source not found.**, seek clarification or raise issues with the Event Manager's Site Manager or the Engineer relating to any matter.
9. The Event Organiser must not issue 'Authorisation to Install' documentation;
 - 9.1 for any Sculptures until after the period of three Business Days referred to in clause 8 of this Schedule has lapsed, or;
 - 9.2 in relation to any Sculpture, until all queries and issues relating to that Sculpture as raised by the Licensor's representative have been resolved. ('Authorisation to Install' documentation can be provided to other artists whose works are not the subject of an active query.)
10. The Licensor's representative may, by the giving of reasonable notice, request a meeting with the Event Organiser Site Manager at any stage of the Sculpture selection and engineering process to raise concerns or request clarification regarding any matter.

Schedule 2 Licensed Area

1. Licensed Area

1.1 The Licensed Area means each of the areas of land set out in this clause 1 of this Schedule, as shown on the map in clause 2 of this Schedule:

- 1.1.1 Bondi Park (Reserve D500152);
- 1.1.2 Part Hunter Park, Bondi Baths (Reserve R100245);
- 1.1.3 Hunter Park (Reserve R50351), comprising the land identified by folio identifiers 713/752011, 714/752011, 715/752011 and 25/252011;
- 1.1.4 Public Reserved Wilga Street, comprising the land identified by folio identifier 7083/1060800;
- 1.1.5 Marks Park, comprising the land identified by folio identifiers 7025/93864, 23/752011 and 24/752011;
- 1.1.6 Gaerloch Reserve, comprising the land identified by folio identifiers 1/187558, B/186931, 26/15588, 24/15588, 25/15588, B/186358, 23/15588, 22/15588, 19/15588, 2/558269, 2/187558, 1/186779, B/187172, 1/187106, 21/15588, B/186359, 18/15588 and 27/15588;
- 1.1.7 Tamarama Park, comprising the land identified by folio identifiers 7046/1052115 and 711/1181647;
- 1.1.8 Part Tamarama Park, folio identifier 1/1150445; and
- 1.1.9 'Coast Walk' from Notts Ave to Tamarama Beach.

2. Map of Licensed Area

Pending

Schedule 3 Vegetation protection

Pending

DRAFT

Execution and date

Executed by the parties as a deed.

Date: 2019

For and on behalf of **Waverley Council**

ABN 12 502 583 608 of Bondi Road

and Paul Street, Bondi Junction, NSW, 2022

in the presence of:

.....
Signature of authorised person.....
Signature of authorised person.....
Office held.....
Office held.....
Name of authorised person (print).....
Name of authorised person (print)

Executed by **Sculpture by the Sea
Incorporated** ABN 84 103 984 756
in accordance with section 22 of the
Associations Incorporation Act 2009
(NSW):

.....
Signature of authorised person.....
Signature of authorised person.....
Office held.....
Office held.....
Name of authorised person (print).....
Name of authorised person (print)

REPORT

CM/7.16/19.07



Subject: North Bondi Civil Infrastructure Renewal - Mosaic Recommission

TRIM No: A17/0484

Author: Elizabeth Reidy, Co-ordinator, Curator & Visual Arts

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council recommissions the North Bondi mosaic as a restoration of the original artwork in line with guidance from the conservator.

1. Executive Summary

This report is an update on the recommissioning of the North Bondi Mosaic Art work happening as part of the North Bondi Civil Infrastructure Renewal. It details the assessment processes undertaken by International Conservation Services in conjunction with the original lead artist on the project, Lloyd Keleman, confirming a recommissioning of the original artwork is feasible.

2. Introduction/Background

In April 2019, works commenced on the like-for-like upgrade of the North Bondi civil and coastal infrastructure including:

- Full construction of the stormwater culvert.
- Upgrades to the toddlers' pool.
- Upgrades to the accessible ramp to the toddlers' pool.
- Reconstruction of seawall adjacent to the accessible ramp.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 20 November 2019	CM/7.2/18.11	<p>That Council:</p> <ol style="list-style-type: none"> 1. Proceeds with like-for-like upgrade of the North Bondi civil and coastal infrastructure including: <ol style="list-style-type: none"> (a) Full reconstruction of North Bondi Stormwater Culvert. (b) Upgrades to North Bondi Toddlers' Pool. (c) Upgrades to North Bondi Accessible Ramp to Toddlers' Pool.

		<p>(d) Reconstruction of seawall adjacent to the accessible ramp.</p> <ol style="list-style-type: none"> 2. Approves the project budget of \$3,500,000 including a Q1 adjustment of \$1,500,000 to cover the funding required for this financial year, with the remainder to be included in the draft 2019–20 Capital Works budget. 3. Undertakes a media and public awareness campaign about the intended works. 4. Notes that the North Bondi mosaic mural was installed 30 years ago with significant community participation. 5. Notes that Council officers have commenced discussions with the original artist, Lloyd Kellerman, regarding the project and the subsequent options for the art work. 6. Notes that Council officers will engage the services of an art/artefacts conservationist to survey and document the existing mural and provide recommendations on feasibility of conserving all or part of the mural. 7. Approves Council officers to work with the original artist and local indigenous community to prepare a scoping document for the commissioning of a new artwork if the full restoration is not feasible. 8. Officers refer the scoping document to the Public Art Committee.
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4. Discussion

The existing artwork on the wall of the stormwater culvert, including the mosaic artwork, required further assessment by suitably qualified art conservators under the direction of the original artist, Lloyd Keleman, to assess whether a recommission and full reinstatement of the mosaic wall was possible. The mosaic artwork was created over 30 years ago through a series of community engagement workshops and an organic fabrication and installation process. As such, CAD drawings and design plans for the mosaic artwork did not exist.

On 6 and 8 February 2019, Council staff met with International Conservation Services and Mr Keleman on-site at the mosaic for the onset of the restoration and recommission assessment. Mr Keleman has worked directly with the conservators assessing all of the elements of the artwork in order to make a determination about which sections of the wall are able to be retained. The conservators documented the wall in detail so CAD drawings and a design blue print could be created of the original work for the purpose of recommission.

At the request of Mr Keleman and the conservator, Waverley Council engaged Peter Day Environmental Art+Design (EA+D), to create the CAD drawings and blue prints for the recommission of the mosaic artwork based on the conservators report and documentation. Mr Keleman was retained to work directly with EA+D on the development of the recommission blue print. The vast majority of individual artworks contained in

the wall were salvaged and other works, including the dinosaur, are able to be remade as the casts and molds still exist.

A restoration of the mosaic was therefore considered viable. Mr Keleman and EA+D have proceeded with creating the CAD design of the original mosaic for recommission. A workshop and consultation will be held in late July 2019 with the other artist involved with the creation of the original work for feedback and input on the recommission drawings.

An update of the restoration was presented to the Waverley Public Art Committee on 25 February 2019 and progress on the recommission was reported as part of General Business in the meeting held on 27 May 2019.

Alongside the recommission, Council staff will oversee the implementation of aesthetically suitable didactic signage that tells the history of the original artwork, recognises the contribution of the original artists and the community in the development of the artwork, and acknowledges the traditional owners of the land on which it sits, the Gadigal People of the Eora Nation.

Mr Keleman was interviewed as part of the Waverley 160 social media campaign, and his documented story of the original construction of the mosaic artwork was recorded and posted on Council's social media platforms.

5. Financial impact statement/Timeframe/Consultation

Funds for the recommission of the original mosaic artwork are part of the overall budget for the North Bondi Civil Infrastructure Renewal program with the approved overall project budget of \$3,500,000 including a Q1 adjustment of \$1,500,000 to cover the funding required for 2018–19. There are additional budget requirements identified as at this stage of the project.

The design and CAD drawings for the recommission will be complete by late July 2019 with the request for tender for fabrication and installation set to close in early September. Fabrication and installation of the recommissioned artwork are scheduled to be completed by December 2019.

The media campaign and consultation around the mosaic artwork has been extensive including briefings in the Bondi Pavilion as well as with the Bondi Beach Precinct Committee. Articles on the upgrades to North Bondi and the recommission of the mosaic appeared in the Wentworth Courier in April 2019 and in the Beast in May 2019. A Pool Party was held as part of the Waverley Council April School Holiday program to notify the community of the upgrades to the Kids Pool and the recommission of the mosaic artwork.

6. Conclusion

That Council endorses the recommendations that the North Bondi mosaic recommission is a restoration of the original artwork in line with guidance from the conservator, and that a process for scoping the commissioning of new artwork is not required.

7. Attachments

Nil.

**REPORT
CM/7.17/19.07**

Subject: Minutes - Waverley Public Art Committee Meetings - 12 November 2018 and 25 February 2019

TRIM No: A18/0141

Author: Elizabeth Reidy, Co-ordinator, Curator & Visual Arts

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council:

1. Receives and notes the minutes of the Waverley Public Art Committee meetings held on 12 November 2018 and 25 February 2019.
2. Notes that the minutes will be made available to the public via Council's website.

1. Executive Summary

In December 2017, Council adopted new Terms of Reference for the Waverley Public Art Committee. The new Terms of Reference noted that minutes will be reported to Council for Council information.

Attached to this report are the minutes of the Waverley Public Art Committee meetings dated 12 November 2018 and 25 February 2019.

2. Introduction/Background

Council established a Public Art Committee in 1992. In December 2017 Council endorsed the current Terms of Reference for the Committee.

Members of the Waverley Public Art Committee were appointed by Council in April 2018.

As per the Terms of Reference, the Waverley Public Art Committee aims to:

- Foster the ongoing development of quality, diverse and creative public art and visual art so as to enhance public access and experience of the arts.
- Select and develop public artworks that serve as important markers reflective of our heritage and cultural identity.
- Involve the community through informing and promoting public art and visual arts programs.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 11 December 2018	CM/7.16/18.12	That Council: <ol style="list-style-type: none"> 1. Receives and notes the minutes of the Waverley Public Art Committee meetings held on 30 July 2018 and 17 September 2018. 2. Notes that the minutes will be made available to the public via Council's website.
Operations and Community Services Committee 4 September 2018	OC/5.2/18.09	The Council: <ol style="list-style-type: none"> 1. Receives and notes the minutes of the Waverley Public Art Committee meetings held on 30 April 2018 and 9 July 2018. 2. Notes the minutes will be made available to the public via Council's website.
Operations and Community Services Committee 10 April 2018	OC/5.3/18.04	That Council appoints the following members to the Waverley Public Art Committee for a term of two years: <ul style="list-style-type: none"> • Alexandra Bowen. • Claire Edwards. • Isabelle Toland. • Joni Taylor. • Sam Marshall. • Sylvia Hrovatin. • Willa Stanton. • Charles Clapshaw. • Ian Shadwell (on reserve). • Liane Rossler (on reserve).
Council 12 December 2017	CM/7.10/17.12	That Council: <ol style="list-style-type: none"> 1. Adopts the Terms of Reference for the Waverley Public Art Committee attached to this report. 2. Call for expressions of interest for new committee members to be appointed for the period of March 2018 – February 2020.

4. Discussion

The Waverley Public Art Committee Terms of Reference note that:

- Minutes and agendas of all Committee meetings are public documents.
- Minutes will be reported to Council.

The first set of minutes for the Committee meetings were reported to Council on 4 September 2019 for committee meetings dated 30 April 2018 and 9 July 2018. Since then the reporting of meeting minutes has been ongoing.

Attached to this report are the minutes for the meetings of the Waverley Public Art Committee dated:

- 12 November 2018.
- 25 February 2019.

5. Financial impact statement/Timeframe/Consultation

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

The next meeting of the Waverley Public Art Committee is scheduled for Monday 4 August 2019.

6. Conclusion

Meetings of the Waverley Public Art Committee were held on 12 November 2018 and the 25 February 2019. Minutes from both meetings are attached to this report.

7. Attachments

1. Minutes - Waverley Public Art Committee Meeting - 25 February 2019 [↓](#)
2. Minutes - Waverley Public Art Committee Meeting - 12 November 2018 [↓](#) .

Title: Waverley Public Art Committee Location: Queen Park Room, Council Chambers			Date: Monday 25 February 2019		Time: 6:30pm-8:00pm	
Participants: Claire Edwards, Sam Marshall, Willa Stanton, Joni Taylor, Isabelle Toland, Charles Clapshaw, Sylvia Hrovatin, Linda Bathur, Elizabeth Reidy, Linda Bathur, Matthew Fallon, Cr. Paula Masselos, Apologies: Cr. Angela Burrill, Cr. Elaine Keenan, Willa Stanton						
Chair: Cr. Paula Masselos			Minute Taker: Todd Fuller			
No	Subject	Type	Start Time	Duration	Outcome	Responsibility
1.	Welcome & apologies	For information	6:30pm	5mins	Cr. Masselos acknowledged country. Apologies received by Cr. Burrill, Cr. Wy Kanak and Cr. Keenan.	Chair
2.	Declarations of Interest	For information	6:35pm	3mins	No Declarations of Interest tabled.	ALL
3.	Confirmation of Minutes	For information	6:38	2mins	Motion passed by Claire Edwards that the minutes are deemed to be true and accurate, motion supported by Charles Clapshaw and carried unanimously.	
4.	North Bondi Asset Renewal Project	For information	6:40pm	5mins	Elizabeth Reidy briefed the committee on the North Bondi Asset Renewal project, commencing in late April as a restoration of the children’s pool and two surrounding public artworks. The broader culver is a public safety issue due to concrete cancer. Two artworks need to be restored/recommissioned as a part of the area renewal: <ul style="list-style-type: none">North Bondi Pool Mural	ER

					<ul style="list-style-type: none"> • North Bondi 'Bondi' Mural. <p>Conservators and the original artist have been engaged to inform a brief regarding a re-commission of a replacement artwork for the mosaic which will retain elements of the original work. Large 'Bondi' mural to be recommissioned retaining the word 'Bondi'.</p> <p>The murals RFQ will come back to the committee at a future meeting.</p>	
5.	Mosaic Deaccession	For Discussion	6:45pm	10mins	<p>Committee was briefed on a body of work along Campbell Parade. As part of the agreement made with Bondi Pacific in the redevelopment of the Bondi Swiss Grande building in 2016, Waverley Council staff conducted an onsite visit with artist Helen Bodycomb who provided Waverley Council with a condition report for the mosaic furniture and seating artworks located on the Corner of Campbell Parade and Beach Road, and Campbell Parade and Curlewis Street. Four of the seating pieces were scheduled to be removed with one work retained by Waverley Council for the local history Collection. The de-installation of the works commenced in late 2017 and were halted by the newly appointed Council. The four mosaic furniture tops were stored in the back of Bondi Pavilion. The works have been sitting in the open environment behind the outside door to Bondi Pavilion Gallery for twelve months. The size and scale of the works have created a blockage on the access ramp behind the gallery and impacts the spaces utilised by various external hirer and festival happening over the summer period. The works need to be protected and stored properly to</p>	ER

				<p>ensure they are safe. A space had been cleared in the Hollywood Street car park for the works to be relocated whilst Waverley Council oversees the correct process for either deaccessioning or retaining them however due to access issues this was not possible.</p> <p>The committee also reviewed the criteria of deaccessioning in Waverley as outlined by Waverley's Accessioning and Deaccessioning guidelines which are:</p> <ul style="list-style-type: none">• A work of art whose significance or aesthetic merit falls substantially below the general level of the collection• A work of art which lowers the overall level of quality or representation of its specific area in the collection• A work of art which has deteriorated to the extent that it is no longer recognisable as a work of art and is beyond restoration to an acceptable standard• A work of art that requires a level of ongoing maintenance and repair that is beyond the financial and social value of the work• A work of art in the collection which is no longer perceived as falling within Waverley Council's existing acquisitions policy• A work of art that is a duplication, or is duplicated in the collection• A work of art that contains materials that are considered hazardous or has the potential to cause physical harm• A more appropriate agency exists to house the artwork	
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					<p>Currently the works are being stored at the IAS facility in Botany. Waverley Council has paid \$12,000 for crating of these works with an additional \$1,000 per month in storage.</p> <p>A report commissioned by the artist in 2017 recommended that the work be returned to her Castlemaine residence should they be deaccessioned.</p> <p>The Public Art Committee is asked for a recommendation on actions that could be taken.</p> <p>The Public Art Committee unanimously recommended the mosaic furniture artworks are deaccessioned and returned to the original artist having considered many alternatives including community consultation and long term storage.</p>	
6.	ACON MOU	For information	6:55pm	5mins	<p>A draft MOU has been established between Waverley Council and the Aids Council of NSW. The MOU is in the final stages of legal review for redrafting, and should be reviewable by the committee at the next Public Art Committee meeting.</p> <p>This has been a four month process. The site is specified in the MOU. Staff are congratulated for getting this project to where it is.</p>	ER
7.	Waverley Artist Studios update	For information	7:00mins	5mins	<p>Five Studio Artists as referred by the Public Art Committee in November 2018 have been approved by Waverley Council. Five Studio Artists are now in residence.</p>	TF

8.	Waverley Art Prize update	For information	7.05pm	5mins	The Waverley Art Prize call for application online form is live and currently in promotion stage. Applications will be received until 17 May. This year's judges are Fiona Lowry, Mitch Cairns and Phil James.	TF
9.	Boot Factory Update	For Information	7:10pm	10mins	<p>Boot factory is scheduled to be restored by September next year. Reports have been commissioned regarding best use of the site, heritage and design.</p> <p>Options for use of the site will be consulted with the Public Art Committee on 7 March, with an associated business case for each of the eight options being explored.</p> <p>The architects have also been considering the space in front with particular reference to saving the tree in front of the Boot factory. There will be opportunities for public art in this area.</p>	
10.	Walk for Respect	For Information	7:20pm	5mins	Waverley Council's Walk for Respect is scheduled for 3 March. The event has been organised in response to hate speech, supremacist language and swastika's recently vandalising the area. All members of the committee are invited to come together to celebrate diversity and celebrate respect.	
11.	General Business: <ul style="list-style-type: none"> - Date for Hunter Park and Marks Park sit visit - International Women's Day - Next Meeting. 	For information	7.25pm	5mins	<p>The committee are to do a site visit of both Hunter and Marks Park:</p> <ul style="list-style-type: none"> • Hunter Park requires restoration and attention, may need to make recommendations around this. • Marks Park site to also be visited to view S x S impact on Marks Park and ACON site. 	ALL

					<p>Elizabeth Reidy to send committee members copy of Deaccessioning and Accessioning Guidelines to review before this tour.</p> <p>Site visits will take place Sunday 10 March at 3.00pm.</p> <p>Committee are invited to International Women's Day cocktail event on 8 March.</p> <p>Cultural Policy is currently being worked on by Cred Consulting. All committee members will be invited to attend a consultation session.</p> <p>Date of next meeting to be Monday 27 May 2019</p>	
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Title: Waverley Public Art Committee Location: Meeting on site at The Boot Factory, Norman Lee Place, Spring St Bondi Junction			Date: Monday 12 November 2018		Time: 6:30pm-8:00pm	
Then returning to Waverley Library, 32-48 Denison St Bondi Junction						
Participants: Claire Edwards, Sam Marshall, Joni Taylor, Isabelle Toland, Charles Clapshaw, Rachel Jenkin, Matthew Fallon, Elizabeth Reidy, Cr. Paula Masselos, Cr. Angela Burrill,						
Apologies: Linda Bathur, Sylvia Hrovatin, Cr. Elaine Keenan, Willa Stanton						
Chair: Cr. Paula Masselos			Minute Taker: Todd Fuller			
No	Subject	Type	Start Time	Duration	Outcome	Responsibility
1.	Welcome & apologies	For information	6:30pm	5mins	Cr. Masselos welcomed the committee. Apologies received by Cr. Keenan, Willa Stanton and Sylvia Hrovatin.	Chair
2.	Confirmation of Minutes	For information	6:35pm	5mins	Motion passed by Isabelle Toland that the Minutes from 17 September WAPC meeting are deemed to be true and accurate, motion seconded by Claire Edwards and carried unanimously.	Chair
3.	Declarations of Interest	For information	6:40pm	5mins	No Declarations of Interest tabled.	ALL
4.	The Boot Factory knowledge and innovation hub presentation on site	For information/discussion	6:45pm	20mins	Cr. Masselos and Matthew Fallon gave tour of the Boot factory, providing historic background.	ALL/ELTON Consulting
5.	Waverley Artist Studios 2019 -2020	For information	7:05pm	10mins	Elizabeth Reidy provided background to the studios, key points included:	ER

	Call for applications and process for awarding studios				<ul style="list-style-type: none"> The Waverley Artist Studios have been in operation since 2010. The program offers five fully subsidised studios. Applications closed 19 October 2018 with 42 applications received by the online portal. These were panel assessed by current studio artists. Committee view the grading and assessment tool. <p>Committee comments include:</p> <ul style="list-style-type: none"> Great variety and diversity. Very strong calibre of applicants with willingness to engage with the community being a determining factor as to studio allocation. This is an outstanding calibre of amazing finalists, the visual arts team and assessors has done an excellent job. 	
6.	Waverley Artist Studios recommendations for 2019	For information/discussion	7:25pm	20mins	<p>Sam Marshall recommended</p> <p>1. Keg De Souza 2. Catherine Clayton-Smith 3. Tully Arnot 4. Mojgan Habibi 5. Oliver Wagner as the 2019 Waverley Studio Artists.</p> <p>With 1. Josee Vesely-Manning, 2. Lisa Patroni 3. Douglas Lance-Gibson as the studio artist reserves.</p> <p>Motion seconded by Charles Clapshaw.</p>	ALL
7.	The next site for commission on the public art master plan update	For information	7:45mins	5mins	<p>At the last Waverley Council meeting an update to the Public Art Masterplan was approved which recommended Marks Park as the next site for</p>	ER

				<p>commissioning of Public Art. The intended artwork is the Bondi Memorial project, a partnership with the Aids Council of New South Wales. Council Officers are currently working on resolving a MOU with ACON outlining funding and roles and responsibilities.</p> <p>As a part of the council motion, SXS are to be consulted for feedback.</p> <p>Governance has advised Council Officers that SXS should be informed that giving advice would make them illegible to tender on the RFQ for the design and delivery of this artwork.</p> <p>Committee questioned why we need SxS feedback. This is a Council lead process.</p> <p>Expected procedure on this commission will be:</p> <ol style="list-style-type: none">1. MOU in place2. Surveys and constraints3. Brief4. Tender5. Advertised6. Assessment and short listing of three artists7. Three selected artists do a detailed design stage in collaboration with Council engineers and informed by detailed site constraints8. Final concepts to Public Art Committee9. Recommendation to Council for approval10. Commissioning and construction phase commences.	
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					<p>ACON to have a representative at the Public Art Committee at all times when this project is discussed.</p> <p>This is a new partnership but Waverley Council's role will involve the coordinating of construction and project management while ACON to lead the community consultation of the project.</p> <p>Committee to review and visit Marks Park and Hunter Park. Elizabeth Reidy to coordinate a Sunday afternoon in February.</p>	
8.	General Business	For information	7.50pm	5mins	<p>RDA development committee to supply final image to committee. RDA to liaise with staff regarding materiality etc. RDA have contacted schools and local lifesaving club. Committee encourages RDA to meet with key stakeholders from SAVE BRONTE Community group as good will gesture.</p> <p>2018 Sculpture by the Sea finalist John Petrie has offered to loan Council his work from the current exhibition. John has been directed to the processes of the Acquisitioning and Deaccessioning Guidelines. The work has been removed from site until the artist formally applies through this process providing the required paperwork. As per the Acquisitioning and Deaccessioning Guidelines all loans are to be unconditional.</p> <p>LEP update; in a recent review alterations were made to parts of the LEP in order to differentiate</p>	ALL

					<p>street art and murals from signage and advertising. In summary:</p> <ul style="list-style-type: none"> • If a mural or street artwork is to go up in a non-heritage area, and contains no marketing material, it is DA exempt. • If a mural or street artwork is to go up in a heritage area and contains no marketing materials, it requires a Heritage exemption but is DA exempt. • If a mural or street artwork contains advertising or commercial materials, it requires a DA. Anything with marketing or advertising is considered and treated as a sign. 	
9.	Next meeting: Monday 11 February 2019				<p>Agenda items:</p> <ul style="list-style-type: none"> • Marks Park • Hunter Park • Bondi Memorial update • Boot factory internal tour or project update • North Bondi asset renewal kids pool and associated mosaic • Bondi Pavilion • Local studies presentation regarding the boot factory artifacts. 	

REPORT
CM/7.18/19.07

Subject: Seven Ways Streetscape Upgrade - Budget Allocation

TRIM No: A17/0158

Author: Robert Sabato, Senior Project Manager

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council brings forward \$1.6 million from the Long Term Financial Plan 2020/21 Local Village Streetscape Upgrade to fund the delivery of the Seven Ways Streetscape Upgrade in the 2019/20 financial year.

1. Executive Summary

Seven Ways Streetscape Upgrade is currently in detailed design stage in preparation for review by Waverley Traffic Committee as well as tender release for construction. The current estimated budget for the project is \$1.7 million. Due to the commencement of construction of two major Local Village Streetscape projects in Q1 (Bronte Village streetscape upgrade, Seven Ways Streetscape Upgrade) and the commencement of design for the upgrade of Charing Cross, it is necessary to bring forward additional funding from the Long Term Financial Plan (LTFP) 2020/21 Local Village Streetscape program in order to proceed to tender for the Seven Ways Streetscape Upgrade and meet the necessary timelines.

2. Introduction/Background

Seven Ways Streetscape Upgrade was presented to Council in two separate workshops. The initial concept was presented in July 2018, and, following minor requests for change, was presented again to Council in March 2019 following amendments to the original plan. The March 2019 councillor workshop presentation (Attachment 2) outlines the updated proposal. Following consultation with Councillors at the March 2019 workshop, Officers proceeded to community consultation on the proposal.

Consultation was carried out during May 2019 by MED Consulting and Council's communications team. The results of which were distributed to Councillors via email on 24 June (Attachment 1). 142 surveys were received during the exhibition period with over 90% of respondents drawing from the local Bondi and North Bondi areas. Over 90% of participants in the survey advised they liked the concept design with the main reasons cited being: the creation of usable space for the community, the look of the finishes and the design concept, and the creation of more green space with additional plantings and trees. Participants also expressed opinions that the upgrade represents a good investment and pedestrianising Warners Lane is a priority.

Council has since proceeded to detailed documentation in preparation tender release for construction and review of the concept designs by the Waverley Traffic Committee.

There is currently \$3,669,141 allocated in the 2019/20 Capital Works Program to fund the Local Village Streetscape program which include the Bronte Village Streetscape Upgrade construction, Charing Cross Design and the Seven ways project. To deliver the Seven Ways Streetscape Upgrade a total budget of \$1.7 million is required. This includes \$1.2 million of voluntary planning agreements received from 87-89 and 91-

93 Glenayr Avenue. In order to deliver all streetscape projects fully within the current year, it is necessary to bring forward \$1.6 million from the 2020/21 financial year Local Village Streetscape program in the LTFP to cover the expected expenditure for these multiyear project projects and allow the tender for construction to be awarded.

3. Relevant Council Resolutions

Nil.

4. Discussion

It is intended that Council officers will seek approval on the final concept design from the Waverley Traffic Committee in July. Officers will concurrently release the tender in July 2019 in order to meet the developer's program of construction completion at 87-89 Glenayr Avenue. In order to enable Council to award the tender for construction, it is necessary to bring forward \$1.6 million of funding from the 2020/21 LTFP Local Village Streetscape Program to meet these timelines.

5. Financial impact statement/Timeframe/Consultation

Seven Ways Streetscape Upgrade includes \$1.2 million funding from two voluntary planning agreements (VPA) of nearby developments at 87-89 and 91-93 Glenayr Avenue. The VPAs combined are not sufficient to support the estimated project budget of \$1.7 million, and Council is required to fund the shortfall.

VPA contributions aside, the current project approved budget is at \$128,540 in the 19/20 financial year. It is recommended that Council brings forward a total of \$1.6 million from the 2020/21 Local Village Streetscape Improvements LTFP allocation to satisfy the projected budget estimate of \$1.7 million prior to tender release.

6. Conclusion

That Council endorse the required budget allocation for Seven Ways Streetscape Upgrade from the LTFP in order to proceed to tender.

7. Attachments

1. Exhibition summary and findings [↓](#)
2. Councillor workshop presentation [↓](#) .

Seven Ways Village – Public Domain Upgrade Consultation

Exhibition summary and findings

June 2019

Contact Information

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MED CONSULTING

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Executive Summary

TYRRELLSTUDIO has been engaged by Waverley Council to undertake the design of the Seven Ways Streetscape Upgrade. Seven Ways is a community hub in the Bondi Precinct. Council, in collaboration with TYRRELLSTUDIO and MED Consulting, sought input from the Waverley community regarding the final concept design presented in this round of community consultation. The consultation ran between 1 and 31 May 2019 and included seeking feedback from local residents, visitors and businesses in Seven Ways.

During the 30 day exhibition period feedback was sought through a paper based and online survey, focused meetings and briefings, and general submissions.

142 surveys were received during the exhibition period with over 90 % of respondents drawing from the local Bondi and North Bondi areas. Four submissions were also received on the topics of: water management and sustainability, landscape design and cycling provisions.

Over 90% of participants in the survey advised they liked the concept design with the main reasons cited being: the creation of usable space for the community, the look of the finishes and the design concept, and the creation of more green space with additional plantings and trees. Participants also expressed opinions that the upgrade represents a good investment and pedestrianising Warners Lane is a positive outcome for the area. These views mirrored those expressed during an intercept survey at Seven Ways Village in late 2017.

The top issues raised were concerns around traffic, safety, pedestrians, buses and cyclists with suggestions to review the current traffic, road and safety arrangements.

Survey respondents made many suggestions for items that could be included in the design like public art, more play spaces, amenities like a bubbler, dog poles (to tie dogs to), bins and lighting, safety devices like a fence and design elements like natural finishes and flowers.

Survey respondents were also keen to see the space continue to be activated with things like performances, markets and art.

Consultation methodology

Communication to advertise and support the exhibition period included:

- Online – ‘Have your say’ website with a survey, images of the concept and key dates, information on Council’s ‘What’s on’ calendar, a press release on Council’s website, Facebook, Twitter, Instagram, a web carousel banner linking to the ‘Have your say’ page and an email newsletter.
- Print – flyers distributed to local residents and businesses advertising the ‘Have your say’ days and information night.
- Advertising – Wentworth Courier and The Beast

Consultation activities carried out in the lead up to and during the exhibition included:

- A combined precinct briefing on 28 March 2019 (approximately 10 attendees)
- A briefing for the North Bondi Precinct Committee: 24 April 2019 (8 attendees)
- A business and local residents information night on 1 May 2019 (1 attendee)
- Two ‘Have your say’ days: Friday 3 May, 6:30-9:30am and Saturday 25 May, 6:30-9:30am (approximately 150 attendees)
- An online survey on the ‘Have your say’ website open to the public between 1 and 31 May 2019 (156 visitors)



Surveying the community at a ‘Have your say day’ on Friday 3 May.

Findings

Survey results

A total of 142 surveys were collected during the Seven Ways Upgrade exhibition. A summary of the key findings for each question are below.

SURVEY QUESTIONS 1 AND 2 – DO YOU LIKE WHAT COUNCIL HAS PLANNED FOR THE SEVEN WAYS UPGRADE? WHY/ WHY NOT?

Just over 90 % of respondents said they liked what Council has planned for the Seven Ways upgrade.

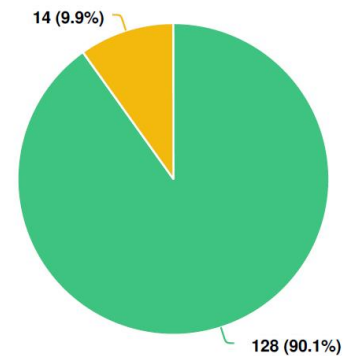
The most common reasons given from ‘yes’ respondents as to why they support the concept were as follows:

- creating a space that is usable for the community
- the finishes used and the design concept
- creating more green space, additional planting and trees
- it was viewed as a good investment
- the pedestrianising of Warners Lane.

Question options

● Yes ● No

(142 responses, 0 skipped)



Only one comment was given in support of the concept from a ‘no’ respondents who said they support the closure of Warners Lane for pedestrian use.

Both ‘yes’ and ‘no’ respondent raised concerns about road safety, traffic and cycling provisions and parking as their top issues.

SURVEY QUESTION 3 – SHOULD ANYTHING ELSE BE INCLUDED IN THE DESIGN?

A variety of ideas were provided by the community to include in the design with the top responses in order of preference being:

Traffic management and arrangements – cycling lanes and provisions, zebra crossings, speed humps, changes to traffic arrangements and road safety provisions and changes to parking arrangements, a rideshare zone

Public art – sculpture, items that would create interest and maintain character, a mosaic around the ribbon and a water feature, recognition of Aboriginal history

Play spaces – more play spaces for children of all ages including wild play, an elevated play space, creative play and a bike/scooter path

Amenities – a bubbler with a dog bowl, more bins including a recycling bin and dog poles, lighting at night

Safety and security – a fence around the green space and CCTV/monitoring for anti-social behaviour

Design elements – piped music, flower beds, slip resistant pavers, ‘natural’ finished like wood and harmonising with the local area, flooding and water management

Trees – comments noted to provide more green space and questioned the suitability of palm trees along Warners Avenue.

SURVEY QUESTION 4 – ANY OTHER COMMENTS?

A variety of other comments were provided by the community in relation to the project with the top responses in order of preference being:

Traffic management and arrangements – parking, traffic and road safety concerns

Expressing satisfaction with the project

Ideas to activate the space – involvement from children, performances, markets, art and painting pavers

Trees – questioning the inclusion of palm trees along Warners Avenue

Cycling – provisions for cyclists including a cycling lane

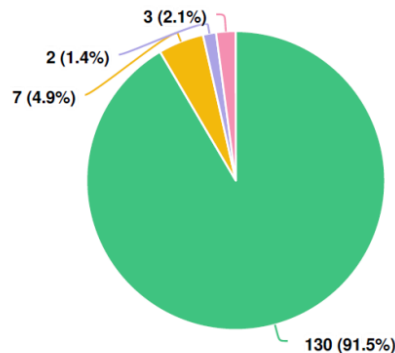
Use of the space – keep the area tidy, provide for dogs, discourage anti-social behavior and provide shade

Water management – provide for rain water irrigation

Design – include a water feature, use slip resistance pavers, have more green and less pavers, include a fence or higher barrier, extend the project scope out further, keep the area rustic, use wood or beachy colours in the design instead of paving, use solar panels, approval of closing Warners Lane and a suggestion that Warners Lane could be narrowed.

SURVEY QUESTION 5 – WHAT IS YOUR INTEREST IN SEVEN WAYS

Over 90 % of respondents nominated that they were residents from the local area of Bondi and North Bondi. The survey also captured responses from local business owners and employees and visitors.



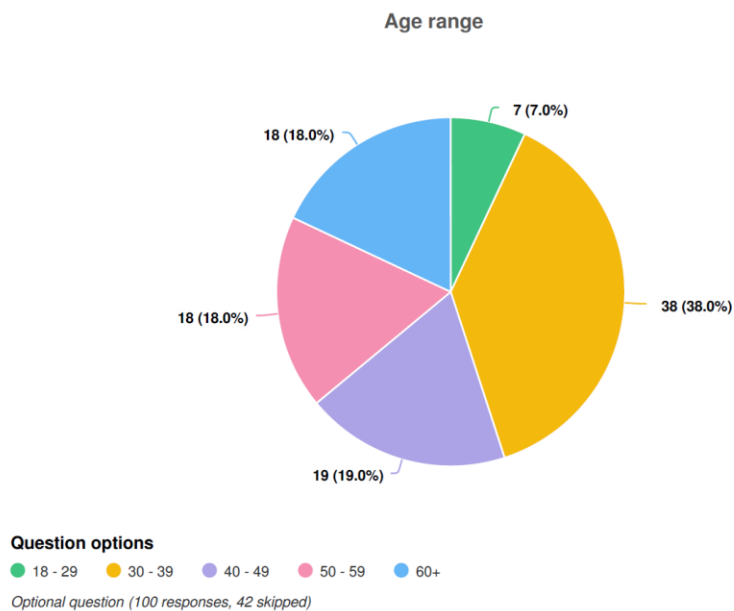
Question options

● I am a local
 ● I like to visit (I am not a local)
 ● I work at Seven Ways
 ● I own a business at Seven Ways

(142 responses, 0 skipped)

SURVEY QUESTION 6 – AGE RANGE

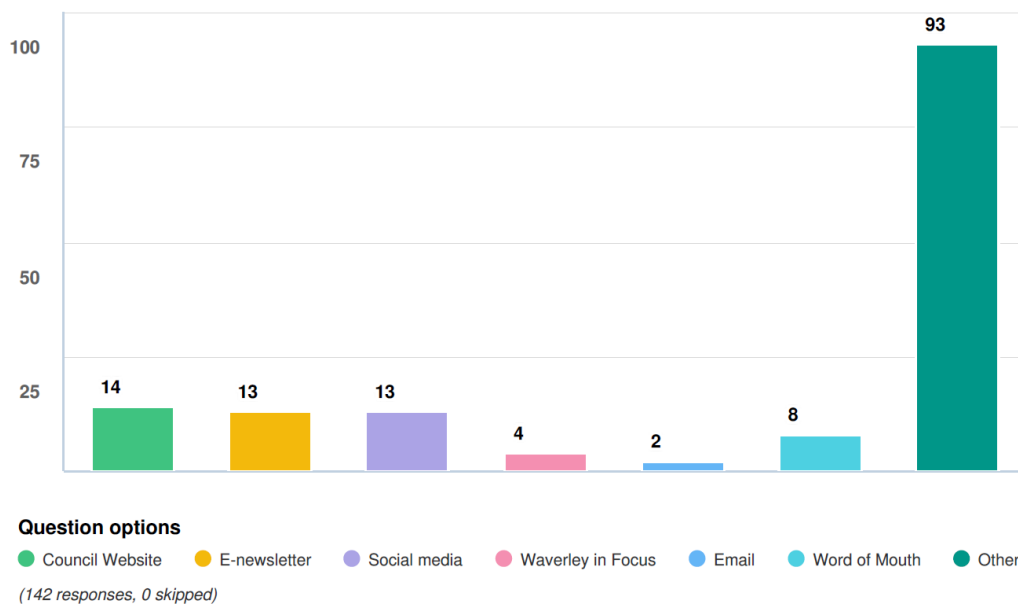
Responses to the survey were received across a good cross section of ages with the largest group being in the 30-39 age range followed fairly evenly by 40-49, 50-49 and 60+. The spread of ages is consistent with the ages profile for Bondi Beach to North Bondi according to the 2016 census.



QUESTION 4 – KNOWLEDGE OF THE PROJECT

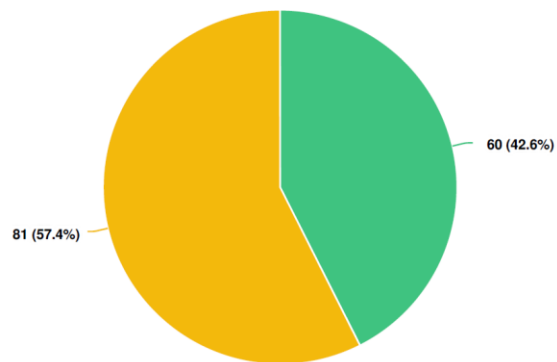
The vast majority of people learned about the upgrade project by walking past one of the 'Have your say' day information sessions. Others found out via the Council website, e-newsletter, social media and email, word of mouth and Waverly in Focus.

How did you hear about this project?



QUESTION 5 – WOULD YOU LIKE TO BE UPDATED AS THIS PROJECT PROGRESSES?

Over 40 % of respondents wanted to be kept updated on the project by receiving emails.

**Question options**

● Yes ● No

Optional question (141 responses, 1 skipped)

Stakeholder meetings

Combined precinct meeting – 28 March 2019

Representative from Waverley Council presented information about the Seven Ways Village Upgrade concept design to 10 members of the North Bondi, Bondi and Bondi Beach Precinct Committees and advised the attendees of the upcoming exhibition period. Positive comments in support of the upgrade were expressed by the attendees and two attendees noted comments outside of the scope of the upgrade project relating to commercial tenancies.

North Bondi Precinct – 24 April 2019

Representatives from Waverley Council presented information about the Seven Ways Village Upgrade concept design to eight members of the North Bondi Precinct Committee and advised the attendees of the upcoming exhibition period during which time specific feedback could be provided for consideration. Positive comments in support of the upgrade were expressed by the attendees and a specific comment was provided about deterring skateboarders.

Resident and business information night – 1 May 2019

One attendee from Ray White came along to the information night to hear about the project and was interested to know about any future plans to upgrade other areas of pavement.

Submissions

Three detailed submissions were received about the project. The key themes and recommendations raised in each submission are summarised below. Each submission made recommendations to tailor technical or design aspects to meet specific needs around water management and sustainability (submission 1), design outcomes (submission 2) and cycling provisions (submission 3).

SUBMISSION 1

Topic/s: water management and sustainability

Key themes and recommendations:

1. Adopt measures to reduce ocean pollution, lower urban heat and implement water sensitive urban design and to retain, increase and restore the urban tree canopy
2. Adopt measures to keep rainwater on site that falls on or drains to the site during and after construction
3. Adjust project timeline to 2020 to adopt suggestions
5. Aim for design excellence in the area of water sensitive urban design including lowering urban heat and improving energy efficiency
6. Celebrate rainwater for its value to trees, ability to cool soils and make nutrients available to plants and trees
7. Avoid tree removal or defer tree removal for at least five years until the lost shade can be replaced by newly planted trees
8. Plant trees of similar shade potential – do not plant palm trees that provide little shade
9. Install solar powered lighting and irrigation
10. Install raised pedestrians crossings
11. Include water features to dampen noise and deliver amenity
12. Ensure appropriate allocation of public space for community use on Warners Lane
13. Adopt draft design options provided in the submission including applying simple, low cost design solutions
14. Apply sustainability requirements to council contracts

SUBMISSION 2

Topic/s: Pedestrian traffic and activating Seven Ways

Key themes and recommendations:

1. Upgrade the area near 96 Glenayr Avenue by creating high quality green space which complements the commercial business location and offering, stimulating local business.
2. Adopt design principles to work with the natural elements and create more green space
3. Activate the space with art, music, a water fountain, watering holes and spaces for play and imagination, art, murals, coloured benches
4. Use native trees and plantings to attract birds and insects
5. Use permeable pavers and devices to allow trees roots to breathe
6. Use composted soil
7. Implement road safety measures
8. Allow for amenities like recycling bins, a water bubbler, biodegradable dog poo bags and cigarette bins
9. Use a range of lighting like highlights, accent lighting and up-lights but consider local residents and turn off lights at 10pm
10. Install a vegetable/herb garden, a wave design bike racks and sandstone benches

13. Install smooth contoured paving and natural lines and textures or wooden features instead of grey pavers
14. Have a space for artists like a sculpture space

SUBMISSION 3

Topic/s: Cycling provisions in and around Seven Ways

Key themes and recommendations:

1. Provide safety improvements for people riding bikes through the intersection at Seven Ways
2. Provide more protected (off-road) facilities for bikes
3. Install kerb ramps or extensions

SUBMISSION 4

Topic/s: Cycling provisions and design.

Key themes and recommendations:

1. Request for bikeways
2. View expressed that mass planting does not provide an adequate barrier
3. The resident questioned the purpose of the grass mound
4. Preference expressed for curved seating in line with character of Bondi

Conclusion

Over 90% of survey respondents were receptive to an upgrade taking place at Seven Ways. This sentiment was also reflected during briefings with local precinct committees and within the submissions received. Most people were happy to be engaged and provide their ideas with over 40% of survey respondents wanting to be kept up to date on the progress of the project. The survey demonstrated the continuing theme that the community values green space and making spaces more usable.

Individual elements of the concept design were largely well received. The community provided ideas to enhance the design with public art, play spaces, amenities like a bubbler, dog poles, bins and lighting, using some natural finishes like wood, and continuing to activate the space after construction with things like performances, markets and art.

The largest issue overwhelmingly for the community is road safety and concerns about traffic. Several suggestions for traffic improvements were provided including: new zebra crossings, speed humps and stop signs.

It should be noted that throughout concept design, pedestrian crossings and raised intersections were reviewed and allowed for, but the design will not include these due to the lack of pedestrian volumes to warrant pedestrian crossings. The design elements that improve pedestrian movement were well received by the community and any opportunity to review traffic arrangements at Seven Ways following the upgrade would likely receive support from the community.

Next steps

The project team will consider the feedback contained in this report to inform the detailed design of the Seven Ways Upgrade. It is recommended that detailed design outcomes are then reported back to the community noting how input from consultation influenced the design process.





WAVERLEY COUNCIL

Seven Ways Precinct Upgrade

Concept Design Presentation March 2019



Agenda

1. Background;
2. Where are we now?;
3. Refined Concept Design;
4. Budget; and
5. Next Steps.



Where Are We Now?

- Presented previous concept design;
- Key Councillor comments on original concept design included:
 - More green space and turfed area;
 - Too much concrete seating;
 - Consideration of raised threshold;
 - Retain existing tree's;
 - Timber seating over concrete benches;
- Ongoing negotiations with the developer as per the VPA;

Refined Concept Design

CONCEPT DESIGN LANDSCAPE PLAN

LEGEND

Refer to Landscape Materials and Finished Schedule for details on each material. Codes in brackets refer to each material and finish.

Council Works

- A The Lawn
- B Planting [PL1]
- C The Ribbon: Tiled Concrete
- D Bench with Precast Coping [B1]
- E Turf Mound [PM1]
- F New Trees and Planting [PL1]
- G Stone Unit Paving [PV1]
- H Planted Pedestrian Barrier [PL1]
- I Bike Racks
- J Flush Drains
- L Raised Unmarked Crossing
- M Dish Drain
- N New Palm Trees
- P Unmarked Crossing

Developer Works

- AA Cafe Seating by Others
- BB Paving by others to complement Stone Unit Paving [PV1]
- CC Asphalt Laneway by others
- DD Paving by others to match Stone Unit Paving [PV1]



Concept Plan: Looking North

CONCEPT DESIGN
EXISTING MELALEUCAS, WARNERS LANE AND DUNE PLANTING



Concept Plan: Looking towards Bondi Beach

CONCEPT DESIGN
EXISTING MELALEUCAS, WARNERS LANE AND RIBBON



Concept Plan: Green Space

CONCEPT DESIGN
WARNERS LANE, LAWN AND RIBBON

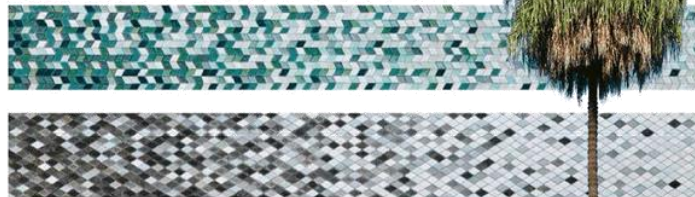


Material Palette

CONCEPT DESIGN
MATERIALS AND PLANTING CHARACTER



Examples of precast concrete coping of the ribbon of seating, with planting surrounding.



Examples of tiling for the ribbon of seating.



Examples of concrete paving for the public domain. A subtle mix of finishes and tones will provide a neutral base to present the ribbon of seating as the feature and unifying element.



Livistona australis "Cabbage Palm"



WAVERLEY COUNCIL

Cost Summary

- VPA Agreement
\$1,377,076.00
- Construction Budget
\$1,612,236.00
- Other Fees
\$244,244.00

CONCEPT DESIGN
LAWN AND RIBBON





Next Steps

- Community and Stakeholder Engagement;
- Detailed Design;
- Delivery;
- Completion.

Concept Design: Car Parking

CONCEPT DESIGN CAR PARKING

CAR PARKING LOSS

- 4 Spaces In Warners Lane
- 1 Space In Glenayr Lane

CAR PARKING GAIN

- 1 Additional Space on Blair Street
at Warners Lane Driveway

NET LOSS OF FOUR CAR SPACES



Previous Concept Plan



WAVERLEY COUNCIL

REPORT CM/7.19/19.07



Subject: Bondi Golf and Diggers Club - Emergency Works - Project Update

TRIM No: A18/0427

Author: Matt Henderson, Senior Project Manager

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Notes that the emergency works have been completed at the Bondi Golf and Diggers Club.
2. Notes that the General Manager has authorised variations to the contract in order to complete these works.
3. Allocates \$100,100 (including GST) from the SAMP Buildings Reserve to fund the budget shortfall for the works.

1. Executive Summary

The purpose of this report is to provide a project status update on the recently completed emergency remediation at the Bondi Golf and Diggers Club.

In February 2019, the General Manager approved an exemption under the *Local Government Act* to undertake emergency repair works at the Bondi Golf and Diggers Club. This was reported to Council in February 2019. Subsequently, the General Manager has approved variations to this contract also under exemption and this report provides detail on these variations.

The works have now been completed with certification for five years provided by the structural engineer.

2. Introduction/Background

ATP (consulting engineers) completed a condition assessment of the Bondi Golf and Diggers club in 2017. The condition assessment report noted that there was deteriorating structural elements that would require further investigations by a structural engineer. As a result, a budget was allocated to commence the structural investigations.

Subsequently, Acor Consultants were engaged to undertake a structural condition assessment at the Bondi Golf and Diggers club. Acor recommended works be completed as a matter of urgency as they pose a significant risk to public safety.

To prevent this outcome, the General Manager approved an exemption under section 55(3)(k) of the *Local Government Act* for 'a contract made in the case of emergency', noting that due to the emergency nature of the work there is insufficient time to undertake a formal tender process and to report to Council. Dapcor were engaged to undertake the works. This was reported to Council on 19 February 2019.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 February 2019	CM/7.16/19.02	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes that the General Manager has authorised the commencement of emergency works at the Bondi Golf and Diggers Club under section 55(3)(k) of the Local Government Act without undertaking a formal tender process for the works. 2. Allocates \$63,000 from the SAMP Reserve to fund the budget shortfall for the works.

4. Discussion

Since then, Dapcor submitted three variation claims for latent conditions totalling \$83,831.07 (including GST). The variation claim is for works that exceeded the quantities listed in the structural specification.

The quantities were exceeded due to a large number of latent conditions, specifically located in the carpark and around the carpark columns. It was essential that these works were completed as a matter of urgency as the structural engineer determined these works to also be emergency works.

Furthermore, Dapcor has submitted two additional variations (variation claim 4 and 5) totalling \$90,631.20 (including GST).

Variation 4 was due to the application of additional litres of cement to repair the concrete spalling, reinstatement of concrete cover, and also to replace missing reinforcement on two structural support columns. The concrete placement on the columns was found to be in an extremely poor condition, this was only identifiable after Dapcor commenced their works. Further structural investigations revealed that there was no reinforcement located in the structural support columns.

Variation 5 required two concrete support columns to be wrapped in Carbon Fibre Installer (CFIS), initially the structural engineer anticipated that the wrapping to the columns would only be partial. However, due to the amount of concrete spalling and missing reinforcement, the concrete support columns were required to be demolished and rebuilt. Based on further advice from a fire engineer, it was advised that the two columns would need to be completely wrapped in CFIS to maintain compliance with the Building Code of Australia (BCA).

The General Manager approved these variations at the time in order to complete the emergency works.

Dapcor completed the emergency works on 21 July 2019. The structural engineer has provided certification for the Bondi Golf and Diggers Club for five years only. It is recommended that ongoing structural inspections are undertaken on a yearly basis until the certification period has concluded.

5. Financial impact statement/Timeframe/Consultation

Dapcor's total variation claims equalled \$174,462.27 (including GST), resulting in a revised contract sum of \$469,992.27 (including GST). This has resulted in a shortfall in the overall budget of \$100,100 (including GST), which will be funded from the SAMP Buildings Reserve.

6. Conclusion

Further to the initial engagement of the contractor as an exemption under the *Local Government Act*, the General Manager has approved subsequent variations. The emergency works at the Bondi Golf and Diggers Club were completed on 21 July 2019

7. Attachments

Nil.

REPORT
CM/7.20/19.07

Subject: Clarke Reserve Improvements

TRIM No: A04/2119

Author: Bianca Simpson, Open Space Planning Manager

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Adopts the Landscape Plan for Clarke Reserve - May 2019 attached to this report (Attachment 3), subject to the following amendments to reflect the outcome of community consultation:
 - (a) Reduce the number of trees planted surrounding the playground from 10 to eight. This will total six new trees in the reserve.
 - (b) Expand on the play experience of the playground by including equipment in addition to the already procured multi-play piece to cater to a wider range of ages to include either one larger or two pieces of equipment which have low visual impact to the reserve.
 - (c) Repair the rubber soft fall edging and areas which have slumped to ensure the surface achieves Australian Standards for safety, noting that the central rubber softfall will not be replaced.
2. Provides the community with a management plan illustrating how Council will assess the effectiveness of the garden barrier fence over the next 12 months.

1. Executive Summary

This report summarises feedback received from the Clarke Reserve community consultation undertaken in April and May 2019 on the plans for improving Clarke Reserve utilising the \$100,000 of Grant Funding received in February 2019 from State Government.

During the recent consultation, Council heard contrary views on how the funding should be allocated. As there is no clear community preference, Council Officers are requesting Council support in making a determination to finalise the plans.

2. Introduction/Background

The local Vaucluse community raised concerns and suggestions for improvements to Council regarding safety in Clarke Reserve in 2017. In particular, it was reported that dogs were running off-leash through the playground on route to and from the adjoining off-leash Christison Park in Woollahra.

In response, a motion was passed in November 2017 (CM/8.14/17.11) resolving for Council officers to investigative options to improve the safety and enhance the reserve, to consult with the precinct and residents and to prepare a report recommending improvements. As a result, representatives from the

community and precinct were consulted in an onsite meeting 22 May 2018, Council officers reported back in the July 2018 Council Meeting with recommendations for signage, garden fencing and associated landscaping be installed to address community concerns. The resolution from the July 2018 meeting (CM/7.11/18.07) was to draft landscape plans with specific design elements for further consultation with the community.

The resulting plans from the July 2018 meeting (refer to Attachment 1) which were consulted on included:

- Installation of planting, edging and garden barrier around sections of the playground fronting pedestrian footpaths to deter dog's off-leash.
- Installation of a new children's slippery dip incorporated into an expanded playground area.
- Re-location of existing plantings from sections of the area overlooking the ocean adjacent to the coastal fence on the western side and remove larger trees that have grown alongside.
- Replacing two existing trees and plant three new trees (five trees in total) surrounding the playground to provide some sun and wind protection.
- Installation of signage, that identifies Clarke Reserve as a 24/7 dog on-leash area and that dogs are prohibited from being within 10 metres of any play equipment.

During consultation it was reported that the community wanted more play equipment, shade to the playground and no vegetation above one metre. Based on the community response to these plans further recommendations for improvements were proposed and Council sort further funding to include:

- Expanding on the play experience of Clarke Reserve by installing a combination multi-play unit including slide instead of the suggested single slide.
- Amending the proposed shrub planting to a limited height of one metre.
- Planting two additional shade tree species around the playground.
- Overlapping the garden barrier at the entrance to further deter dogs from entering the play space.

Refer to Attachment 2 for plans that illustrate these changes. Council were informed of the community feedback by email in November 2018. There were no objections made to the proposal so Council officer's commenced detailed design and documentation ready for construction.

In February 2019, Council received funding from the NSW Government through the Stronger Communities Fund for a value of \$100,000 to contribute to the playground at Clarke Reserve. As a condition of the funding Council determined in the March 2019 (CM/8.13/19.03) meeting to require council officers to undertake a third round of community consultation to determine how the additional money is to be allocated.

Taking into consideration feedback from the previous two consultations in 2018 as well as expert advice on the condition of the existing rubber softfall in the playground which had been identified as a safety hazard, an updated landscape plan was developed and recommendations for the additional funding was made for further consultation with the community (see Attachment 3). Community consultation was conducted from 19 April to 31 May 2019.

In addition to the plans already accepted by Council and the community in 2018 key improvements were recommended in allocating the grant funding to make improvements to:

- Replace existing edging and surfacing to the rubber softfall, the edge which has slumped and separated from the softfall surface.
- Supply and install of new play equipment (in addition to the slide and multipurpose climber already included in the plans) such as a spinner, seesaw or sensory/music play suitable for toddler play which was requested during consultation.

- Installation of a drinking fountain with dog drinking bowl, alongside of the path at the entrance of the reserve.
- Planting two additional shade trees around the playground.

These plans were made available for community comment. A consultation survey was drafted and a 'Have a Say Day' was held on Saturday, 4 May 2019. The consultation and survey were advertised on the Waverley Council 'have your say' website, social media and distributed by flyer to letterboxes within a 400 m radius of the reserve. A total of 88 responses were received; 76 online and 9 email submissions. The survey aimed to gather information on what the community thought of the recommended upgrades, what additional equipment they wanted to see at the reserve and provided opportunity to provide any other comments or suggestions.

Following the 'Have Your Say Day' Council met with Diamond Bay Precinct Convenors to discuss the proposed plans, provide clarification and listen to the community's response. A submission was made by the precinct committee following this meeting in May 2019. This submission was ratified in the June 2019 Precinct Committee Meeting.

Council also received a petition from the Friends of Clarke Reserve community group in February 2019. The petition requested Council to: *'preserve the unique open space and magnificent views of Clarke Reserve; not plant trees, or bushes in the reserve or any plant including grasses that may grow over one metre in height or width, remove the planting along the ocean fence'*. The petition received 91 signatures. A sum of 327 additional signatures were delivered to Council in June 2019 making a total of 418 petition signatures.

From feedback received there is no majority of views indicating how the grant funding should be spent. To progress Council needs to resolve how the additional funding is spent so designs can be finalised and improvements made on site.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 March 2019	CM/8.13/19.03	<p>That Council:</p> <ol style="list-style-type: none"> Notes and acknowledges that: <ol style="list-style-type: none"> The NSW Government has provided Council a \$100,000 grant to make further improvements to Clarke Reserve in Vaucluse. This money is in addition to the \$150,000 already allocated by Council bringing the total investment of \$250,000. The upgrade of the Reserve is due to commence in the second half of 2019. Writes to the Member for Vaucluse, Gabrielle Upton MP, thanking her for the contribution of the grant, which will be used to improve local amenity. Officers consult the Diamond Bay/Vaucluse Precinct and nearby residents within the Diamond Bay/Vaucluse Precinct catchment area, notifying them of the additional funding being provided and seeking feedback.

Council 19 February 2019	CM/7.17/19.02	That Council refers the petition requesting the preservation of open space and views of Clarke Reserve to the Executive Manager, Creating Waverley, for consideration.
Council 17 July 2018	CM/7.11/18.07	<p>That Council:</p> <ol style="list-style-type: none"> 1. Proceeds with the installation of additional planting, edging and the supply and installation of a garden barrier around the section of playground fronting pedestrian footpaths, as detailed in this report, subject to: <ol style="list-style-type: none"> (a) Council officers developing a landscape plan for community consultation with the Diamond Bay/Vaucluse Precinct and local community that includes information on: <ol style="list-style-type: none"> (i) What vegetation will be planted. (ii) Where the vegetation will be planted. (b) Consideration being given to extending part or all of the low profile landscape vegetation boundary to the north-eastern boundary. (c) A Council 'have your say day' at Clarke Reserve before September detailing the landscape plan. 2. Installs a new children's slippery dip incorporated into an expanded playground area. 3. Re-locates the existing plantings from large sections of the area overlooking the ocean adjacent to the coastal fencing on the western side, and removes the larger trees that have grown alongside. 4. Urgently installs permanent signage, including footpath-stencilled signs, that identifies Clarke Reserve as a 24/7 dog on-leash area, and that dogs are prohibited from being within 10 metres of any play equipment. 5. Timetables the regular attendance and increased presence of rangers for the control of dogs and other issues. 6. Allocates up to \$70,000 from Council's various budgets as part of the Q1 budget amendment. 7. Informs the Diamond Bay/Vaucluse Precinct Committee of its decision. 8. Develops an education plan for dog owners using and passing through the Reserve. 9. Notes that a suitable cradle seat for small toddlers will be

		<p>installed, and that suitable plantings will replace the inappropriate plantings in the playground as outlined in this report.</p> <p>10. Officers monitor the effectiveness of the barrier over the next 12 months.</p>
Council 15 May 2018	CM/8.11/18.05	<p>That Council:</p> <ol style="list-style-type: none"> 1. Requests officers to provide a timetable to Council regarding its resolution at item CM/8.14/17.11. 2. Requests officers to inform Councillors of the number of complaints in relation to dogs and the number of fines for dog related matters in the vicinity of Clarke Reserve. 3. Reviews and improves signage regarding dogs in the vicinity of Clarke Reserve. 4. Increases the patrols by compliance officers in the area of Clarke Reserve.
Council 21 November 2017	CM/8.14/17.11	<p>That:</p> <ol style="list-style-type: none"> 1. Council notes the residential amenity and recreational importance of Clarke Street Reserve to the local community. 2. Officers investigate options to improve the safety and enhance Clarke Street Reserve with specific regard to: <ol style="list-style-type: none"> (a) Providing a fenced area surrounding the playground. (b) Erecting signage to deter dogs off leash. (c) Reviewing the appropriateness and suitability of existing plantings and the positioning of rocks within the playground in order to prevent injury to children. (d) Exploring options of additional play equipment in particular a slippery dip. (e) Consulting the local precinct and residents. 3. Officers prepare a report to Council recommending improvements.

4. Discussion

Consultation summary

Now all feedback from the May 2019 consultation period has been received and collated. A table of written responses is attached to this report at Attachment 4.

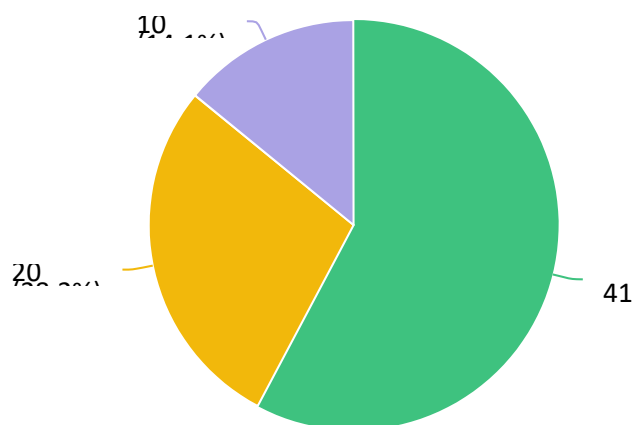
The following section provides a summary of the response to three key questions as asked in the survey, these questions being:

1. How satisfied are you with the proposed plan?
2. What do you like about the proposed plan?
3. What do you dislike about the proposed plan?

Respondents were also asked about the type of play equipment they wanted to see installed in the playground and were able to leave general comments.

How satisfied are you with the proposed plan?

76 responses were received to this online question. In summary, 58% were dissatisfied, 28% neutral and 14% were satisfied with the plan.



Question options

● Very Dissatisfied
 ● Neutral
 ● Very satisfied

Optional question (71 responses, 5 skipped)

What do you like about the proposed plan?

Despite only 14% of those responding supporting the plan, when asked what people liked about the plan, the response indicated people liked:

- Additional play equipment, 33 people liked the proposed multipurpose climber proposed in the plan and the additional piece of equipment.
- Bubbler, 12 people liked the bubbler.
- New softfall and edging, 10 liked using the funds to make good the softfall and edging
- New shade trees around playground, 10 liked the additional shade tree planting.

What do you dislike about the proposed plan?

When asked what they disliked about the plan respondents indicated:

- Additional play equipment, 15 opposed the installation of new equipment.
- New softfall and edging, 12 people opposed the new rubber softfall.
- New shade trees, 23 opposed new shade tree planting.

Table 1. Comparison of those who support and oppose suggested amendments.

Proposal	<i>What do you like about the proposed plan?</i> (number of individuals responding)	<i>What do you dislike about the proposed plan?</i> (number of individuals responding)
Additional play equipment	33	15
Bubbler	12	0
Replacement of softfall and edging	10	12
New shade trees around the playground	10	23

From the results there is general consensus that a bubbler and signage and additional equipment encompassing a slide are welcome additions to the reserve.

However, the results also indicate that there are polarising views in regard to play equipment in addition to the multi-purpose slide, new rubber softfall and edging and shade tree planting.

Other comments

Of those who responded to the survey or made an email submission, also made additional requests or changes. In summary these include:

- Fencing: 19 respondents requested a gate or full fence surrounding the playground,
- More play equipment: 30 people wanted additional equipment to what was proposed,
- New shade sails: 18 requests were made for a shade structure over the playground, and
- Less coastal planting along the cliff top fence: 23 people requested more or all of the planting be removed along the cliff top fence. In addition, a petition was received requesting to remove this planting.

In an effort to explore the more contentious issues, the following topics further explore feedback from the May 2019 community consultation. Each topic is accompanied by recommendations on how to incorporate the feedback into the improvement works.

Fencing

The call to fully enclose the playground with a fence and gate continues to be a reoccurring theme from the community feedback throughout 2018 and 2019. There continues to be a view that fencing would improve safety, and address the issue of dogs wandering into the play space and children running on to Clarke Street. The proposed garden barrier solution including a low hoop fence within a garden bed which was agreed in the first round of consultation was not seen as extensive enough by some people, with the suggestion for a fully enclosed fence and gate around the perimeter of the play space.

However, there was also support by some of the community for the garden barrier solution which was viewed as a good option to improve safety perceptions while retaining the reserves natural aesthetic. There was a strong view that Council would need to support this solution by demonstrating how council plans to monitor the effectiveness of the barrier over the next 12 months and review the effectiveness of the barrier in terms of its success in separating dogs from children in the play area, as outlined in Council resolution CM/7.11/18.07.

Recommendations:

- Proceed with the proposed garden barrier fence around the perimeter of the play space to deter dogs from entering the playground and prevent children from wandering towards the street.
- Provide the community with a management plan illustrating how council will assess the effectiveness of the garden barrier fence over the next 12 months.
- Note that full perimeter fencing is not recommended as it reduces park permeability, does not allow children to use the playground and grassed space simultaneously and is expensive.

Play equipment

There was a view that the upgrades should include more play equipment for a range of ages rather than just the option of two additional play pieces included in the plans. Many people suggested that new equipment should cater for older children to play. A spinner, monkey bars and sensory or music play were seen as good options for additional play from the survey.

Conversely feedback has also suggested that some people do not want to see any additional equipment beyond what was agreed in the first round of consultation. There was concern the additional equipment would take away from the local feel of the reserve, disrupt views and bring additional traffic to the area.

Recommendations:

- Expand on the proposed additional equipment with one larger piece or a couple of smaller pieces to accommodate a variety of ages.
- Take into consideration the suggested equipment raised during consultation when procuring equipment.
- Explore play equipment options that have low visual impacts.

Shade

Increased shade cover over the playground was a common request. Most people requesting shade wanted to see shade sails or an all-weather shade structure over the playground. Some people supported the recommendation of additional shade trees as an alternative solution.

There was also a strong view from the community that no additional planting including shade trees be included in the upgrade works. Feedback suggested that these people were concerned that the planting of larger shade trees would disrupt views and take away from the 'openness of the reserve'.

It is assumed that those who oppose tree planting raising concerns of interrupted views would also oppose a shade sail for the same reason.

Recommendations:

- Current plans suggest replacing two existing trees which are not performing with 10 trees around the playground to provide wind and shade to the equipment, species recommended is *Banksia*

integrifolia. In an effort to satisfy both views we recommend that instead of the 10 trees (including the two replacements) that only 8 additional trees are installed.

- Shade sails are not recommended as they will obstruct views of residents and reserve users. Furthermore, shade sails do have ongoing maintenance costs as sails can wear and tear in high winds requiring replacement, typically sails require tensioning annually which needs to be done by contractors. A shade sail structure could cost in the order of \$80,000 and consequently would take a large proportion of the budget.

Planting and trees

There has been a strong request from the community to remove existing planting along the coastal fence and not plant any species which will grow above one metre in height in the reserve, including shade trees around the playground.

The current plans remove sections of planting to allow for views. Planting along the fence was installed in early 2017 and is therefore very close to or at mature height.

Some people have also communicated that the proposed shade trees and additional planting around the playground will further disrupt views and take away from the 'openness of the reserve'. While the trees will grow to a height of three to five metres, the new planting to the garden beds is lower than one metre.

Recommendations:

- As proposed, Council will not plant any species that will grow above one metre in height in the playground (excluding the proposed shade trees), see recommendations above.
- In regard to shade tree planting, we recommend that shade trees are planted around the playground which will provide some protection but not be as obtrusive as a built shade structure.
- As proposed remove sections of plants adjacent the coastal fence to allow access up to the fence. The removal of all the plants along the coastal fence is not supported as the plants currently act as a buffer zone between existing remnant native vegetation and the removal of the buffer planting will negatively impact the health of the remnant vegetation.

Rubber softfall

Currently, the rubber playground surface has separated from the plastic edging. The edging therefore presents a trip hazard and has been identified as needing repairs in Council's annual play space safety audit. Furthermore, some sections of the surface are slumping. Council commissioned an external playground auditor to conduct a 'Surface Impact Test' to determine if the existing rubber softfall area provides impact attenuation capabilities and compliance to AS/NZ4422. The test revealed that the surface was compliant for impact attenuation. Therefore, it has been advised by independent specialist auditors that the edging and slumping requires repair. However, the remaining rubber surface does not require replacement at this point in time.

Repairing the edging and slumping would require the replacement of the edging which would involve cutting the outer perimeter of the rubber surface and area which has slumped and re-laying both rubber and edge. The central rubber surface could remain in place. This work is expected to cost in the order of \$10,000. The works will have some visual impact as new rubber surface meets the older surface and colour may differ.

Views on replacing the rubber surface and edging was divided with 10 people thinking it was a good use of funds while 11 people felt it was not a priority. The Vaucluse Precinct Committee suggested for the edging to be fixed but funded from another Council budget. These figures suggest that the community is reasonably evenly divided on the issue.

Recommendations:

- Repair the edges which present a trip hazard and repair slumping to ensure the play surface meets safety standards. Fund the repairs from Council's approved Capital Works budget for the improvements to Clarke Reserve as opposed to the grant funding from State Government.

5. Financial impact statement/Timeframe/Consultation

Council currently has a budget of \$250,000, which is a combined value of Council's allocation of \$150,000 and \$100,000 from the State Government through the Stronger Communities Funds. The recommended improvements fall within the existing budget.

With consideration of Council's procurement policy and workload, it is anticipated the implementation of works to Clarke Reserve may take six to nine months to complete construction.

The development and implementation of the management plan to monitor the success of the garden barrier fence will also draw on resources from the rangers and other Council officers.

Council officers will report back to the community on consultation findings and notify of the proposed improvements and expected construction timeframe following the outcomes of the Council meeting.

6. Conclusion

Officers note that there are polarising views in the community of the scenic and landscape values of Clarke Reserve.

With consideration of the community feedback received through 2018 and 2019, as well as independent audits of the existing equipment and rubber surface and landscape architectural advice, the following improvements to Clarke Reserve are recommended:

- As identified in the Landscape Plan for Clark Reserve – May 2019 (see Attachment 3), proceed with the installation of a bubbler, signage, new garden barrier fence in garden beds and additional combination play equipment with slide and roof. Also proceed to remove the three sections of garden alongside the coastal fence as shown in plans.
- Reduce the number of trees planted surrounding the playground from 10 to eight. This will total six new trees in the reserve.
- Expand on the play experience of the playground by including equipment in addition to the already procured multi-play piece to cater to a wider range of ages. This might include either one larger or two pieces of equipment which should have low visual impact to the reserve.
- Repair the rubber soft fall edging and areas which have slumped to ensure the surface achieves Australian Standards for safety.
- Provide the community with a management plan illustrating how council will assess the effectiveness of the garden barrier fence over the next 12 months.

These recommendations strike some balance between different views expressed in feedback received through consultation, while also fulfilling Council's obligations to address safety issues and deliver the project within budget.

7. Attachments

1. Clarke Reserve plans - October 2018 [↓](#)
2. Clarke Reserve plans - November 2018 [↓](#)
3. Landscape Plan for Clarke Reserve - May 2019 [↓](#)
4. Clarke Reserve - Consultation submissions [↓](#) .

ANOTHER WAVERLEY RENEWAL PROJECT



Clarke Reserve Improvements

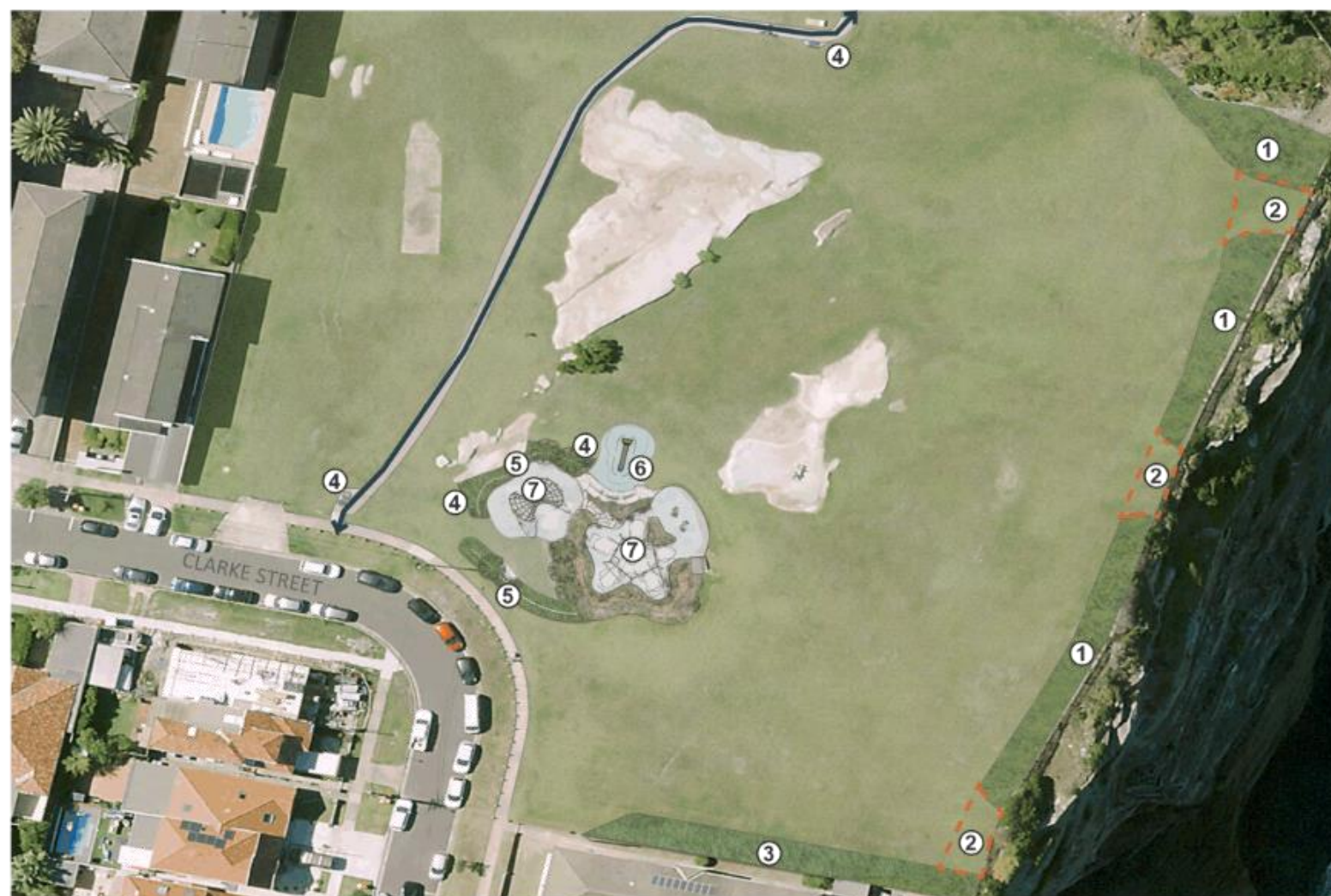
Waverley Council are planning to improve the safety and play experience in Clarke Reserve. Before we do this, we would like to hear from you to ensure that we make improvements that you want and need.

Why is Council looking to improve Clarke Reserve?

In response to the Clarke Reserve Council motion passed in July 2018 it was decided that Council is required to develop a landscape plan, and consult with the community on the proposed improvements to the reserve.

The changes required by Council include:

- Install additional planting, edging and the supply and installation of a garden barrier around the section of playground fronting pedestrian footpaths
- Install a new children's slippery dip incorporated into an expanded playground area.
- Re-locate the existing plantings from sections of the area overlooking the ocean adjacent to the coastal fencing on the western side, and remove the larger trees that have grown alongside.
- Install permanent signage, that identifies Clarke Reserve as a 24/7 dog on-leash area, and that dogs are prohibited from being within 10 metres of any play equipment.



- ① Existing garden bed to be retained.
 - ② New Turf Area.
 - ③ New garden bed with re-located planting.
 - ④ New Park Sign identifying Clarke Reserve as 24/7 dog on-leash area and dogs prohibited within 10m of play equipment.
 - ⑤ New gardenbed and barrier fence.
 - ⑥ New slide and rubber softfall surface.
 - ⑦ Existing play equipment, nature play elements and rubber softfall surface to be retained.
- Outline of existing garden to be removed. Plants to be transplanted to new garden beds.
- ↔ Pedestrian access throughout duration of works



For more information about the project, please visit our website haveyoursay.waverley.com.au or call Bianca Simpson, Waverley Council's Open Space Planning Manager, on 02 9083 8669

“ HAVE YOUR SAY ”
Saturday 6 October 9am - 12pm
At Clarke Reserve Playground

ANOTHER WAVERLEY RENEWAL PROJECT



Clarke Reserve Playground Improvements



Playground slide



Waverley Council Park Signs



Garden barrier fence

Indicative tree & shrub species



Indicative plant species



Indicative plant species



- ① New garden barrier fence
 - ② New garden beds
 - ③ New slide and rubber softfall surface.
 - ④ Existing garden bed to be re-vitalised with new planting.
 - ⑤ New Park Sign. Sign to identify Clarke Reserve as 24/7 dog on-leash area.
 - ⑥ New trees such as *Leptospermum-laevigatum* (Coastal Tea Tree).
 - ⑦ Existing tree to be retained
 - ⑧ Relocated Banksia Trees
 - ⑨ Existing play equipment, nature play elements and rubber softfall surface to be retained.
 - ⑩ Existing seat to be retained
 - ⑪ Relocated bin location
- ↔ Pedestrian access throughout duration of works



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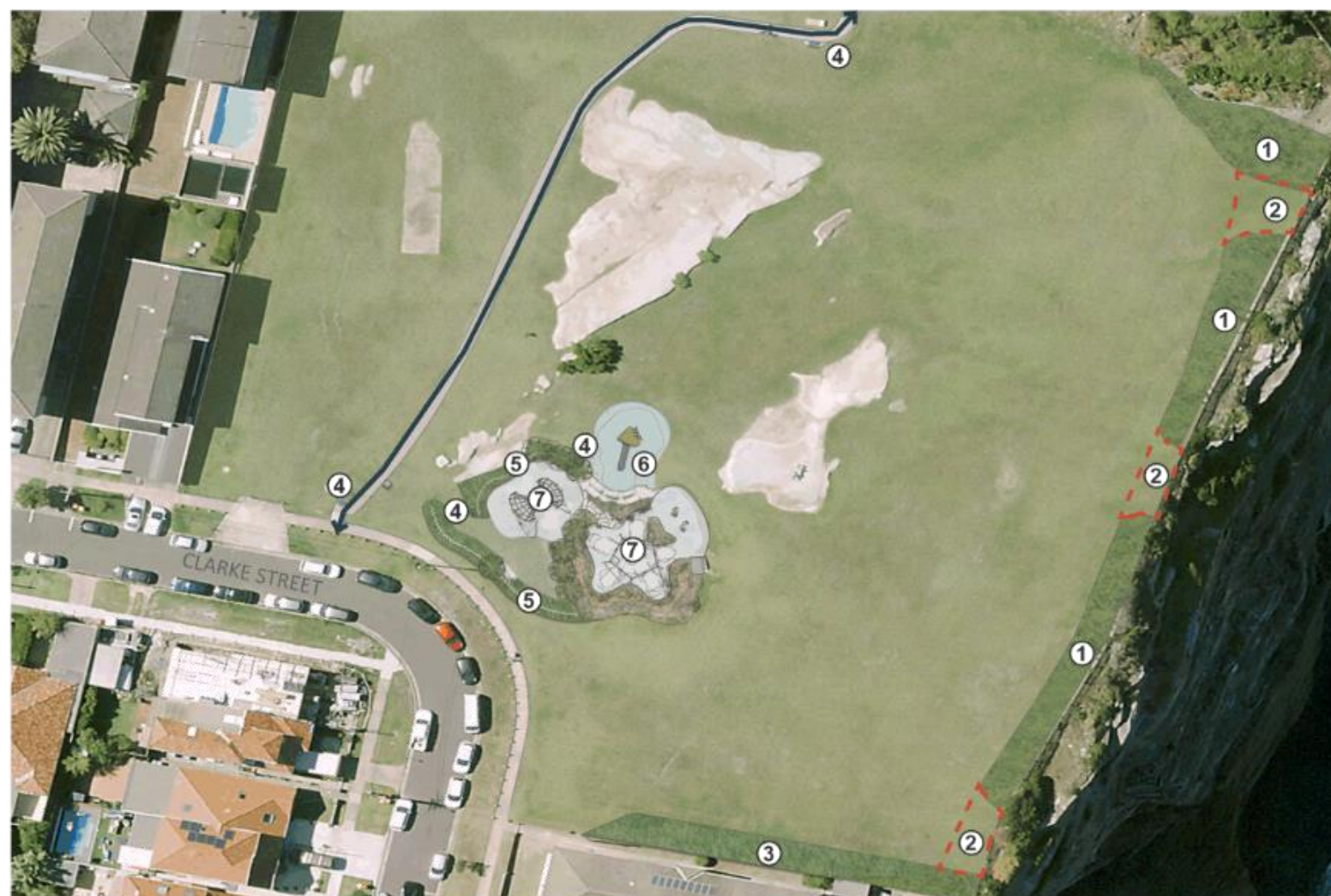
Clarke Reserve Improvements

Waverley Council are planning to improve the safety and play experience in Clarke Reserve.

In response to the Clarke Reserve Council motion passed in July 2018 it was decided that Council is required to develop a landscape plan and consult with the community on the proposed improvements to the reserve.

Following community consultation the improvements to Clarke Reserve will include:

- Install additional planting, edging and the supply and installation of a garden barrier around the section of playground fronting pedestrian footpaths.
- Install new combination play equipment including a slippery dip incorporated into an expanded playground area.
- Re-locate the existing plantings from sections of the area overlooking the ocean adjacent to the coastal fencing on the western side, and remove the larger trees that have grown alongside.
- Install permanent signage, that identifies Clarke Reserve as a 24/7 dog on-leash area, and that dogs are prohibited from being within 10 metres of any play equipment.



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- ↔ Pedestrian access throughout duration of works

ISSUE DATE: 26.11.18

ANOTHER WAVERLEY RENEWAL PROJECT



Clarke Reserve Playground Improvements



Combination Play Equipment Waverley Council Park Signs



Garden barrier fence



Banksia integrifolia Coast Banksia
Banksia rostrata Knobby Banksia
Dandelion *compensata* New York Tree Lily



Boeckhaeria integrifolia Coastal Heath Myrtle
Chrysanthemum *leucanthemum* Garden Mum
Caribaea *glauca* Pig Face

Indicative tree and plant species



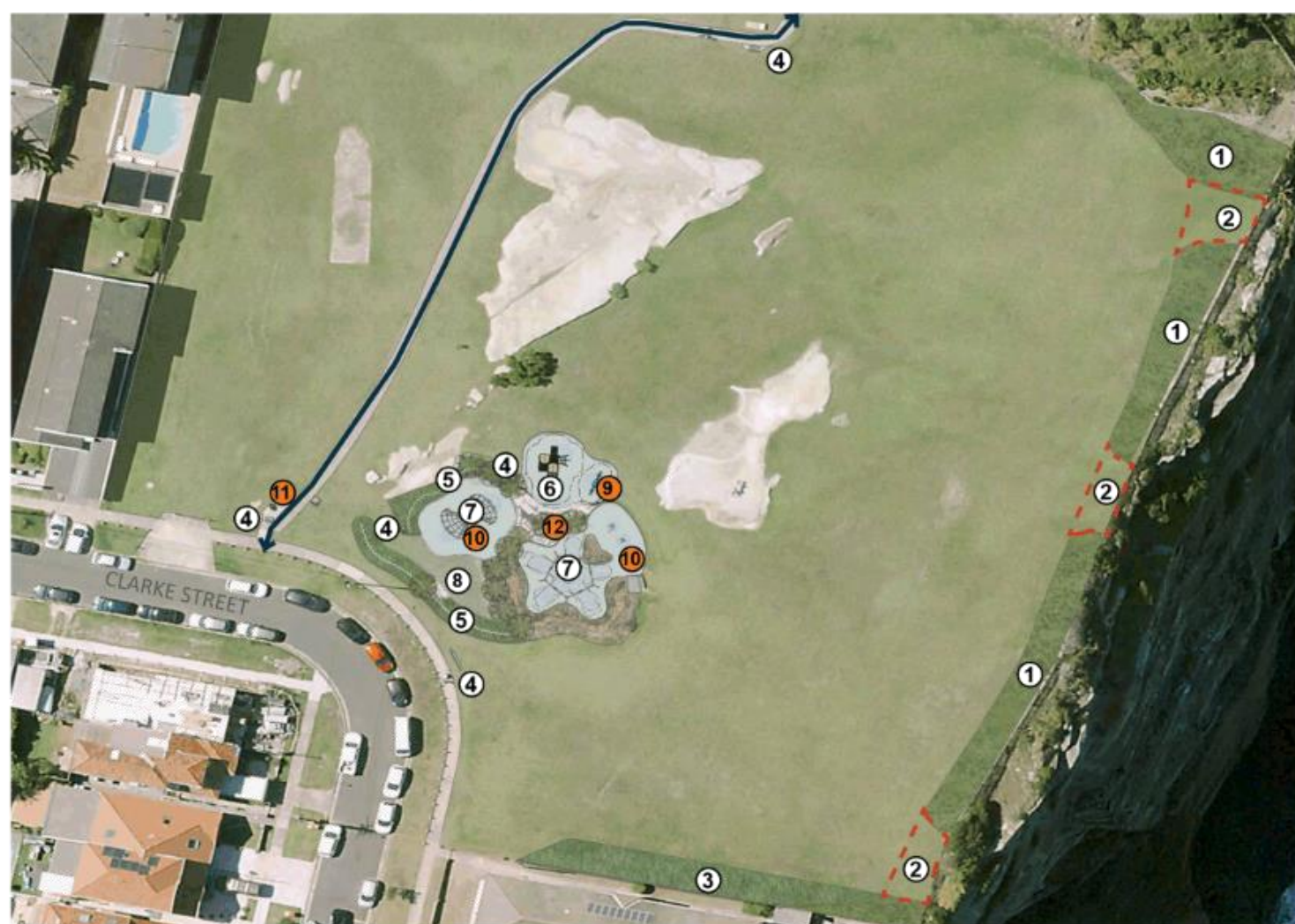
- ① New garden barrier fence
- ② New garden beds
- ③ New combination play equipment and rubber softfall surface.
- ④ Existing garden bed to be re-vitalised with new planting.
- ⑤ New Park Sign. Sign to identify Clarke Reserve as 24/7 dog on-leash area.
- ⑥ New shade trees. Trees to be *Banksia integrifolia*.
- ⑦ Existing tree to be retained
- ⑧ Existing play equipment, nature play elements and rubber softfall surface to be retained.
- ⑨ Existing seat to be retained
- ↔ Pedestrian access throughout duration of works

ISSUE DATE: 26.11.18

ANOTHER WAVERLEY RENEWAL PROJECT



Clarke Reserve Improvements



LEGEND

- ① Existing garden bed to be retained.
- ② Approved New Turf Area.
- ③ Approved New garden bed with re-located planting.
- ④ Approved New Park Sign identifying Clarke Reserve as 24/7 dog on-leash area and dogs prohibited within 10m of play equipment.
- ⑤ Approved New garden bed and barrier fence.
- ⑥ Approved New combination play equipment and rubber softfall surface.
- ⑦ Existing play equipment to be retained.
- ⑧ Existing seat to be retained
- ⑨ Proposed play equipment such as spinner, carousels or seesaw.
- ⑩ Proposed replacement of existing rubber softfall with new
- ⑪ Proposed drinking fountain
- ⑫ Additional shade tree planting
- ⬡ Outline of existing garden to be removed. Plants to be transplanted to new garden beds.
- ➡ Pedestrian access throughout duration of works

KEY

- APPROVED UNDER 2018 PLAN
- PROPOSED UNDER 2019 ADDITIONAL FUNDING



For more information about the project, please visit our website haveyoursay.waverley.com.au or email openspace@waverley.nsw.gov.au

“ HAVE YOUR SAY ”

**Saturday 4 May 9am - 12pm
At Clarke Reserve Playground**

ANOTHER WAVERLEY RENEWAL PROJECT



Clarke Reserve Playground Improvements



Combination Play Equipment Waverley Council Park Signs



Garden Fence Drinking Fountain

Additional play equipment options:



Option 1 - Spinner Option 2 - Seesaw



Option 3 - toddler play panel Option 4 - Sensory/ music play



KEY
○ APPROVED UNDER 2018 PLAN
● PROPOSED UNDER 2019 ADDITIONAL FUNDING

- ① Approved New garden barrier fence
- ② Approved New garden beds
- ③ Approved New combination play equipment and rubber softfall surface.
- ④ Existing garden bed to be re-vitalised with new planting.
- ⑤ Approved New Park Sign. Sign to identify Clarke Reserve as 24/7 dog on-leash area.
- ⑥ New shade trees. Trees to be *Banksia integrifolia*.
- ⑦ Existing tree to be retained
- ⑧ Existing play equipment to be retained.
- ⑨ Existing seat to be retained
- ⑩ Proposed play equipment such as seesaw, spinner, play panel or sensory play.
- ⑪ Proposed replacement of existing rubber softfall with new
- ⑫ Proposed drinking fountain with dog bowl
- ⑬ Additional shade tree planting

↔ Pedestrian access throughout duration of works



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“ HAVE YOUR SAY ”

**Saturday 4 May 9am - 12pm
At Clarke Reserve Playground**

ANOTHER WAVERLEY RENEWAL PROJECT



Site photos of worn softfall:



Photo 1: Existing worn rubber soft fall - slumping & separating from edging



Photo 2: Existing worn rubber soft fall - slumping & separating from edging



Photo 3: Existing worn rubber soft fall - slumping & separating from edging



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“ HAVE YOUR SAY ”

**Saturday 4 May 9am - 12pm
At Clarke Reserve Playground**

Survey Report

06 July 2010 - 10 June 2019

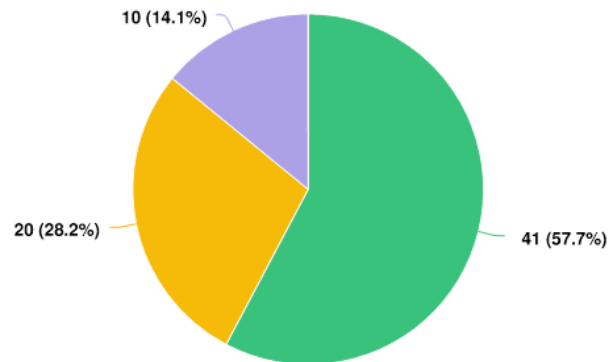
Clarke Reserve - Have Your Say

PROJECT: Clarke Reserve Improvements

Have Your Say Waverley



Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Q1 How satisfied are you with the proposed plan?**Question options**

● Very Dissatisfied ● Neutral ● Very satisfied

Optional question (71 responses, 5 skipped)

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Q2 What do you like about the proposed plan?

Anonymous 5/04/2019 09:47 AM	Foliage and shade trees. New play equipment
Anonymous 5/04/2019 09:48 AM	Extra equipment but need all of it not just 2 pieces
Anonymous 5/04/2019 10:14 AM	Shade trees new equipment garden around fence
Anonymous 5/04/2019 10:34 AM	New facilities
Anonymous 5/04/2019 10:39 AM	like that you are adding slide and other additional equipment and trees
Anonymous 5/04/2019 10:42 AM	I like the additional investment but dont think it is suited for older kids
Anonymous 5/04/2019 10:43 AM	Extending playgrlund is good
Anonymous 5/04/2019 11:13 AM	Like the nature of a low fence
Anonymous 5/04/2019 11:17 AM	To keep the open nature of playground
Anonymous 5/04/2019 12:06 PM	Extra equipment is good, more would be great
Anonymous 5/04/2019 12:19 PM	Additional equipment and shade trees
Anonymous 5/04/2019 01:45 PM	The slide and unit
Anonymous 5/04/2019 03:09 PM	Good to invest in the area
Anonymous 5/04/2019 03:57 PM	More play equipment
Anonymous 5/04/2019 05:03 PM	New and different equipment at the playground , it's currebtlly boring for my local children
Anonymous 5/04/2019 05:27 PM	Multipurpose play equipment and slide
Anonymous	Additional playground equipment

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

5/04/2019 09:47 PM

Anonymous

See saw is a good idea. More variety on play equipment as current equipment isn't very entertaining or appropriate for a wide age group.

5/04/2019 11:53 PM

Anonymous

Trees, dogs on leash sign

5/05/2019 04:09 AM

Anonymous

New equipment

5/05/2019 07:32 AM

Anonymous

Replacing worn surfaces to provide protection, making the area safe from dogs, putting in a bubbler

5/05/2019 08:30 AM

Anonymous

New play equipment

5/05/2019 12:56 PM

Anonymous

That there will be more equipment

5/05/2019 07:12 PM

Anonymous

Sensory play

5/05/2019 08:56 PM

Anonymous

New play equipment

5/05/2019 09:48 PM

Anonymous

Signage re logs on leash is vital to keep kids safe. Proposed toddler play area sounds like it would be a great addition. Love the idea of a multi-slide play area.

5/06/2019 07:21 AM

Anonymous

I like the initiative because it shows council interest and finger on pulse, but equipment lacks vs Parsley Bay, Rose Bay, Rushcutters, Double Bay and Bronte

5/06/2019 12:10 PM

Anonymous

Shade and additional play equipment will be very good. Additionally a fence around the play area makes it safe to leave the children to run around with less stress by parents of kids running into road and dogs off leash.

5/06/2019 12:15 PM

Anonymous

More equipment added

5/07/2019 11:06 PM

Anonymous

Additional play equipment

5/19/2019 10:38 PM

Anonymous

- good there will be new equipment

5/19/2019 11:32 PM

Anonymous

More shade

5/20/2019 05:15 AM

Anonymous

Multi play unit

5/20/2019 07:06 AM

Anonymous

More play equipment

5/20/2019 10:50 AM

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Anonymous 5/20/2019 11:59 AM	water fountain with added dog drinking bowl
Anonymous 5/20/2019 03:09 PM	Play equipment - we need more!
Anonymous 5/20/2019 05:12 PM	Additional play equipment and the effort made to deter dogs.
Anonymous 5/20/2019 05:56 PM	The extra play area and Shading
Anonymous 5/20/2019 07:01 PM	Play equipment
Anonymous 5/20/2019 07:08 PM	New play equipment
Anonymous 5/20/2019 11:19 PM	I really love that there has been some thought and investment in renewing this area. This is our local playground and it has so much potential but I feel the current plan is just not hitting the targets.
Anonymous 5/21/2019 04:32 PM	Play equipment - we need more!
Anonymous 5/26/2019 01:27 AM	we need more
Anonymous 5/29/2019 10:35 AM	The inclusion of a slippery dip
Anonymous 5/29/2019 01:31 PM	A great idea to spend extra government funds on new softfall. An opportunity to protect children while allowing Council to allocate financial resources to other playgrounds in the area that are crying out for equipment. Addition of a drink station.
Anonymous 5/29/2019 01:54 PM	Addition of a water station that includes a dog bowl. New softfall to replace existing , a sensible use of funds.
Anonymous 5/29/2019 02:37 PM	Drink station and Dog bowl, use of funds for new soft fall as it presents as a trip hazard currently,
Anonymous 5/29/2019 03:26 PM	Redoing softfall seeing it has been identified as a trip hazard. Water station with dog bowl.
Anonymous 5/30/2019 07:24 AM	Nothing, please leave Clarke Reserve as it is.
Anonymous 5/30/2019 09:01 AM	the natural habitat should be preserved . No landscaping should be introduced.
Anonymous 5/30/2019 09:17 AM	Not to much. Why such dense planting along fence when you have beautiful views

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Anonymous 5/30/2019 10:40 AM	I like the netball courts and lights
Anonymous 5/30/2019 01:03 PM	Too much interference with the natural environment. Please leave Clarke Reserve as it is.
Anonymous 5/30/2019 06:33 PM	Upgrade to softfall and dog bowl. This is a good enough spend on funds. No extra play equipment.
Anonymous 5/30/2019 10:59 PM	Nothing, please leave Clarke Reserve as it is.
Anonymous 5/31/2019 03:10 PM	Drinking bubbler for humans and dogs , otherwise please leave Reserve in present state
Anonymous 5/31/2019 03:38 PM	Only the softfall and the dog/human drink station.
Anonymous 5/31/2019 03:47 PM	Nothing. Playground becoming too big. Current size is sufficient.
Anonymous 5/31/2019 04:46 PM	Drinking bubbler for humans and dogs
Anonymous 5/31/2019 05:53 PM	Very little. Softfall refurbishment is a good idea. Water station and dog refreshment bowl also a good idea. These two items only.
Anonymous 5/31/2019 06:56 PM	much needed bubbler
Anonymous 5/31/2019 07:11 PM	I think the softfall replacement is a good idea to stop the trip hazard. This could be dangerous to children. I also think that the water station is a good addition.

Optional question (62 responses, 14 skipped)

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Q3 What do you dislike about the proposed plan?

Anonymous 5/04/2019 09:47 AM	No gate on fence, no need to remove rubber softfall, swing equipment configuration. Want dog teathering spot near sign.
Anonymous 5/04/2019 09:48 AM	We dont need pretty landscaping, SHADE yes, but not pretty. Need more equipment. Extra two pieces not enough. Tgis playground can have 50 kids in it
Anonymous 5/04/2019 09:52 AM	Like shelter from rain and wind
Anonymous 5/04/2019 10:14 AM	Too expensive dedirect money fence right around
Anonymous 5/04/2019 10:34 AM	No proper shade
Anonymous 5/04/2019 10:39 AM	need sun shade sails
Anonymous 5/04/2019 10:42 AM	Nothing for kids in thr 5 to 10 age group
Anonymous 5/04/2019 10:43 AM	Its for babies not for kids
Anonymous 5/04/2019 11:13 AM	Not easpecialky
Anonymous 5/04/2019 11:17 AM	No
Anonymous 5/04/2019 12:06 PM	Still dont have protection for kids to road, hard forvmy disabled wufe to be here with our daughter
Anonymous 5/04/2019 12:19 PM	More shade
Anonymous 5/04/2019 12:28 PM	Hoping for a bigger slide
Anonymous 5/04/2019 01:45 PM	The limited changes
Anonymous 5/04/2019 03:09 PM	It's not enough! Can't we have something imaginative and fun for young and older kids such as water play?
Anonymous 5/04/2019 03:57 PM	The proposed additional play equipment is very minimal and there's so much space to use. Also lack of a shade cloth area for real shade where babies can be breastfed, strollers parked etc.

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Anonymous 5/04/2019 05:03 PM	Possibly taking to long to complete
Anonymous 5/04/2019 05:27 PM	No shade cloth to enable more usage during the hot summer: segmenting off dogs as many families with young children have dogs and tying up dogs creates more stress & barking
Anonymous 5/04/2019 05:27 PM	There is no shade at this kids playground, sun is very dangerous, can't be there in summer !
Anonymous 5/04/2019 09:47 PM	Would like a barrier along the road side on Clark Street to prevent children running into the road
Anonymous 5/04/2019 11:53 PM	I would like a big flat swing that kids can lie on and a combination play equipmeny that involves a slide.
Anonymous 5/05/2019 04:09 AM	Could bé more equipment, closed gate. Please plant BIG shading trees so there is actually dome shade during the Day.
Anonymous 5/05/2019 07:32 AM	That it isn't fully fenced
Anonymous 5/05/2019 08:30 AM	There is no overhead shade cloth protection being put in, the focus is toddlers and a large amount of primary school aged kids frequent the park, for such a large space there iOS more than enough to create a toddler area separate to bigger kids area
Anonymous 5/05/2019 12:56 PM	More secure fencing needed - keep kids in, dogs out
Anonymous 5/05/2019 08:56 PM	Not enough stuff
Anonymous 5/05/2019 09:48 PM	More shade cover would be good
Anonymous 5/06/2019 07:21 AM	There doesn't seem to be any obstacle type of construction for younger children proposed - balancing beams or agility type of equipment.
Anonymous 5/06/2019 10:23 AM	There is no shading provided in the plan, meaning that the playground will be generally unsuitable for children to play in, or parents to supervise them during summer.
Anonymous 5/06/2019 12:10 PM	Need shade - the key issue is lack of shading for children either above the play equipment or create a separate shaded area
Anonymous 5/07/2019 11:06 PM	Needs SHADE and more than 1 bench
Anonymous 5/19/2019 10:38 PM	Wasting funds allocated on replacing and expanding soft fall which is perfectly good and only needs minor maintenance. Don't waste the funds!
Anonymous 5/19/2019 11:32 PM	1) stupid to replace flooring when existing rubber flooring is in fine condition (visited in person). 2) I want to see a proper fence and gate to keep dogs away from kids. Signs do nothing.

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Anonymous 5/20/2019 05:15 AM	The complete stupidity that council thinks garden beds will deter dogs. There is absolutely zero evidence to support this claim. As with O'Donnel st reserve it will provide zero safety from the road and dogs
Anonymous 5/20/2019 07:06 AM	The soft ground covering does not need replacing. Extra trees is not what is needed
Anonymous 5/20/2019 10:50 AM	Not enough new equipment, spending equipment money on replacing softfall which should come out of nemsintwnance money and it actually doesn't need doing anyway, only the edges; all the new planting will attract dogs not repel them. Need much more equipmen
Anonymous 5/20/2019 11:59 AM	Shade trees may limit vista
Anonymous 5/20/2019 03:09 PM	No fence for a playground with all this money, replacing soft fall that doesn't need to be replaced
Anonymous 5/20/2019 05:12 PM	The lack of fencing, and the replacement of the soft fall (no need to replace it as it is fine as it is).
Anonymous 5/20/2019 05:56 PM	No real fence. No need to replace the existing softfall.
Anonymous 5/20/2019 07:01 PM	Fencing. I bring my two small grandsons here very occasionally and would love to bring more often. Fencing is needed to keep them in but more to keep dogs from running at us. It's frightening and fear for my grandchildren. There is so limited equipment
Anonymous 5/20/2019 07:08 PM	Flooring does not need replacing - funds could be better spent on adding plat equipment instead.
Anonymous 5/20/2019 11:19 PM	Please please please take a look at what has been done at Marrickville park playground. It is a small park but packs a punch with in ground mini trampolines, a great climbing rope leading onto a slide, an awesome stand up see saw
Anonymous 5/20/2019 11:23 PM	Please please don't spend money on replacing the soft fall ground. This money would be much better use out towards new equipment. Love the idea of more creative equipment - in ground trampolines, cubby house etc
Anonymous 5/21/2019 04:32 PM	No fence for a playground with all this money, replacing soft fall that doesn't need to be replaced
Anonymous 5/22/2019 09:12 AM	Banksia trees disrupt views. Planting along the fences disrupt view
Anonymous 5/22/2019 09:32 AM	Do not interrupt the views of visitors and the locals we love the open space that this provides
Anonymous 5/26/2019 01:27 AM	no fence
Anonymous 5/29/2019 10:35 AM	Extra Open space is being used to expand the playground and the planting of so called shade trees are going to ruin the open space and magnificent

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

	coastal views
Anonymous 5/29/2019 01:31 PM	Filling up the environment with equipment that detracts from the beauty and uniqueness of the space. Plantings along the fence should be completely removed. Planting of extra Banksias in unnecessary and will destroy the openness of the environment.
Anonymous 5/29/2019 01:54 PM	Proposed trees. Remaining grasses along fence. Previous plan provides sufficient extra play equipment.
Anonymous 5/29/2019 02:37 PM	Shade trees are unnecessary considering there are other shaded locations near by and it may impact of the open view, grass near the fence is over grown and I have seen parents encouraging children to defecate and urinate in them.
Anonymous 5/29/2019 03:26 PM	Planting of trees. Encourages children to use environment as a toilet as currently happens with bushes along fence line. These bushes should be removed due to blocking views and encouraging unhygienic toileting behaviours in children. No trees either.
Anonymous 5/30/2019 07:24 AM	The planting of trees and/or extension of playground in this small, local playground, which will obstruct views and open space.
Anonymous 5/30/2019 09:01 AM	the addition of landscaping
Anonymous 5/30/2019 09:17 AM	As above to dense planting, obstructing views. It suppose to be open space
Anonymous 5/30/2019 10:40 AM	The planting . I think the fence needs to be seen for child safely and do it maintained. No one wants especially a child to fall through the fence
Anonymous 5/30/2019 01:03 PM	Putting in trees and the extension of the playground in this small, local reserve. Enough is enough.
Anonymous 5/30/2019 06:33 PM	Planting of trees. Plenty of shade at Kimberley Reserve playground. I do not want trees.s. Bushes along fence, hide holes in fence and are used as a toilet by children. Remove all bushes.
Anonymous 5/30/2019 10:59 PM	The planting of trees and/or extension of playground in this small, local playground, which will obstruct views and open space.
Anonymous 5/31/2019 07:55 AM	The planting of the trees and planting along the coastal fence and the extension of the small playground which will obstruct ocean views and take away open space
Anonymous 5/31/2019 03:10 PM	Planting of trees and enlargement of playground and fencing around playground , reduction of open space and obstruction of views of ocean
Anonymous 5/31/2019 03:38 PM	Addition of more equipment, proposed trees, bushes that are still along the fence.
Anonymous 5/31/2019 03:47 PM	All of it. Leave the reserve as it is. Will attract more children who pee and poo as they already do in the bushes along the fence line.
Anonymous 5/31/2019 04:05 PM	Planting of trees and shrubbery which will block coastal views

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Anonymous

5/31/2019 04:46 PM

Planting of trees and enlargement of playground both of which will reduce the open space and views

Anonymous

5/31/2019 05:53 PM

Proposal should be limited to upgrading existing equipment as per Mayor's comments. No increase of playground footprint necessary. Trees are a blight on the environment of the Reserve. They should not be put in. All bushes should be removed along fence

Anonymous

5/31/2019 06:56 PM

Everything. Changing an things which dont need changing . Cant get to fence to stand close to sea

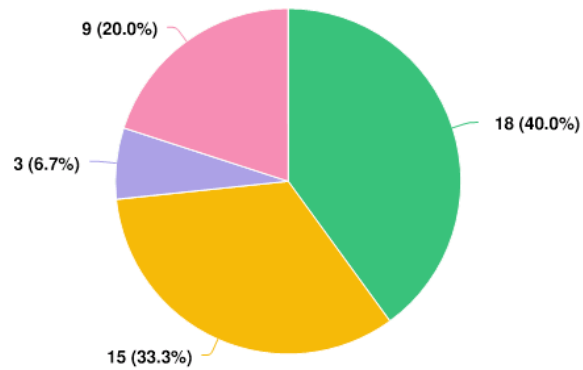
Anonymous

5/31/2019 07:11 PM

I don't like the expansion of the playground. It upsets the views and crowds the Reserve. The same with the trees. The land is Crown land and should be left alone. I think the bushes on the fence should be all be removed.

Optional question (69 responses, 7 skipped)

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Q4 What additional play equipment would you like to see at Clarke Reserve Playground?**Question options**

● Spinner ● Seesaw ● Toddler play panel ● Sensory/ music play

Optional question (45 responses, 31 skipped)

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Q5 Do you have any additional comments?

Anonymous 5/04/2019 09:48 AM	More than one of the above. Not toddler stuff. Additional play equipment older children slide for older childer, spinner, larger slide, seesaw water fountain water bottle station
Anonymous 5/04/2019 10:04 AM	Larber slide indvidual swings in a row rocks a worry shelter from wind and rain
Anonymous 5/04/2019 10:14 AM	Total fence with and dog parking
Anonymous 5/04/2019 10:34 AM	Would like to emphasise that shade in this area is crucial
Anonymous 5/04/2019 10:39 AM	Would also like a climbing structure for older kids eg monkey bar. Please ensure stone paths are paved to avoid toddlers tripping. Less spiky shrubs. Make sure rubber floor is not carcinogenic.
Anonymous 5/04/2019 10:42 AM	More intricate and involved climbing equipment, better for older kids. See watsons bay equipment
Anonymous 5/04/2019 10:43 AM	Please add outdoor equipment fpr kids to learn and develop such as monkey bars, balance equipment etc
Anonymous 5/04/2019 11:13 AM	To include equipment for pre teen children
Anonymous 5/04/2019 11:44 AM	Fence around entire playground. Shade cloth preference seating.
Anonymous 5/04/2019 12:06 PM	Fence between bollards slows children down to street
Anonymous 5/04/2019 12:19 PM	More older children play. Costs dont add up. Snade trees in a d shade tree not a suitable. Equipment flr older children. Fence along clarke . Access to rock shelf for seating.
Anonymous 5/04/2019 01:40 PM	Shade
Anonymous 5/04/2019 01:45 PM	A better climbing option and cubby house would be good
Anonymous 5/04/2019 03:09 PM	There are lots of parks in the area with toddler focused activities, they too need updating (Kimberley reserve and Samuel park), older kids like physical play too. I'd like to see something for 8-10 year olds too
Anonymous 5/04/2019 03:57 PM	You should build something like what they have in the plywood area st taronga zoo. These proposed improvements are so minimal. There's so much potential in this space. Very disappointing.
Anonymous 5/04/2019 05:27 PM	We should have a shade cloth like in Kimberley reserve and rose bay to protect children from the sun. Trees are not sufficient

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Anonymous 5/04/2019 09:47 PM	An outdoor xylophone would be fantastic
Anonymous 5/04/2019 11:53 PM	Important to consider what is going to entertain different age groups. Currently the climbing area only suits older kids so would be good to cater to younger children with a combination play area that has a slide as well and more climbing
Anonymous 5/05/2019 04:09 AM	New shading trees should be adult, meaning having big branches full of leave providing big shading spot. Unlike those two Little one that are there already. Dog walkers with no lead should be checked and penalised!
Anonymous 5/05/2019 08:30 AM	When cancer is so prevalent erection of permanent shade features to protect our kids should be mandatory! Trees don't do that and only provide further risk of birds swooping when breeding. Make it suitable for up to 12 yrs they need outdoor play too
Anonymous 5/05/2019 12:56 PM	Include all play equipment options!!
Anonymous 5/05/2019 07:12 PM	Pls put in monkey bars
Anonymous 5/05/2019 08:56 PM	Make it dynamic and different. Parkour, music, something. Give it a theme
Anonymous 5/05/2019 09:48 PM	More shade cover at this park would make it more useable during the warmer months
Anonymous 5/06/2019 07:21 AM	I think all of the above should be included - spinner, seesaw, toddler play panel, sensory music play
Anonymous 5/06/2019 12:10 PM	All other playgrounds have about 2-5 additional pieces like seesaw, rocking ship, slides, spinners, and shade, and benches
Anonymous 5/06/2019 12:15 PM	The more equipment the better. Encouraging kids to play outdoors is so important.
Anonymous 5/07/2019 11:06 PM	Needs shade badly
Anonymous 5/19/2019 10:38 PM	PLEASE have a look at Woollahra council's plans for parsley reserve for an idea of what GOOD and useful equipment would be. Please don't waste this funding on unnecessary things! We need a decent playground with usable equipment. Also eg Lyne Park
Anonymous 5/19/2019 11:32 PM	Just put a fence in to keep the off-leash dogs away. That was the whole point of the project.
Anonymous 5/20/2019 05:15 AM	Best evidence is a term council keeps throwing around yet there are zero citations within their proposal to state the research of that backs up this "best evidence". Not is there an unbiased approach to the proposal which provides evidence for a fence
Anonymous	The playground needs more equipment. For example flying fox, ping-pong

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

5/20/2019 07:06 AM	table, wildplay, slides big and small, make it fun for toddler and tweens!
Anonymous 5/20/2019 10:50 AM	No breakdown of the budget has been provided. Too much money being spent on moving planting etc - what we need is AT LEAST 3 more play pieces. Spinner AND slide AND seesaw
Anonymous 5/20/2019 03:09 PM	All of the above. Plus a sandpit and riding track with traffic lights for older kids.
Anonymous 5/20/2019 05:12 PM	Please use the funds wisely
Anonymous 5/20/2019 05:56 PM	I would love to see more than one or two more additional play equipment
Anonymous 5/20/2019 07:01 PM	It could be a wonderful space for children to come play and coffee close by for Fencing so important to help us from little people running to the road which is very close and keeping dogs out and using the space as their toilet
Anonymous 5/20/2019 07:08 PM	Funding secured should go to improving play equipment, rather than relaxing perfectly usable flooring. More in the way of dog deterrent too - not a water tap for them nearby.
Anonymous 5/20/2019 11:19 PM	Please take a look at this article about Marrickville park - https://m.ellastlist.com.au/articles/the-inner-west-s-best-kept-secret-playground this playground equipment would be perfect for Clarke reserve!
Anonymous 5/21/2019 04:32 PM	All of the above. Plus a sandpit and riding track with traffic lights for older kids.
Anonymous 5/22/2019 09:12 AM	Think of the enjoyment for young and old not only children. We all want to enjoy the views such as whale watching and boats.
Anonymous 5/26/2019 01:27 AM	all of the above and a riding track with traffic lights for the older kids. We need a fence and more play equipment and a bike track. There is so much room. It should be amazing like the playground at Watsons Bay or the new one at Parsley Bay
Anonymous 5/29/2019 10:35 AM	This is a small reserve and the play area should NOT be expanded with more play equipment. There are other local parks that we can choose from to enjoy.
Anonymous 5/29/2019 01:31 PM	Planting of proposed trees will clog the visual environment. If the issue is shade, then the playground at Kimberley Reserve, a short walk from Clarke Reserve, is able to provide this. A stand of Banksias for this purpose is unwelcome in the space.
Anonymous 5/29/2019 01:54 PM	Remove all grasses along fence. No need for planting extra trees. Shade available at other playgrounds. Unique area should be preserved as open space. Area cannot accommodate extra traffic = impossible to park and pass cars is street.
Anonymous 5/29/2019 02:37 PM	Some parents encourage their children to go to the toilet in the near by shrubbery and along the sandstone. It can be discouraged by removing these long grassy areas and putting a sign up indicating where nearby facilities are. This poses a risk to all.
Anonymous	Adding to this playground will attract more cars to the area. Parking for local

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

5/29/2019 03:26 PM	residents is already impossible. Traffic flow is dodgy as two cars cannot pass in the streets at one time and is worse when the playground is being used by people who drive
Anonymous 5/30/2019 07:24 AM	The reserve is Crown Land open space and should be kept as such. Nothing should be that will impede the open planted or built space and spectacular views. The planting along the fence should be removed.
Anonymous 5/30/2019 09:01 AM	a slide for the play area would give variety of play equipment
Anonymous 5/30/2019 09:17 AM	Kids play areas are important but be good to keep it with simple climbing equipment, sensory experiences fitting into this beautiful natural environment
Anonymous 5/30/2019 10:40 AM	It's a lovely natural space but needs for for children and young people
Anonymous 5/30/2019 01:03 PM	The reserve is Crown Land open space and should be kept as such. Nothing should be planted or built that impede the spectacular views. Bushes along the fence should be removed.
Anonymous 5/30/2019 06:33 PM	As children already use the bushes along the fence and the salt bush near the playground as toilet, putting in trees will invite more of this disgusting behaviour. The reserve is Crown land and must be left as much as possible in its open state.
Anonymous 5/30/2019 10:59 PM	The reserve is Crown Land open space and should be kept as such. Nothing should be planted or built that will impede the open space and spectacular views. The planting along the fence should be removed
Anonymous 5/31/2019 07:55 AM	The reserve is NSW crown land which is open space and should be kept as such. Nothing should be planted or built that will impede the open space/views
Anonymous 5/31/2019 03:10 PM	The reserve is Crown Land open space and should be kept as such Nothing should be planted or built which will impede open space and views.The planting along the ocean fence should be removed.
Anonymous 5/31/2019 03:38 PM	Trees will destroy open aspect of the area. They will also provide an open air toilet facility - bushes along fence currently used as same. More stuff in the park = more cars = no parking for residents and terrible challenges passing extra cars streets.
Anonymous 5/31/2019 03:47 PM	Proposal is destroying the things that make the reserve unique. Reserve is Crown land and should not be interfered with. Proposal inappropriate for a small local playground. Will bring in more traffic that the area cannot support.
Anonymous 5/31/2019 04:46 PM	Preserve the open space and views . Don't plant or build don't increase play equipment other than slippery dip Leave reserve as is.
Anonymous 5/31/2019 05:53 PM	The proposal will destroy the unique openness of the reserve. Extra cars will make life difficult for people who live in he nearby streets vis a vis parking and traffic flow. Trees and bushes will allow people to use same as al fresco toilets.
Anonymous 5/31/2019 06:56 PM	Please leave this special park alone. We have seen whales there and it was very special for us. <Do not put extra equipment there or trees
Anonymous	I am concerned that a bigger playground will bring in too many cars to the

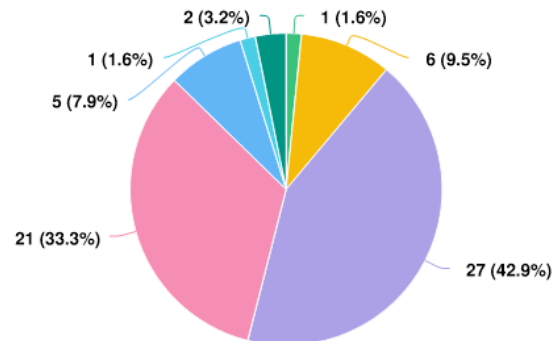
Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

5/31/2019 07:11 PM

area. The mayor has said that the money for the proposal will be spent on higher quality equipment relative to what is already in place. No more equipment should be added.

Optional question (62 responses, 14 skipped)

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Q6 What is your age range?**Question options**

● <20 ● 21 - 30 ● 31 - 40 ● 41 - 50 ● 51 - 60 ● 61 - 70 ● 70 +

Optional question (63 responses, 13 skipped)

 Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Q7 If you visit with children, how many and how old are they?

Anonymous 5/04/2019 09:47 AM	Variety of ages
Anonymous 5/04/2019 09:48 AM	6. 3 families. 1, 3, 4, 5, 6 and 6
Anonymous 5/04/2019 10:34 AM	2 and 5
Anonymous 5/04/2019 10:39 AM	3.5 and 5.5 years
Anonymous 5/04/2019 10:42 AM	2, 6 and 9
Anonymous 5/04/2019 10:43 AM	2 kids, 5 and 8
Anonymous 5/04/2019 11:13 AM	Sometimes
Anonymous 5/04/2019 11:17 AM	5 and 2
Anonymous 5/04/2019 12:06 PM	1 child, 3 years
Anonymous 5/04/2019 12:19 PM	Fro 5 to 10
Anonymous 5/04/2019 01:40 PM	Two, 2years and 6 months
Anonymous 5/04/2019 01:45 PM	5 and 2 years old
Anonymous 5/04/2019 03:09 PM	6, 8 and 13
Anonymous 5/04/2019 03:57 PM	2 months and 2.5 years
Anonymous 5/04/2019 05:03 PM	Two boys , 7 and 4
Anonymous 5/04/2019 05:27 PM	I have a 4 year old son
Anonymous	Two kids, 4.5 and 1.5

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

5/04/2019 05:27 PM

Anonymous 2

5/04/2019 08:30 PM

Anonymous 3 kids all under 10

5/04/2019 09:47 PM

Anonymous 2 children - aged 1.5 and 4

5/04/2019 11:53 PM

Anonymous 2 Kids - 3&1years old

5/05/2019 04:09 AM

Anonymous 2 children - 5 and 2 years

5/05/2019 07:32 AM

Anonymous We usually visit with a 6 and 9 yr old but they never want to be there longer than 5 minutes as there is nothing to do. We are always at Christianson doing sport with hundreds of others who all complain about the park having nothing for bigger kids

5/05/2019 08:30 AM

Anonymous 2.5yrs + 7 months

5/05/2019 12:56 PM

Anonymous 2 kids age 3 and 5

5/05/2019 07:12 PM

Anonymous 2- 6,1

5/05/2019 08:56 PM

Anonymous 3 children aged between 9 months to 3 years old

5/05/2019 09:48 PM

Anonymous 3 year old

5/06/2019 07:21 AM

Anonymous 2 children, a 4 year old and a 1.5 year old

5/06/2019 10:23 AM

Anonymous 2 children aged 1 and 2

5/06/2019 12:10 PM

Anonymous 1 child, 21 months with another on the way

5/06/2019 12:15 PM

Anonymous 0 and 1

5/07/2019 11:06 PM

Anonymous 1, 3, 5

5/19/2019 10:38 PM

Anonymous 2 kids, aged 4.5 and 2.

5/19/2019 11:32 PM

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Anonymous 5/20/2019 05:15 AM	2 children under 4
Anonymous 5/20/2019 07:06 AM	Yes I visit twice a week with 3 kids - 14,12 and 9
Anonymous 5/20/2019 10:50 AM	2 of my own, 4 and 6. 4 of my friends', 1,3,4 and 6
Anonymous 5/20/2019 03:09 PM	18 months and 3 years
Anonymous 5/20/2019 05:12 PM	2 children aged 4 and 2
Anonymous 5/20/2019 05:56 PM	2 children with more on the way. Aged 2 and 4yrs.
Anonymous 5/20/2019 07:01 PM	3 and 11/2
Anonymous 5/20/2019 07:08 PM	2 children, 6 and 4 years old
Anonymous 5/20/2019 11:19 PM	3 kids - twins age 5 and 7 year old
Anonymous 5/20/2019 11:23 PM	3 - 5 and 7
Anonymous 5/21/2019 04:32 PM	18 months and 3 years
Anonymous 5/26/2019 01:27 AM	6 and 5
Anonymous 5/29/2019 01:31 PM	Two children. Ten and five years.
Anonymous 5/29/2019 02:37 PM	1 - 5yo
Anonymous 5/30/2019 09:01 AM	1 - 5 years
Anonymous 5/30/2019 09:17 AM	3 kids between 7snd 10
Anonymous 5/30/2019 10:40 AM	2 children 4 and 7
Anonymous	Two children, twelve and five

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

5/30/2019 06:33 PM

Anonymous

5 children from 2 years to 10 years

5/31/2019 03:10 PM

Anonymous

5 children from 2 years to 10 years

5/31/2019 04:46 PM

Anonymous


2 children ages 5 and 10

5/31/2019 06:56 PM

Optional question (55 responses, 21 skipped)

Clarke Reserve - Have Your Say : Survey Report for 06 July 2010 to 10 June 2019

Q11 Please specify.

Anonymous 5/04/2019 09:48 AM	Id like to see how the money is being spent. Actual breakdown
Anonymous 5/04/2019 09:52 AM	 Mobile number redacted
Anonymous 5/04/2019 09:54 AM	Need additional trees and shade system
Anonymous 5/04/2019 10:43 AM	Older kjds equipment essential for development
Anonymous 5/07/2019 11:06 PM	Shade
Anonymous 5/19/2019 10:38 PM	Please improve and add to the equipment and make this a playground that can be used and enjoyed! If there are enough funds please install a low (under 1m) fence to keep dogs out and toddlers in. The plants do not help.
Anonymous 5/20/2019 10:50 AM	More equipment! Less focus on plants! More equipment! Water bottle filler as well as fountain!
Anonymous 5/20/2019 03:09 PM	We need a fence and more play equipment and a bike track. There is so much room. It should be amazing like the playground at Watsons Bay or new one at Parsley Bay.
Anonymous 5/20/2019 07:08 PM	Playground upgrades
Anonymous 5/20/2019 11:19 PM	Would also be fantastic to have a small scooter park area
Anonymous 5/21/2019 04:32 PM	We need a fence and more play equipment and a bike track. There is so much room. It should be amazing like the playground at Watsons Bay or new one at Parsley Bay
Anonymous 5/26/2019 01:27 AM	We need a fence and more play equipment and a bike track. There is so much room. It should be amazing like the playground at Watsons Bay or the new one at Parsley Bay
Anonymous 5/29/2019 10:35 AM	The overdevelopment of this small park is unnecessary. Open space, ocean views is at our doorstep Council has a duty to current and future generation(s) to preserve this unique space and spectacular coastal views. Overdevelopment of CR is unwarranted
Anonymous 5/31/2019 04:46 PM	What does this mean ?

Optional question (14 responses, 62 skipped)

Clarke Reserve Email Submissions. Consultation May 2019	
1	<ul style="list-style-type: none"> • The addition of a drink station and attached dog bowl is a welcome addition to the reserve. • The replacement of the softfall is a positive move and will enhance both the play experience and safety of the children at the playground. This will provide a reasonable and obvious use of government funds to address the current softfall, which Council identifies as degrading in quality, and as a trip hazard. This will allow dedicated Council funds to be spent on equipment in other playgrounds in the municipality, which are currently desperate for equipment. • Additional building and equipment in the reserve will lead to a larger playground according to this proposal. The reserve and the local streets surrounding it would not be able to support a larger playground and associated increase in traffic. Already, traffic and parking are extremely challenging, and additional cars in the area will only add to the ongoing problems with traffic flow and parking. The streets around Clarke Reserve are very narrow and permit passage for one car only going in either direction. • The current size of the park addresses the needs of families well and permits all users to share in the facilities without having to wait. Increasing the number of play pieces would be an insult to other areas of the municipality which have little to no equipment in their playgrounds e.g. Barracluff Park. • The reserve is a natural environment and has always been an open and barren in nature. The addition of trees would destroy the unique aspect of the reserve and block views, as the proposed Banksia trees can grow to thirty metres in height. • When bushes were planted along the coastal fence, this was done without community consultation. Many locals do not like these plants as they are growing rapidly and are blocking out the stunning views to the ocean, which are a unique aspect to the reserve. The bushes must be completely removed.
2	<p>I am not aware of any good reason to plant trees along the coastal fence, especially if they obscure the ocean view.</p> <p>As well as the loss of a magnificent view and tourist attraction, there are a number of other issues requiring consideration.</p> <p>Such planting obscures the fence, and any vandalism of it, as well as people including children who may have climbed over the fence, putting themselves at serious risk.</p> <p>(I have frequently seen people climbing the fence to pose for "selfies" - often clearly inebriated - both at Christisson Park/Clarke Reserve, and almost daily at Diamond Bay Reserve.)</p> <p>It also provides privacy for those contemplating suicide, who would be less likely to carry it out if they were in public view - advice from appropriate professionals such as psychiatrists should be sought on this aspect.</p> <p>I also would like to take this opportunity to raise the issue of separation between Clarke Reserve and Christisson Park.</p> <p>Many think this is all one area, and especially as the dog rules differ, some form of signage needs to be installed on the pathway separating the two to make the boundaries clear.</p>

	And in regard to fencing of the playground, there is already a fenced playground at Rodney Reserve just a few minutes away. And if dogs are the issue, then there is a playground at Watsons Bay, a "no-dog" area also a few minutes away. The money could be better spent on improving/fixing the fence at Diamond Bay reserve, which is totally inadequate, and fails to block dogs and toddlers, as well as being easily scaled (as mentioned above).
3	I support Friends of Clarke Reserve's request that the ambience of the reserve remain as it is. This means keeping it as an open space to allow the appreciation of the stretch of land to the cliffs. The rocks in the reserve are a feature in themselves and I believe would be obscured by high growth. The current garden beds at the fence are incongruous with the feeling of the reserve and should be returned to simple grass. I would add to the Friends' request that the wooden fence be replaced by a see-through safety fence so that the ocean can be fully appreciated.
4	As a regular visitor to Clarke Reserve I'd like to express my concern at the proposal for significant planting of trees and shrubs along the fence and across the play area. These will increasingly block views of the ocean and change the character of the open space reserve.
5	<p>I recently signed the petition to preserve the unique open space and magnificent views of Clarke Reserve by not planting trees, or bushes in the reserve or any plant including grasses that may grow over one metre in height or width and to remove the planting along the ocean fence that was planted, without community consultation in 2017. I have concerns about Council's plans for the reserve and particularly hope Council will focus on keeping the wonderful views and open space. The proposed plans, not transparent at the Have Your Say Day and incorrectly stating e.g. 8 Banksia trees and an extension of the playground have prior approval, do not reflect what Councilors voted for 17.7.2018, when staff & Crs stated nothing would be planted in the reserve that would grow higher than one metre. At the Have Your Say Day residents and reserve users were not given proper opportunity to object to proposed plans, because only one of the relevant two plans were on show. Some grasses along the coastal fence are already more than 3 metres ! The present proposal will see planting of 13 Banksia trees. Banksias grow up to 30 metres. Although we love trees, they are unnatural to this unique environment as are the non native, to the reserve, grasses and shrubs along the coastal fence. I ask that Council's proposed plans do not involve the planting of trees in the reserve and that the plans propose the removal of all existing planting along the coastal fence. The planting of plants and grasses along the fence line are already obstructing wonderful views and Banksia trees will majorly add to this obstruction. In your planning for Clarke Reserve please carefully consider the following:-</p> <ul style="list-style-type: none"> - A thorough community consultation to understand the concerns of the local residents and reserve users of Clarke Reserve. - People want to preserve the open space of the reserve. - People want to preserve the spectacular views - People want to continue to see the wonderful view of the ocean through and above the coastal fence. - Clarke Reserve is a Natural area not a Bushland area. - Other Sydney coastal walks are kept free of vegetation along the coast so views can be enjoyed. - The White Cliffs of Dover, England and The Cliffs of Moher, Ireland, aren't planted. - The reserve is a prime whale watching spot. - Visitors like to walk right up to the fence to see the whales and the start of Sydney to Hobart Yacht Race.

	<ul style="list-style-type: none"> - There are many places in Waverley where Bushland planting is appropriate, but blocking out wonderful coastal views is not appropriate. - When residents first saw the planting along the coastal fence (2017), they objected and asked for the plants to be relocated e.g. as streets scape. - Council was agreeing to relocate plants, but reneged. - Clarke Reserve is part of the vicinity of the Bi-Centennial Coastal Cliff Walk . <p>The Terms of the Bi Centennial Coastal Cliff Walk state there can be no alteration in the vicinity of the Walk including to vegetation. The NSW Heritage Office states re Clarke Reserve: "Statement of ignificance.....considerable scenic value " "Therock formations have high social and historical significance as part of the history of European development of the colony of New South Wales" "Recommended Management - It is strongly recommended that there be no alterations or modifications to the equipment, relics, natural vegetation and rock formations or structures included in the area of the Bi-Centennial Coastal Cliff Walk. "</p> <ul style="list-style-type: none"> - Where there used to be grass right up to the coastal fence now rubbish gathers in the plants there. -The grasses and shrubs along the coastal fence hide holes in the coastal fence. -The plants along the coastal fence can conceal small children near the fence. <p>I hope Council seriously considers the above concerns and reflects them in its proposed plans for Clarke Reserve. I enjoy walking in and near Clarke Reserve. I am a concerned local resident and open space lover, who enjoys the wonderful views of the ocean, which will be lost forever if Councillors don't stop the present plans.</p>
6	<p>I live in Clarke St and walk in Clarke Reserve regularly twice daily. I ask Council to support the preservation of the unique open space and magnificent views of Clarke Reserve by not planting trees, or bushes in the reserve or any plant including grasses that may grow over one metre in height (as Councillors were assured before they voted on the Motion re the reserve on 17.7.2019.) or width, remove the planting along the ocean fence that was planted, without community consultation in 2017 and which is already obstructing views and not extend the playground other than a new slippery dip.</p> <p>I have concerns that Council's plans for the reserve are confusing and misleading. Also there was a serious lack of transparency when only one of the two current yet different plans was on show at the Have Your Say Day earlier this month.</p> <p>Besides many other things that plan incorrectly stated, as does information on Council's website, that 8 Banksia trees and an extension of the playground with a combination play equipment had prior approval and therefore were not up for community discussion.</p> <p>The current two plans do NOT reflect what Councilors voted for 17.7.2018, when staff & Crs stated nothing would be planted in the reserve that would grow higher than one metre.</p> <p>At the Have Your Say Day residents and reserve users were not given proper opportunity to object to the proposed plans, not only because only one of the relevant two plans were on show, but because Council staff restrictively and narrowly focused on the question: "which additional play equipment do you want". Making the supposedly community consultation about concept plans for the whole reserve only about extra play equipment.</p> <p>Some grasses along the coastal fence are already more than 3 metres! The present proposal will see planting of 13 Banksia trees. Banksias grow up to 30 metres. Although I love trees, they are unnatural to this unique environment as are the non native, to the reserve, grasses and shrubs Council planted in 2017 along the coastal fence.</p>

	<p>I ask that Council's plans not involve the planting of trees in the reserve and that the plans propose the removal of all existing planting along the coastal fence. The planting of plants and grasses along the fence line are already obstructing wonderful views and Banksia trees will majorly add to this obstruction.</p> <p>Amongst other things I ask Council to carefully consider the following:-</p> <ul style="list-style-type: none"> - A thorough community consultation to understand the concerns of the local residents and reserve users of Clarke Reserve. This was not undertaken, with the recent consultation being focused only on play equipment. - People want to preserve the open space of the reserve. - People want to preserve the spectacular views <ul style="list-style-type: none"> - People want to continue to see the wonderful view of the ocean through and above the coastal fence. - Clarke Reserve is a Natural area not a Bushland area. - Other Sydney coastal walks are kept free of vegetation along the coast so views can be enjoyed. - The reserve is a prime whale watching spot. - Visitors like to walk right up to the fence to see the whales as they do for the start of Sydney to Hobart Yacht Race. - There are many places in Waverley where Bushland planting is appropriate, but blocking out wonderful coastal views is not appropriate. - When residents first saw the planting along the coastal fence (2017), they objected and asked for the plants to be relocated e.g. as streets scape. - Council was agreeing in discussion to relocate those plants, but reneged. - Clarke Reserve is part of the vicinity of the Bi-Centennial Coastal Cliff Walk . The Terms of the Bi Centennial Coastal Cliff Walk state there can be no alteration in the vicinity of the Walk including to vegetation. The NSW Heritage Office states re Clarke Reserve: "Statement of Significance.....considerable scenic value " "Therock formations have high social and historical significance as part of the history of European development of the colony of New South Wales" "Recommended Management - It is strongly recommended that there be no alterations or modifications to the equipment, relics, natural vegetation and rock formations or structures included in the area of the Bi-Centennial Coastal Cliff Walk. " - Where there used to be grass right up to the coastal fence now rubbish gathers in the plants there. - The grasses and shrubs along the coastal fence hide holes in the coastal fence. - The plants along the coastal fence can conceal small children near the fence. <p>FURTHER</p> <p>The Mayor has written that the \$100,000 State grant will not be spent on extra equipment but: "The money can only be spent on higher quality elements." (9.4.2019), but that this is not what the current plans show. They show a proposal to make the playground substantially bigger with more equipment and turn the reserve into a bush area with 13 ! Banksia trees. There are already 3 there.</p> <p>There are issues about approval and clarity of the 4 concept plans which make the proposed changes difficult to understand.</p> <p>There are concerns about:</p> <ul style="list-style-type: none"> • Relationships between the 2018 and 2019 plans including that items in a 2018 plan are presented as approved in a 2019 plan, when these had not been mentioned in Council's 17.7.2018 resolution.
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	<ul style="list-style-type: none"> • The relationship between the reserve plans and the playground plans with the reserve plans not including the same items as the playground plans. Residents shouldn't be expected to suspect that after they have looked at Clarke Reserve Improvements 4.5.2019 they still need to look at Clarke Reserve Playground Improvements 4.5.2019 . • The conduct of the consultation process at the May 2019 Have Your Say Day (HYSD) was misleading to residents and possibly deceptive with presentation of only one plan the Clarke Reserve Playground Improvements 4.5.2019. This besides other things misinformed people that certain items including the planting of an additional 8 new Banksia* Trees and a combination play equipment had already been approved in a 2018 plan. Questions from Council staff then overwhelmingly focused on additional play equipment which will result in extension of the playground. The plan which was not shown at the HYSD Clarke Reserve Improvements 4.5.2019 does not include, within the playground area, the same items as the plan that was shown. <p>Substantive changes to Council resolution in concept plans</p> <p>From plan to plan there is an increase in the number trees resulting now in proposal there be 13 Banksia Trees in the reserve, when there was assurance during the Council meeting 17.7.2018 that nothing was to be planted in the reserve which will grow over 1 metre high. (8 of these banksias have been hidden by Council staff as "approved" on 2018 plan)The height and breath of 13 Banksia Trees is huge and will seriously block out views of the ocean from several points in the reserve including the path. Residents don't know where the idea of planting trees has sprung from. It is a whole new add-on to the motion passed 17.7.2018. Council staffs' changes to the concept plans embodied, but not articulated, need the use of a microscope to see. It appears some Council staff have their own agenda, which is not in keeping with what residents and reserve users want or what was voted on by Councillors on 17.7.2018. Further, the two 4.5.2019 plans show 11 new Banksia trees (2 of those already there to be retained) are too be planted within the playground. If so planted they will separate one play area from another and it will not be possible, for parents to watch children playing in more than one play area.</p> <p>Consultation process and expansion of playground</p> <p>At the HYSD FCR saw comments were being recorded selectively. Various FCR were present throughout the 3 hours of the HYSD. During that time, although the two attending Council staff had 3 tablets with them they did not give the tablets to reserve users, but instead held the tablets and themselves recorded selected parts of what people were saying. Only one resident, we know of completed the survey on the tablet herself. Several people reported that although they talked to staff members at length no record was taken down of anything they said. FCR are highly skeptical of the results of this consultation process.</p> <p>At the HYSD Council staff sought comment not on concept plans, but only on additional play equipment as well misinforming people that there was already approval for a new combination play equipment. This does not fit at all with the motion of 17.7.2018, which supported a slippery dip. Council staffs' recurrent enquiry of reserve users was: "which extra play equipment would you like ?" Several residents have reported hearing this. The one plan on show included photos of 4 pieces of play equipment and a photo of grass. There are reports that children, being asked which additional piece of play equipment they wanted, pointed to the grass and talked of the games of running and hide and seek.</p> <p>Residents weren't aware of an opportunity to object to the number of trees or the expansion of the playground because (i) they were told these had already been approved and (ii) the consultation was framed around choosing additional play</p>
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	<p>equipment. If a combination play equipment item as well as additional items is erected this will substantially increase the area of the playground taking away open space and views. FCR have informed Council about the serious issue of lack of parking in the area and that the approaching streets Clarke and Jensen only permit one car to pass at a time. This is not a suitable site for a large playground.</p> <p>When I with another FCR met with Director Scott last year to discuss planting in the reserve Ms Scott said it was “doable” that there be no planting in Clarke Reserve which would grow above one metre. It is ridiculous that residents have fought to get a one metre limit and now Council staff is proposing 13 Banksia trees, each of which can grow up to 30 metres, in a small space making residents, visitors and future generations lose open space and spectacular views. At the HYSO The Open Space Manager said she did not know that Kimberly Reserve playground, which does not have ocean views and has many trees and also shade sails is only 12 minutes walk from Clarke Reserve.</p> <p>I and family members, friends and neighbours are concerned that the open space and wonderful views of the ocean, which will be lost forever if the present plans are implemented.</p> <p>I ask Council to do everything in its power to preserve the open space and wonderful ocean views of Clarke Reserve.</p> <p>*Banksias grow as trees or woody shrubs. Trees of the largest species, <i>B. integrifolia</i> (coast banksia)....., often grow over 15 metres tall, some even grow to standing 30 metres tall.</p> <p>Genus: Banksia; L.f. Banksia – Wikipedia https://en.wikipedia.org/wiki/Banksia</p>
7	<p>I recently signed the petition to preserve the unique open space and magnificent views of Clarke Reserve by not planting trees, or bushes in the reserve or any plant including grasses that may grow over one metre in height or width and to remove the planting along the ocean fence that has recently been planted.</p> <p>I have concerns about Council’s plans for the reserve and hope that they will focus on keeping the wonderful views and open space. The proposed plans do not reflect what Councilors voted for 17.7.2018, when staff & Crs stated nothing would be planted in the reserve that would grow higher than one metre. Some grasses along the coastal fence are already more than 3 metres ! The present proposal will see planting of 13 Banksia trees. Banksias grow up to 30 metres. Although we love trees, they are unnatural to this unique environment as are the non native, to the reserve, grasses and shrubs along the coastal fence. We ask that your proposed plans do not involve the plantation of trees in the reserve and that the plans propose the removal of all existing planting along the coastal fence. Planting of Trees, Plants and grasses along the fence line will deny patrons the wonderful views from Clarke Reserve. In your planning for Clarke Reserve please carefully consider the following:-</p> <ul style="list-style-type: none"> - A thorough community consultation to understand the concerns of the residents around Clarke Reserve. - People want to continue to see the wonderful view of the ocean through and above the coastal fence. - Clarke Reserve is a Natural area not Bushland. - Other Sydney coastal walks are kept free of vegetation along the coast so views can be enjoyed. - The White Cliffs of Dover, England and The Cliffs of Moher, Ireland, aren’t planted. - The reserve is a prime whale watching spot. - Visitors like to walk right up to the fence to see the whales and the start of Sydney to Hobart Yacht Race.

	<ul style="list-style-type: none"> - There are many places in Waverley where Bushland planting is appropriate, but blocking out wonderful coastal views is not. - When residents first saw the planting along the coastal fence (2017), they objected and asked for the plants to be relocated e.g. street scape. - Council agreed to relocate plants, but reneged. - Clarke Reserve is part of the vicinity of the Bi-Centennial Coastal Cliff Walk . The Terms of the Bi Centennial Coastal Cliff Walk state there can be no alteration in the vicinity of the Walk including to vegetation. The NSW Heritage Office states re Clarke Reserve: "Statement of Significance.....considerable scenic value " "Therock formations have high social and historical significance as part of the history of European development of the colony of New South Wales" "Recommended Management - It is strongly recommended that there be no alterations or modifications to the equipment, relics, natural vegetation and rock formations or structures included in the area of the Bi-Centennial Coastal Cliff Walk. " - Where there used to be grass right up to the coastal fence now rubbish gathers in the planted area. -The plants hide holes in the coastal fence. -The plant can conceal small children near the fence. <p>I do hope that Council realises these concerns and reflect them in their proposed plans for Clarke Reserve.</p> <p>Concerned Whale watcher and Sydney Hobart yacht race viewer.</p>
8	<p>I ..., Vacluse which is directly across the road from Clarke Reserve. My house is I have owned this property for 20 years. During those 20 years Clarke Reserve has had a small playground for local children. Council is advertising a "Have Your Say Day" on 4th May. I shall be overseas then so I ask that I can have my say via this letter.</p> <ol style="list-style-type: none"> 1. I do not want to see anything built in the park especially a larger playground. The park and the local streets cannot support a larger playground. It may increase vehicular traffic which will further compound the ongoing problems with traffic flow and parking. The streets leading to the park are very narrow and allows only one car through at a time going in either direction, cars have to reverse to allow cars to pass, ridiculous. Also the current size of the park, caters very well with families attending as my observations have shown over the years I have lived there. I am literally directly opposite the park and see the daily activity, no one waits very long to use its facilities and to make them larger would be a total waste of money. 2. The park always had no vegetation. This is its natural environment. Last time work was done on the playground non native plants were introduced there. I would like the park to be left in its natural state. I object to any more introduced plants. Trees would block the open views of the ocean and Macquarie Lighthouse. There have never been trees in Clarke Reserve. Please leave the natural environment alone. 3. Two years ago bushes were planted along the coastal fence. Many local people object to these and want them removed, because they are growing fast and blocking out views of the ocean, which are a main feature of the park, and they hide holes in the fence. 4. I have been told changes are to be made in the park because parents are scared of dogs near their children. From my house I can clearly see the playground and I sit on my balcony directly across the road from the playground a lot. I have never seen any bad behavior by dogs to children there, although I am concerned about the hygiene as dogs do urinate and do feces on and near the facilities. <p>Please do not change anything of environment of the park, a park which is special to us local residents.</p>

Third Precinct Submission in Respect of Clarke Reserve

Prepared by: Vaucluse Diamond Bay Precinct

Allan Aaron [REDACTED] E-mail address redacted

Date: 28 May 2019

Purpose:

Following the Precinct Committee's submission in February 2019, we provide this further submission in relation to Clarke Reserve Playground to respond to the latest round of consultation conducted by Council in the intervening period. During this period we understand that Council has considered potential applications of the additional funds provided by the NSW State Government which has allowed Council to provide further upgrades to the playground to improve safety and play experience. We understand that Council has recommended the additional funding be spent on:

1. Replacement of existing worn rubber soft fall surface which has reached the end of its useful life and edging which has separated from the rubber surface.
2. Supply and install of new play equipment (in addition to the slide and multipurpose climber already included in the plans) such as a spinner, seesaw or sensory/ music play suitable for toddler play which was requested during consultation.
3. Installation of a drinking fountain with dog drinking bowl, alongside of the path at the entrance of the reserve.
4. Additional shade tree planting (in addition to the seven new trees already included in the plans).

We request that Council consider this submission in finalising its plans for the improvement of Clarke Reserve. We intend to have the contents of this submission ratified at the June 2019 Precinct meeting.

Discussion:

The Precinct Committee's observations in its previous submission stand. In addition, the Precinct executive has conferred further with additional resident parents whose children are regular users of the playground and other members of the public who are dog walkers and users of the reserve. We emphasise the following:

- (a) The Precinct committee is of the view that the proposed garden barrier is an acceptable compromise between the very clear view of parents that a fence is required to prevent dogs from interfering with children in the playground and the opposing view of a minority that no barrier at all is required. Having said this, the Precinct Committee has represented to residents that based on Council's resolution (CM/7.11/18.07) it will "monitor the effectiveness of the barrier over the next 12 months" and review the efficacy of the garden barrier in terms of its success in separating dogs from children in the play area. To date we have not had confirmation that a formal method of evaluation will be applied and we strongly urge and request Council to prepare a plan for assessing the effectiveness of the garden barrier including metrics and share this plan with the community. This is very important if Council is to secure the support of local residents for their proposed solution. We don't believe that casual drive-bys by rangers will be sufficient and we suggest that Council undertake surveys of park users over a period of time to gauge satisfaction with the solution. We suggest Council consider allocating some of the additional expenditure to be

applied to resourcing a thorough post-installation evaluation. We also request that Council commit to addressing the issues identified in the evaluation.

Recommendation 1: Council to prepare a plan for assessing the effectiveness of the garden barrier and commit to addressing issues

- (b) We note the five proposed signage locations highlighting that Clarke Reserve is an on-leash area and that dogs are not permitted within 10 metres. We request that Council share the size and wording of the signs with the community prior to installation. We request that the signage make it clear that contravention is an offence and that suitable penalties will apply. Obviously enforcement of these restrictions is a challenge and we request the Council advise how it proposes to enforce the restriction that will now be clearly signposted. We note that CM/7.11/18.07 indicated that Council would “timetable regular attendance and increased presence of rangers for the control of dogs...” and develop “an education plan for dog owners using and passing through the reserve”.

Recommendation 2: Council to share the size and wording of signage and advise how it proposes to enforce restrictions and educate dog owners.

- (c) In relation to the additional expenditure items we strongly support the installation of additional play equipment, a drinking fountain and dog drinking bowl, and additional shade tree planting. In relation to the additional play equipment, we have had input from residents requesting a variety of play experiences. While we have no clear views about what state-of-the-art is in play equipment, given the unique location of the playground there is a view that sensory play equipment (sounds and colours) and a broader variety of play equipment would be desirable. We would strongly suggest the installation of at least three additional pieces of play equipment (in addition to the multi-purpose play equipment already procured). We understand that the proposed replacement of the soft fall is estimated to cost around \$60,000 (versus replacement of the edging alone at \$10,000). We believe that the soft fall should not be replaced (see d below) and the incremental expenditure be used to install at least 2 (if not three) additional play items. In order, we suggest a spinner (option 1), sensory playset (option 4) and a small in-ground trampoline (suitable for one child at a time). In relation to the latter, a resident priced this with the manufacturer who indicated that the cost of the trampoline would be around \$2500 with a worst case fully installed cost of \$15,000. Each of these items can be used by an individual child whereas a see saw is typically used by more than one child at a time.

Recommendation 3: Council install two (or three if budget permits) additional items of play equipment being a spinner, a sensory playset and a small in-ground one person trampoline.

- (d) We strongly object to the use of any of the additional \$100,000 to be applied to replacing the existing soft fall. We believe that:
- i. replacement / repair of the existing surface should be considered a maintenance item rather than a capital item.

- ii. the existing soft fall appears to be perfectly serviceable. We note that Council requested the advice of a soft fall supplier regarding the remaining life of the existing surface and we are concerned that Council may have been persuaded by a non-objective opinion about the serviceability of the existing surface.
- iii. there have been no resident complaints about the safety or quality of the surface, and
- iv. most residents will not see replacement of the soft fall as a meaningful improvement. Residents have been arguing on the grounds of safety for fencing to prevent dogs intruding which has only met with a compromise solution yet now Council is arguing that the existing surface may present a safety hazard (despite no resident complaints).

Recommendation 4: Council does not use any of the incremental \$100k in funding to replace the soft fall surface and limit remediation to the edges only. Instead, council installs additional items of play equipment per Recommendation 3 above.

Summary:

The Precinct committee strongly supports Council's efforts to consult with the Community and acknowledges the hard work and diligence that has been applied to this project. We know it is hard to develop a solution to this upgrade that satisfies all residents.

Residents and the precinct committee believe that the upgrade playground can be an outstanding example of meeting the needs of the community and having a showcase playground in our precinct which sorely lacks alternative play areas. We would hate to see this collective effort fail to deliver and therefore strongly request that Council does not expend the additional funds on replacement of the soft fall and instead installs additional play equipment in line with the recommendations above and feedback from the community.

In addition to the suggestions made in our previous submissions, Vaucluse Diamond Bay Precinct requests that Council:

- 1. prepare a plan for assessing the effectiveness of the garden barrier and commit to addressing issues
- 2. share the size and wording of signage and advise how it proposes to enforce restrictions and educate dog owners
- 3. install two (or three if budget permits) additional items of play equipment being a spinner, a sensory playset and a small in-ground one person trampoline.
- 4. does not use any of the incremental \$100k in funding to replace the soft fall surface and limit remediation to the edges only and instead, installs additional items of play equipment.

Yours sincerely

Allan Aaron

Convenor – Vaucluse Diamond Bay Precinct

REPORT
CM/7.21/19.07

Subject: Level 4 Eastgate Office - Refurbishment

TRIM No: A08/0135

Author: Andrew Best, Manager, Facilities

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Refurbishes the Council office located on level 4 of the Eastgate building to accommodate its newly-established compliance section, in accordance with the plans set out in Attachment 1 to this report.
2. Allocates \$588,000 to the project to be delivered as part of the 2019-20 Capital Works Program, with \$461,000 to be sourced from the Investment Reserve and \$127,000 from the SAMP Building Reserve.

1. Executive Summary

Council's level 4 Eastgate office has been largely vacant since early 2015. As part of the recent restructure, a new Compliance department has been created, comprising four separate teams.

It is desirable that the four sections of the new Compliance department be co-located in one location. This would provide significant operational benefits to the team and free up property that could be put to alternative uses.

A consultant has been engaged to test whether the office could be redesigned to accommodate the requirements of the new team. The proposed design (Attachment 1) provides a layout that meets the full requirement of the brief.

The proposal project includes a full strip out and refit of the office area, while at the same time providing a refresh upgrade of the existing amenities and lunchroom.

2. Introduction/Background

Council is part owner of the Eastgate building located in Spring Street, Bondi Junction. In addition to the car park and Customer Service Centre, Council also owns the level 4 office space.

The level 4 office has a total area of 414 m², comprising 360 m² of office space and an amenities area of 54 m².

The office area has been largely vacant since the Technical Services team was relocated to the Grafton Street office in January 2015. The lunchroom and amenities areas have continued to be used by parking officers over this period, with a small number of workstations in the office area being used by parking supervisors.

The existing office layout is aging and is in need of an internal refit plus an upgrade to the air conditioning system which is coming to the end of its life. Until these works are carried out, it is likely that the office will continue to be underutilised.

3. Relevant Council Resolutions

Nil

4. Discussion

A new Compliance department within the Planning, Environment and Regulatory directorate has been created as part of the organisational review currently underway. The team comprises environmental health officers, parking officers, rangers and building compliance teams. These teams are currently located across three sites and are split across two separate offices within the Council Chambers building.

The Facilities team had been asked to investigate the possible co-location of the team in the level 4 Eastgate office in order to maximise use of existing Council assets. A brief was developed, and a consultant engaged to carry out a spatial analysis and to draw up a design to meet the requirements of the brief.

The proposed floorplan (Attachment 1) provides a design that meets the full requirement of the brief. A cost estimate has been provided for the design of \$588,000. The cost estimate is based on a full strip out and refit of the office space and a refresh of the lunchroom and amenities area.

The estimate includes an allowance of \$127,000 for the installation of a new air conditioning system. The existing air conditioning system was identified as being close the end of its useful life in a condition assessment carried out in 2017. Council has allocated SAMP funding in the Long Term Financial Plan to replace the system. It is proposed to take the opportunity to upgrade the system as part of the refit project.

While this represents a significant outlay for Council, the project would provide a considerable number of short and long-term benefits for Council.

Benefits of the project

- The benefits of co-locating staff has been well proven with increased sense of connection leading to improved business practices, increased efficiencies and productivity as well as developing a positive team culture leading to better service outcomes. This is particularly important when new teams are established.
- The scope of the proposed refurbishment will significantly improve the quality of the office space. The scope includes new doors, epoxy floor finish and feature paint to entryway, installation of a new air conditioning system, new office lighting, creation of an open ceiling to increase the sense of space and improve natural light, installation of a new open plan waiting area, new workstations and office furniture, new floor finishes throughout, four quiet pods for hot-desking, a new utility storage area, two new quiet working rooms, provision of four offices, new paint throughout and a full refresh of the existing kitchen and amenities areas.
- Through the creation of good quality office space in Bondi Junction there is the opportunity for Council to generate a commercial return on the investment by leasing out the office space in future years. Council has approved officers undertaking further investigations into the possible construction of a new Chambers building on the existing site. If this project were to come to fruition, it would see a large number of the workforce moving to the new building on its completion, including the Compliance section. This would free up the level 4 office space and allow Council to lease it on the open market. With there being a short supply of good quality commercial

office space in Bondi Junction, it is estimated that Council could lease around 450 m² at current market rates, which equates to a rental income of around \$162,000 per annum.

- The proposed relocation of the ranger staff as part of this project provides a significant strategic opportunity for Council. The current rangers' office is located at 83A Beach Road, Bondi. Relocating the staff would free up this property for alternative uses. Council could investigate the possible disposal of the property through the Strategic Property Framework currently in development or find alternative uses for the site. The proceeds from the sale of the site could be put towards a possible new facility elsewhere in the local government area or invested elsewhere in the property portfolio. Council officers are in the process of obtaining a valuation of the property to inform any possible future decision.
- The relocation of the two teams from the Council Chambers building will create space to allow for other newly established teams created through the restructure to co-locate within the building.

5. Financial impact statement/Timeframe/Consultation

The cost estimate for the proposed project including a strip out and refit of the office area, a refresh upgrade of the staff amenities and the installation of a new air-conditioning system is \$588,000.

It is proposed that \$461,000 be allocated to the project from the Investment Reserve and \$127,000 relating to the replacement cost for the air conditioning system to be allocated from the SAMP Building Reserve, with both budget adjustments to be carried out as first quarter amendments.

Given the significant operational benefits that the colocation of the new Compliance section would provide, it is desirable that the works would be delivered as a priority project in the 2019-20 Capital Works Program.

6. Conclusion

The co-location of the four teams that make up the new Compliance section of Council would provide significant operational benefit. The current level 4 Eastgate office space has been largely vacant for over four years, and can accommodate the full requirement of the combined Compliance section.

The current office fit-out is old and in need of replacement, with the air conditioning system being at the end of its useful life.

It is recommended that Council allocates \$588,000 towards a project to refurbish the office to provide the operational and strategic benefits outlined in this report.

7. Attachments

1. Level 4 Eastgate Office - Proposed Refit Floor Plan [↓](#) .

LEVEL 4 - EASTGATE - TEST FIT PLAN



- Scope of works –**
- New solid core entry doors, epoxy floor finish and feature paint to entry stairwell
 - New mechanical services throughout
 - New lighting to open ceiling area
 - Exposed feature ceiling to open plan area
 - New waiting area furniture
 - New floor finishes throughout
 - New 1800mm bench style workstations
 - Larger 2000mm benches for building surveyors
 - 4no upholstered focus pods
 - New utility area joinery
 - 2no. new quiet / hush rooms
 - Ex. Kitchen area to remain
 - New paint, clean grout to existing amenities and locker rooms

	Name	NLA	Workstation Count	Density
<div></div> AMENITIES	Eastgate	360.05 m²	33	10.91
<div></div> BREAKOUT				
<div></div> ENTRY				
<div></div> MEETING ROOMS	AREA - EASTGATE - LEVEL 04			
<div></div> OFFICE	Office Area	360.05 m²		
<div></div> OPEN PLAN ZONE	Amenities Men	35.93 m²		
<div></div> QUIET ROOMS	Amenities Women	17.55 m²		
	Total	413.52 m²		
NOTE: OFFICE AREA SHOWN AS NLA EXCLUDING AMENITIES & LOCKER ROOMS				



REPORT CM/7.22/19.07



Subject: Council's Passenger Fleet - Review

TRIM No: A19/0429

Author: Ken Shelston, Executive Project Advisor and Interim Cemetery Manager

Director: Darren Smith, Chief Financial Officer

RECOMMENDATION:

That Council:

1. Receives and notes this report.
2. Receives a progress report on fleet management initiatives in February 2020.

1. Executive Summary

Council has a significant investment in fleet items. Council's fleet ranges from heavy equipment, such as waste management vehicles, through to utilities and small trucks, cars and a range of specialised plant, such as beach buggies, tractors, mowers, etc. This report outlines responses to a range of specific questions relating to Council's passenger fleet which were adopted in Council resolution CM/8.4/18.09.

The management of fleet is an operational issue, and the General Manager has established a Fleet Management review project in order to improve operations, maximise efficiency and ensure the operational needs of the business are met consistent with Council's operational needs and its strategic directions outlined in the Community Strategic Plan.

2. Introduction/Background

The purpose of this report is to address the issues raised in Council resolution CM/8.4/18.09 (see below).

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 27 September 2018	CM/8.4/18.09	<p>That Council:</p> <ol style="list-style-type: none"> 1. Note that Council's 'Community Strategic Plan', 'Transport, Pedestrians and Parking' outlines the community's vision for transport over the next decade. The community told us they want to reduce the need to own and travel by private car and increase ride sharing in the LGA. They also want Council to prioritise access to residential parking. 2. Note that Council's 'People, Movement and Places Plan' identifies our vision with pedestrian's first then bikes, public transport shared services and private cars

		<p>prioritised last. This plan also identifies congestion and parking as problems in the LGA.</p> <p>3. Request that Officers prepare a report on the current passenger fleet with options for improved utilisation, cost and emissions reduction including but not limited to:</p> <ul style="list-style-type: none">(a) The current number of passenger vehicles in the fleet.(b) Total value of these passenger vehicles.(c) How often are they replaced.(d) Are these vehicles purchased or leased.(e) The cost of operation for this fleet including petrol, insurance and other on road costs annually.(f) Annual maintenance costs.(g) The various models used in the fleet and what process is in place for staff when choosing models.(h) Number of fuel card issued.(i) Cost of KM/Lt for each vehicle (petrol and diesel).(j) How many are regarded as 'tool of trade' vehicles.(k) How many cars are on lease back arrangements to staff.(l) Number of lease back vs non lease back vehicles.(m) How many pool cars.(n) Where are passenger vehicles garaged.(o) How ride sharing could be used to replace pool cars (including cost of creating accounts with ride share companies).(p) Emissions from these cars.
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4. Discussion

Council has a significant and continuing investment in fleet assets

As at July 2019, Council's fleet portfolio includes some 213 items recorded in the AUSFLEET system. These assets have an estimated written down value of approximately \$10.7 million and annual capital expenditure on plant and fleet identified in the LTFP and ten-year plant replacement program is in the order of \$1.5–\$3 million per annum. The asset class is broken down accordingly:

Table 1. Fleet portfolio by asset class.

Item	Number	Est Value (70% purchase price)	10-year projected Expenditure (Current Replacement Scheduling)
Specialised equipment (Beach rake, beach buggy, Woodchopper, Hoist, Caravan, Watercraft, Bus etc.)	18	\$580,000	\$3.5 million
Heavy Plant (trucks, trailers etc.)	51	\$4.9 million	\$12.8 million
Waste Management Fleet	11	\$2.3 million	(Included in above)
Light Commercial (Utilities Vans etc.)	57	\$1.3 million	\$4.6 million
Passenger Vehicles (Cars, Wagons)	76	\$1.6 million	\$6.2 million
	213	\$10.7 million	\$28.4 million

The following data addresses each of the individual questions posed in the Council resolution. The data are at June 2019.

(a) The current number of passenger vehicles in the fleet

Council has 76 passenger vehicles. Council also has 57 light commercial vehicles, such as utilities, crew cabs, vans that could be classed as passenger carrying vehicles.

(b) Total value of these passenger vehicles

Passenger vehicles	Purchase price \$2.3 million	Estimated resale value \$1.6 million
Other light vehicles	Purchase price \$1.9 million	Estimated resale value \$1.3 million

(c) How often are they replaced

Passenger vehicles:	Three-yearly
Light commercial vehicles	Four-yearly

(d) Are these vehicles purchased or leased

All current passenger vehicles are owned by Council. A number of vehicles were leased approximately five years ago, but as those leases expired Council returned to purchasing in its own right. Council has not undertaken analysis in recent years on the lease vs buy question.

(e) The cost of operation for this fleet including petrol, insurance and other on road costs annually

For the 2018–19 year, the direct costs of operating the Passenger fleet were as follows.

Function	2018–2019 expenditure (\$)
Registration	72,493

CTP / Insurance	76,362
Sundry Other	9,843
Fuel	130,021
TOTAL	288,719

For the 2018/19 year the direct costs of operating the Light Vehicle Commercial fleet were as follows.

Function	2018/2019 expenditure (\$)
Registration	50,493
CTP / Insurance	97,148
Sundry Other	7,383
Fuel	110,587
TOTAL	265,611

(f) Annual maintenance costs

For the 2018–19 year, the direct costs of maintaining the passenger fleet were as follows.

Function	2018/2019 Expenditure (\$)
Internal Labour	14,275
Materials	12,903
Tyres / Tubes	6,477
TOTAL	33,655

For the 2018–19 year, the direct costs of maintaining the light vehicle commercial fleet were as follows.

Function	2018/2019 Expenditure (\$)
Internal Labour	16,791
Materials	12,980
Sundry Other	9,829
TOTAL	39,600

(g) The various models used in the fleet and what process is in place for staff when choosing models

The current approved purchase list is set out in the table below.

Table 2. Current approved fleet purchase list.

	Make	Model	Shape	ANCAP	CO2 grams per km
Passenger Vehicles					
Hybrid					
	Toyota	Camry Ascent	Sedan	5	121
	Toyota	Corolla Hybrid	Hatch	5	96
	Toyota	Prius Base	Hatch	5	80
	Toyota	Prius C	Hatch	5	90
	Toyota	Prius V Base	Wagon	5	101

<u>Small</u>					
	Hyundai	i30 Active	Hatch	5	170
	Kia	Cerato S AV Petrol	Hatch	5	168
	Toyota	Corolla Accent	Hatch	5	143
	Volkswagen	Golf 110TSi Petrol	Hatch	5	131
<u>Medium</u>					
	Hyundai	Elantra Active Petrol	Sedan	5	167
	Kia	Sportage Si Petrol	SUV	5	182
	Toyota	Rav 4 GX Petrol	SUV	5	162
	Volkswagen	Passat 132 Tsi Petrol	Sedan	5	136
<u>Large</u>					
	Hyundai	Santa Fe Petrol	SUV/Wagon, 7-seater	5	219
	Hyundai	Sonata Active Petrol	Sedan	5	194
	Isuzu	M-UX LSM Diesel	SUV/Wagon, 7-seater	5	214
	Kia	Sorento Si Diesel	SUV/Wagon, 7-seater	5	205
	Subaru	Forester 2.5L	SUV/Wagon	5	187
	Subaru	Liberty 2.5L	Sedan	5	167
	Toyota	Camry Ascent Petrol	Sedan	5	183
<u>People Mover</u>					
	Kia	Carnival Diesel	Mini Bus	5	199
	Toyota	Tarago Gli Petrol	Mini Bus	5	207
<u>Light Commercial Vehicle</u>					
	Ford	Ranger	Dual Cab Ute	5	197
<u>Commercial Van</u>					
	Toyota	Hiace LWB Van 3.0L Diesel	Van	4	227
	Toyota	Hiace LWB Van 2.7L Diesel	Van	4	228

Council also permits the purchase of vehicles from the State approved purchasing list and scheme.

The current replacement procedure is that when a vehicle reaches the replacement age the Fleet Officer advises the designated driver or pool vehicle “owner” that their vehicle is due for replacement. The driver or “owner” selects from the list the vehicle that best suits their business, and for leaseback vehicles, reasonable personal, needs and Fleet organises the purchase.

Attachment 1 shows the details of the current passenger fleet.

(h) Number of fuel cards issued

Council has issued 176 fuel cards. These cards are issued to designated drivers or designated operational supervisors. The bulk of these cards are assigned to operational 'tool of trade' vehicles; for example, tractors, trucks, waste management vehicles, etc.

In terms of the passenger vehicle fleet, there is one card issued per vehicle. The card is attached to the registration number of the vehicle.

(i) Cost of KM/Lt for each vehicle (petrol and diesel)

The current Council system does not have accurate mileage information recorded in it. As a result, it is not possible to calculate this information accurately. As part of the fleet improvement work, this is an area that will be looked at.

(j) How many are regarded as 'tool of trade' vehicles

All 57 light commercial operational vehicles are currently considered tools of trade.

Of the 76 passenger vehicles, 33 are dedicated pool vehicles and are also considered tools of trade. Of the remaining 43 passenger vehicles:

- Five are awaiting resale.
- Five are provided through senior staff contractual arrangements.
- Eight are provided in positions where there is a significant 'tool of trade' component; mainly related to inspections/compliance, along with an industry wide market expectation for the provision of a vehicle.
- 25 are primarily provided as part of a remuneration package and/or as an incentive for recruitment purposes.

(k) How many cars are on lease back arrangements to staff

38 passenger vehicles and three light commercial vehicles are provided to staff under lease back or senior staff arrangements.

(l) Number of lease back vs non-lease back vehicles

41 vehicles are provided through leaseback/senior staff arrangements out of the 57 light commercial and 76 passenger vehicles.

(m) How many pool cars

33 vehicles are dedicated pool vehicles. The make, model, location and primary function of pool cars is attached at Attachment 2.

(n) Where are passenger vehicles garaged

Passenger vehicles provided under lease back arrangements are garaged/parked at the leaseback holder's address. The dedicated pool vehicles are generally not garaged and are either street parked or parked within various car parks. In summary, pool cars are garaged as follows:

AIF Alexandria	6 vehicles – Off-street Parking
Cemetery	1 vehicle – On-street Parking
Chambers	4 vehicles – On-street/Council Authorised Vehicle Parking

Eastgate	12 vehicles – Dedicated spaces in Eastgate Car Park
Grafton Street	5 vehicles – Allocated spaces in Basement Car Park
Library	3 vehicles – Dedicated spaces in Library / Office Works Car Park
Pavilion	1 vehicle – Off-street Parking
Syd Einfeld Drive	1 vehicle – Council Authorised Vehicle Street Parking

The lack of convenient, secure and usable parking for pool vehicles in a number of locations somewhat restricts the opportunities for more efficient management of the fleet. The General Manager has asked staff to look at options for more efficient fleet management, including improved parking arrangements and a proper booking system.

(o) How ride sharing could be used to replace pool cars (including cost of creating accounts with ride share companies)

Initial investigations have been undertaken with Uber who offer an Uber Business Product. The account is fully customised and based on predetermined policies or compliance rules the client sets.

Billing and expense allocations can be built into the system and payment can be monthly based on one organisation account and then allocated to cost codes as provided by Council.

At this stage, the cost of creating an account with Uber and the analysis against existing pool vehicles utilisation and expenditure has not been carried out. The General Manager has asked for this analysis to occur as part of fleet improvement work.

(p) Emissions from these cars

Estimates for the emissions generated by Council's fleet is provided by Planet Footprint from data supplied by Caltex on Council's purchases of fuel.

Total emissions of tonnes of CO2 equivalent over the last seven years are as follows:

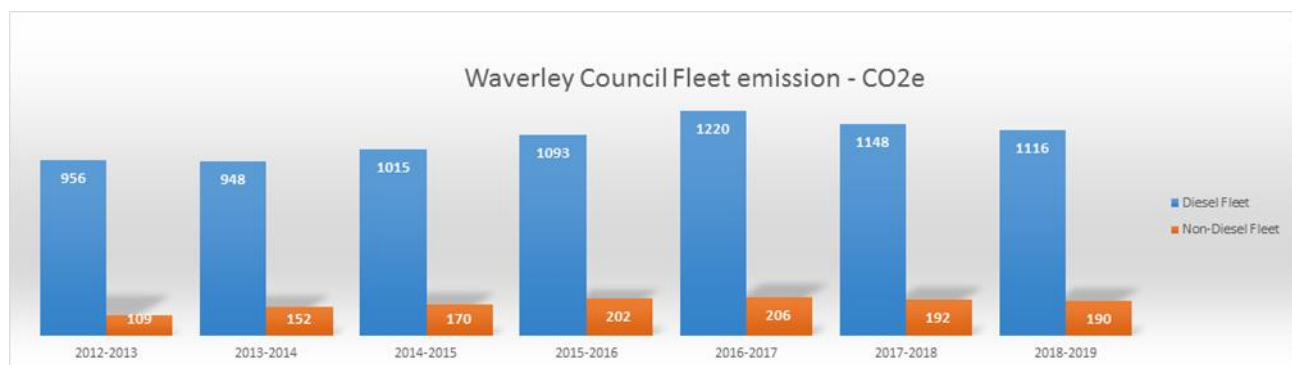


Figure 1. Fleet emissions.

There are very few diesel vehicles in the passenger fleet. The emissions for both fuel types peaked in 2015–16 and are steadily reducing since.

5. Financial impact statement/Timeframe/Consultation

This report requires no financial expenditure. The Fleet Management Review project will continue over the next six months. Consultation with relevant staff at appropriate times will occur.

6. Conclusion

Council has identified and committed to strategic directions in transport through its Community Strategic Plan and its 'People, Movement and Places Plan.' The community's vision for transport over the next decade is to reduce the need to own and travel by private car, increase ride sharing and prioritise pedestrian's first then bikes, public transport shared services and private cars.

It is incumbent on Council to apply these principles in the management of its own impact on transport across the local government area while recognising that, in order to undertake the services the community expects and to ensure an appropriately skilled and competent workforce, Council also needs to ensure that the right mix of operational tools of trade and employment attractors are available.

In recognition of this, the General Manager has instituted the Fleet Management Review project, which has the aim of increasing the efficiency and effectiveness of fleet management, while balancing operational needs and strategic outcomes.

As outlined above, Council's fleet is a significant resource and improved financial, environmental and transport related outcomes will result from improvements in its management. Areas for future review include:

1. Review, finalise and communicate the Fleet Management Guidelines for LVF and HVF.
2. Validate and confirm composition of, and issues surrounding, usage, allocation and management of the light vehicle fleet and heavy vehicle fleet.
3. Assess adequacy of systems used to manage the fleet.
4. Investigate alternative provision options including vehicle type, leasing options and alternative transport options.
5. Review organisational management arrangements for fleet.

7. Attachments

1. Make and Model Passenger Fleet [↓](#)
2. Make Model and Location of Pool Vehicles [↓](#) .

Make and Model Passenger Fleet

MAKE	MODEL	TYPE
FORD	FG FALCON XR6	SEDAN
HOLDEN	CRUZE	HATCH
HYUNDAI	IMAX	WAGON - MPV
HYUNDAI	SANTA FE	SEDAN
HYUNDAI	SANTA FE	WAGON
HYUNDAI	SANTA FE	WAGON
HYUNDAI	SANTA FE	WAGON
HYUNDAI	SANTA FE	WAGON
HYUNDAI	SANTA FE	WAGON
ISUZU	MU-X	WAGON
ISUZU	MU-X	WAGON
JEEP	CHEROKEE	WAGON
KIA	CARNIVAL	PEOPLE MOVER
KIA	SORENTO	WAGON - SUV
KIA	SORENTO	WAGON - SUV
KIA	SORENTO	WAGON - SUV
KIA	SORENTO	WAGON - SUV
KIA	SORENTO	WAGON - SUV
KIA	SORENTO	WAGON - SUV
KIA	SORENTO	WAGON - SUV
MAZDA	CX-5	WAGON - SUV
MAZDA	CX-5	WAGON - SUV
MAZDA	CX-5	WAGON - SUV
MAZDA	MAZDA 3	HATCH
MAZDA	MAZDA 3	HATCH
SUBARU	FORESTER	WAGON - SUV
SUBARU	FORESTER	WAGON - SUV
SUBARU	FORESTER	WAGON - SUV
SUBARU	FORESTER	WAGON - SUV
SUBARU	LIBERTY	SEDAN
SUBARU	LIBERTY	SEDAN
SUBARU	LIBERTY	SEDAN
SUBARU	OUTBACK	WAGON - SUV
TOYOTA	CAMRY	SEDAN
TOYOTA	COROLLA	HATCH
TOYOTA	COROLLA	HATCH
TOYOTA	PRIUS	HATCH
TOYOTA	TARAGO GLX	WAGON - MPV
VOLKSWAGEN	GOLF	HATCH
VOLKSWAGEN	GOLF	HATCH
VOLKSWAGEN	PASSAT	SEDAN
VOLKSWAGEN	PASSAT	SEDAN

Make Model and Location of Pool Vehicles

TYPE	MAKE	MODEL	LOCATION	PRIMARY USE
WAGON - SUV	ISUZU	MU-X	AIF	STAFF TRAVEL BETWEEN SITES
HATCH	MAZDA	MAZDA 3	AIF	STAFF TRAVEL BETWEEN SITES
WAGON	MAZDA	MAZDA 6	AIF	STAFF TRAVEL BETWEEN SITES
HATCH	NISSAN	LEAF	AIF	STAFF TRAVEL BETWEEN SITES
HATCH	NISSAN	LEAF	AIF	FACILITIES
SEDAN	SUBARU	LIBERTY	AIF	AWAITING DISPOSAL
SEDAN	SUBARU	LIBERTY	CEMETERY	STAFF TRAVEL BETWEEN SITES
HATCH	MAZDA	MAZDA 3	CHAMBERS	STAFF TRAVEL BETWEEN SITES
HATCH	TOYOTA	PRIUS	CHAMBERS	STAFF TRAVEL BETWEEN SITES
HATCH	TOYOTA	COROLLA	CHAMBERS	STAFF TRAVEL BETWEEN SITES
HATCH	VW	GOLF	CHAMBERS	STAFF TRAVEL BETWEEN SITES
WAGON - MPV	HONDA	ODYSSEY	EASTGATE CAR PARK	PARKING OFFICERS
PEOPLE MOVER	KIA	CARNIVAL	EASTGATE CAR PARK	PARKING OFFICERS
WAGON - SUV	KIA	SPORTAGE	EASTGATE CAR PARK	PARKING OFFICERS
WAGON	SUZUKI	GRAND VITARA	EASTGATE CAR PARK	PARKING OFFICERS
WAGON	SUZUKI	GRAND VITARA	EASTGATE CAR PARK	PARKING OFFICERS
WAGON	SUZUKI	GRAND VITARA	EASTGATE CAR PARK	PARKING OFFICERS
HATCH	TOYOTA	COROLLA	EASTGATE CAR PARK	PARKING OFFICERS
HATCH	TOYOTA	COROLLA	EASTGATE CAR PARK	PARKING OFFICERS
HATCH	TOYOTA	COROLLA	EASTGATE CAR PARK	COMPLIANCE / RANGERS
HATCH	TOYOTA	COROLLA	EASTGATE CAR PARK	COMPLIANCE / RANGERS
HATCH	TOYOTA	COROLLA	EASTGATE CAR PARK	PARKING OFFICERS
HATCH	TOYOTA	COROLLA	EASTGATE CAR PARK	COMPLIANCE / RANGERS
WAGON	HOLDEN	CRUZE	GRAFTON STREET	STAFF TRAVEL BETWEEN SITES
WAGON - SUV	SUBARU	FORESTER	GRAFTON STREET	STAFF TRAVEL BETWEEN SITES
WAGON - SUV	SUBARU	FORESTER	GRAFTON STREET	STAFF TRAVEL BETWEEN SITES
WAGON - SUV	SUBARU	FORESTER	GRAFTON STREET	STAFF TRAVEL BETWEEN SITES
HATCH	TOYOTA	PRIUS	GRAFTON STREET	STAFF TRAVEL BETWEEN SITES
WAGON - MPV	HONDA	ODYSSEY	LIBRARY	HOME LIBRARY
WAGON - MPV	HONDA	ODYSSEY	LIBRARY	FAMILY DAY CARE
WAGON - SUV	SUBARU	FORESTER	LIBRARY	STAFF TRAVEL BETWEEN SITES
WAGON - SUV	SUBARU	FORESTER	PAVILION	STAFF TRAVEL BETWEEN SITES
WAGON - SUV	SUBARU	FORESTER	SID EINFELD DRIVE	COMPLIANCE / RANGERS

REPORT

CM/7.23/19.07



Subject: Internal Audit Committee's Annual Report to Council 2018
- Update

TRIM No: A09/1105

Author: Ross McLeod, General Manager

Director: Ross McLeod, General Manager

RECOMMENDATION:

That Council receives and notes the update to the Internal Audit Committee's Annual Report to Council 2018 attached to this report.

1. Executive Summary

At its meeting in November 2018, Council considered the Annual Report from the Internal Audit Committee 2018. Council requested the joint chairs of the Committee to provide some additional information on certain aspects of the report.

The purpose of this report is to consider the response from the chairs of the Committee.

2. Introduction/Background

Under the charter of the Council's Internal Audit Committee, which was replaced by the Audit, Risk and Improvement Committee in February this year, the Committee chair was required to provide a report to Council on its activities at least yearly.

The 2018 annual report was prepared by the two independent members of the Committee, Mr Noel Hall and Mr Martin Bass (they alternated the chairing of the Committee). The report was submitted to Council in November 2018, for Council to receive and note.

Council requested some additional information from the Committee relating to statements made in the report indicating that some areas of Council were not sufficiently responsive to the recommendations of the Committee.

The Committee's response to this request is attached to this report (Attachment 1).

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 20 November 2018	CM/7.6/18.11	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes the Internal Audit Committee's Annual Report to Council 2018 attached to this report. 2. Requests a further update report from the chairpersons of the Internal Audit Committee (IAC), annotated as

		<p>appropriate with comments by the General Manager, to address the following matters from page 82 of the Council agenda, in paragraph 4 of the 'Commentary' section of the Committee's Annual Report, and any other matters that the IAC and the General Manager believe are relevant:</p> <p>(a) The report identifies that the same inattention and/or resistance within some areas of Council to implementing changes and improvements was raised in last year's IAC annual report. The update report is to answer the following questions:</p> <p>(i) Can the Council areas to which the IAC is referring be identified?</p> <p>(ii) How does the IAC propose that this not be repeated in the future?</p>
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4. Discussion

The response of the Internal Audit Committee Chairs indicates that to Committee has held concerns over staff responsiveness to Committee concerns over a number of years. The Chairs note the actions the Committee has taken to ensure matters identified at the Committee are dealt with on a timely basis.

In my initial observations of the organisation, I shared the concerns of the Chairs about the general lack of focus in the organisation on the management control environment, and an historic lack of timely follow in some areas to recommendations and concerns from the Internal Audit Committee. Since taking up the position of General Manager, I have taken steps to improve the responsiveness of the organisation to the Internal Audit Committee. In addition to the improvements highlighted in the Committee's Annual Report, items requiring follow up from the November 2018 meeting were reported back and either progressed or concluded at the February 2019 meeting. Members of the Executive Leadership Team are now attending all meetings of the Committee and taking ownership for issues within their areas of responsibility. The organisation development programme has a significant focus on management control environment issues.

I thank Mr Hall and Mr Bass for their work on the Internal Audit Committee over many years and for working co-operatively with me to improve responsiveness to the Committee.

Council is aware that a new Audit, Risk and Improvement Committee is currently being established to help strengthen Council operations. The new Committee will have a broader assurance and risk management focus and will be provided with the reports and register from the Internal Audit Committee.

The steps already in place to ensure better responsiveness to the recommendations of our internal audit function will continue with the new Committee. My intention is to build a strong working relationship with an enhanced new Committee to ensure it can provide independent oversight, objective assurance and monitoring of Council's audit processes, internal controls, external reporting, risk management activities, compliance of and with Council's policies and procedures, and performance improvement activities.

5. Financial impact statement/Timeframe/Consultation

There is no financial impact associated with this report.

The expression of interest for members for the new Audit, Risk and Improvement Committee is currently underway and we expect the committee to be up and running by September 2019.

6. Conclusion

Council is being asked to consider the response to Council's resolution from the chairs of the committee and the additional information relating to on-going improvements to the internal audit function.

7. Attachments

1. Response to Council resolution from the Chairs of the Committee [↓](#) .

Audit Committee's Annual Report to Council 2018 – Chairs' Response

At its meeting in November 2018 Council made the following resolution regarding the Audit Committee's Annual Report to Council 2018:

That Council:

1. *Receives and notes the Internal Audit Committee's Annual Report to Council 2018 attached to this report.*
2. *Requests a further update report from the chairpersons of the Internal Audit Committee (IAC), annotated as appropriate with comments by the General Manager, to address the following matters from page 82 of the Council agenda, in paragraph 4 of the 'Commentary' section of the Committee's Annual Report, and any other matters that the IAC and the General Manager believe are relevant:*
 - (a) *The report identifies that the same inattention and/or resistance within some areas of Council to implementing changes and improvements was raised in last year's IAC annual report. The update report is to answer the following questions:*
 - (i) *Can the Council areas to which the IAC is referring be identified?*
 - (ii) *How does the IAC propose that this not be repeated in the future?*

Internal Audit Committee's response to Council.

1. Operational areas where inattention and/or resistance to changes have been identified following Internal Audit reviews:
 - I. On street parking
 - II. Receipting of monies at remote sites

NOTE – these are two examples of operational areas of Council where changes and/or improvements have been identified as necessary following Internal Audit reviews, but such changes have been extremely slow in their implementation. Of primary concern is that these are just two examples of a broader, longstanding issue of discussion in Internal Audit Committee meetings over some years, as this extract from the 2015 report to Council demonstrates:

..... a continued area of discussion and concern in meetings of the Internal Audit Committee is the apparent inattention and/or resistance within some areas of council to implementing changes and improvements recommended in the audit reviews. The Committee would generally like to see matters raised in reviews given a higher priority in attention, particularly in follow up reviews where management has previously agreed to implementation of changes in the initial audit review.

This aspect of the internal audit process requires attention by Council's Executive in order to address identified weaknesses and to ensure that the Council is realising the full value of the internal audit function. (Internal Audit Committee Report to Council, November, 2015).

2. How will the IAC ensure this improves in future

The IAC has implemented several strategies over the last 3 years and this is continuing.

- I. Initial audit reports include all items of concern identified in the audit and these are rated as High, Medium or Low according to their perceived business impact and need for timely rectification. Results are discussed with responsible managers and agreed timetables to implement rectification are included in the audit report.
- II. Relevant Managers and Directors are required to attend IAC meetings, particularly when the timeframe for agreed actions has expired, to report on their progress.
- III. Follow up audits are carried out at a future time where all issues should have been rectified. These audits have shown that on occasions issues still remain. One aspect of such audits to verify that past agreements on improvements implementation has been met and that the revised systems and work processes are performing optimally.
- IV. A Register of Management Actions is being developed. This lists all audit results and timeframes agreed with management for their rectification. A critical purpose of this register is to monitor progress and report this to the IAC in a timelier manner than follow up audits. Attached is the Register at its current state of development. This shows some further examples of identified areas with audit issues requiring rectification. At present, the register is still under development and excludes some items. At the last IAC meeting, (28th February 2019), it was resolved that:
 - The Risk Rating for each Action in the original Audit Report be included in the Register.
 - Management develop a control process for updating the Register.
 - A vulnerability review be undertaken on Management Actions arising from internal audits in the Register from 2014 to current.
 - As previously agreed and noted in the report, Management Actions from external audits be included in the Register.
 - The Register be used in formulating the Annual Audit Plan.

It is expected that these changes to the Register and other IAC monitoring strategies will be carried on by the new successor Committee that has been signaled in legislation and initiated by Council resolution.

Recommendation: That Council receives and notes this report.

Noel Hall and Martin Bass

Chairpersons, Waverley Council Internal Audit Committee

NOTICE OF MOTION CM/8.1/19.07



Subject: Clarke Reserve to Diamond Bay Reserve - Fence Upgrade

TRIM No: A04/2119

Submitted by: Councillor Nemesh
Councillor Betts

MOTION:

That Council:

1. Officers investigate bringing forward fence upgrades at the northern end of the local government area (Clarke Reserve to Diamond Bay Reserve) in 2019–20 and report back to Council on the scope of work and estimated costs with, a view to make a Q1 budget adjustment if feasible.
2. Recognises the poor condition of the fencing between Clarke Reserve to Diamond Bay Reserve and the need for its urgent upgrade.

General Manager's comment

The 2019/20 financial year will see the beginning of a roll-out of the coastal fence to be installed in our clifftop parks, from Bondi to Vaucluse. Hugh Bamford is the first park to see the installation, with a contract in place for the works to begin in the coming months. The Hugh Bamford fence will use the entire 2019/20 budget for coastal fencing renewal of \$300,000. There is also a \$300,000 sum committed each year for four consecutive years in the Long Term Financial Plan for coastal fencing. Currently, Clarke, Diamond Bay and Raleigh Reserves have timber picket fences, which are in need of replacement. Consequently, Council officers expect that these reserves will be the priority for the coastal fence installation following on from Hugh Bamford.

The fencing along the clifftop of Clarke Reserve is approximately 140 m long. Based on current market rates, replacement of the fence may cost up to \$400,000. Council officers are able to make a Q1 budget adjustment recommendation for Council approval to bring forward money in the Long Term Financial Plan if Council wishes this to be done. A separate Council report is not necessary to secure the funds through a quarterly budget adjustment.

Emily Scott
Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.2/19.07



Subject: Parking outside St Patrick's Church, Bondi

TRIM No: A02/0637-02

Submitted by: Councillor Copeland
Councillor Keenan

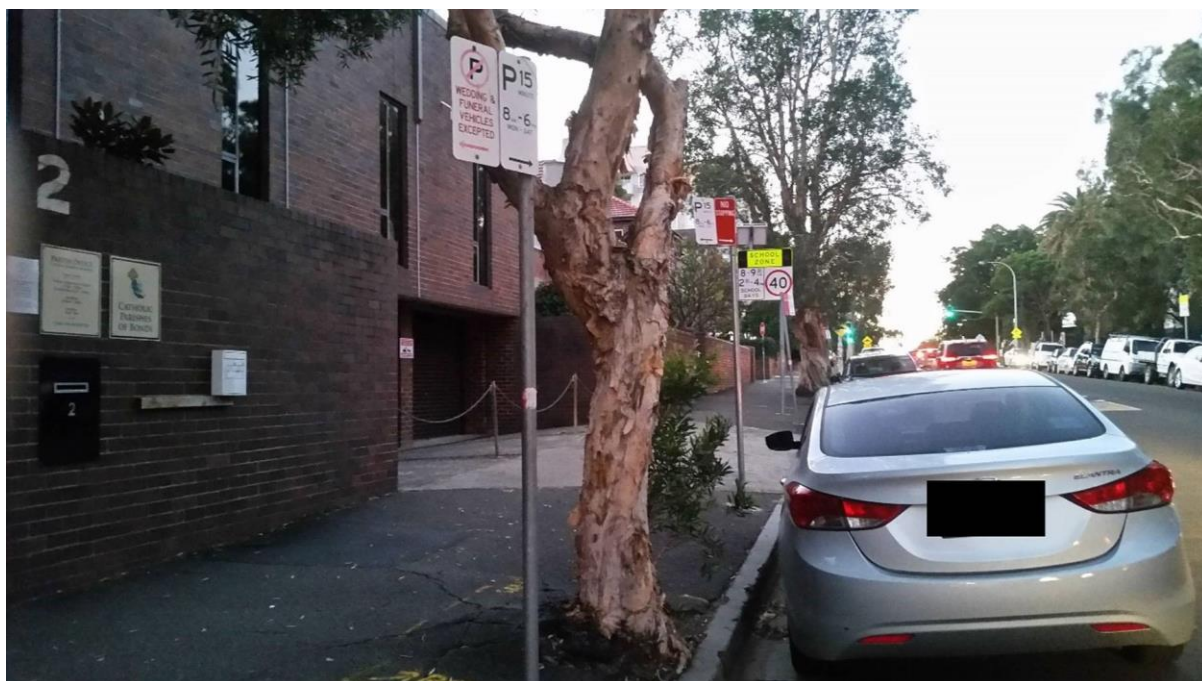
MOTION:

That Council:

1. Investigates the feasibility of modifying the parking arrangements on Wellington Street outside St Patrick's Catholic Church (corner of Bondi Road and Wellington Street), including consultation with the Church.
2. Notes that the first two parking spaces on the west side of Wellington Street are dedicated to wedding and funeral vehicles, which are available at any time. However, observations by community members indicate these dedicated spaces are very infrequently used.
3. Notes that a more efficient use of the two spaces might be a conversion to 'P 15 8 am Mon–6 pm Sat', with an additional sign under the control of St Patrick's Church that could be applied over the potential new P15 signs for the duration of particular wedding and funeral activities and removed afterwards.

Background

West side of Wellington Street, two funeral/wedding parking places from Bondi Road:



General Manager's comment

The matter will be referred to Council's Transport and Development team for investigation. The investigation will include occupancy surveys and discussion with the Church. A report will then be prepared for consideration by the Waverley Traffic Committee and Council.

Emily Scott

Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.3/19.07



Subject: Approval of Concept Designs for Major Works

TRIM No: A19/0456

Submitted by: Councillor Nemesh
Councillor Betts

MOTION:

That Council ensures that final concept designs for all major works (including parks, playgrounds and streetscapes), but excluding SAMP maintenance projects, are submitted to Council for endorsement prior to tender.

Background

Providing final concept designs to councillors prior to tender will increase transparency and give greater certainty for councillors in making decisions on major capital work projects and the tendering process.

General Manager's comment

The 2019/20 Capital Works Program has over 200 individual projects in seven major asset categories:

- Building Infrastructure
- Living Infrastructure
- Parking Infrastructure
- Public Domain Infrastructure
- Recreation and Public Spaces Infrastructure
- Road Infrastructure
- Sustainability Infrastructure

The CAPEX program of work within each asset category is a mix of SAMP projects (around 50% of the 19/20 program) and renewal or major upgrade projects. The process seeking councillor endorsement of concept designs is different for each asset category and whether the work is SAMP-directed or an upgrade/renewal project. Councillors are currently involved in all major projects in each category, albeit not always requiring the formal resolution of Council to approve concept designs. The current approach on major CAPEX projects involves Councillors:

1. Formally approving the project initiation via sign off of the CAPEX program each year.
2. Being notified of the upcoming Stage 1 consultation ('Have Your Say Days') and an invitation to attend.
3. Participating in a councillor workshop on the initial concept design designed in response to Stage 1 consultation.

4. For major projects, approving the concept design to go to Stage 2 consultation; for example, Bronte Village Streetscape, Bondi Pavilion, South Bronte Amenities.
5. Being notified of the outcomes of the community consultation via a consultation outcomes report sent via e-mail, with the main issues identified and what amendments will be made to the plan in response.
6. Where significant changes are proposed, providing feedback via an additional councillor workshop and to Council for endorsement.
7. Issuing the tender for construction of work.

Introducing a 'one-size-fits-all' approach that requires the final concept designs for all major works to be formally endorsed by Council could have adverse impact on project delivery timelines and CAPEX budget expenditure each year without careful consideration. Officers recommend that, prior to making a final decision, councillors participate in a workshop to consider all options that would enable greater participation of councillors in the design process, including the option to formally endorse all concept designs of major projects prior to tender.

Emily Scott
Director, Community, Assets and Operations

QUESTION WITH NOTICE
CM/9.1/19.07**Subject:** Sydney Football Stadium - Legal Costs**TRIM No:** A03/0943**Submitted by:** Councillor Nemesh

QUESTION

The following question was submitted by Cr Nemesh.

1. When is Council likely to receive notification about the status of legal costs for its challenge to the State Government over Allianz Stadium?
2. If costs are awarded against Council, will the funds come from our legal budget or will they have to come out of reserves?
3. Will any costs have to be approved through a quarterly budget review?

General Manager's answer

1. The matter of costs concerning Council's court case against the Minister for Planning regarding the validity of the planning consent for the Sydney Football Stadium is currently before the Land and Environment Court. All parties have made their submissions concerning costs. Council's submission is that costs should not be awarded against Council as it was acting in the public interest. Various precedents for this argument have been put forward by Council's legal representatives. No time frame has been set by the Court for when this matter will be determined.
2. As no determination concerning the awarding of legal costs has been made, no such allocation has been made in Council's legal budget. If such a determination was made against Council, the funds would be provided from Council's cash reserve (operating surplus).
3. If a determination concerning legal costs was made against Council, a legal obligation to pay these legal costs would exist, requiring them to be paid. Council would have no discretion to approve or not approve the payment. Regarding the budget review process and these potential non-budgeted legal costs, normal processes would apply, with the legal costs being identified as a reason for variation.

Peter Monks
Director, Planning, Environment and Regulatory

URGENT BUSINESS
CM/10/19.07**W A V E R L E Y**
COUNCIL**Subject:** Urgent Business**Author:** Ross McLeod, General Manager

In accordance with clause 9.3 of the Waverley Code of Meeting Practice, business may be considered 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 to be considered is ruled by the chair to be of great urgency on the grounds that it requires a decision by Council before the next scheduled ordinary meeting of Council, and
2. A motion is passed to have the business considered at the meeting.

Such a motion can be moved without notice.

Only the mover of the 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 require a decision by Council before the next scheduled ordinary meeting of Council.

The mover of the motion must, when speaking to the motion, explain why he or she believes it requires a decision by Council before the next scheduled ordinary meeting of Council.

CLOSED SESSION
CM/11/19.07

Subject: Moving into Closed Session

Author: Ross McLeod, General Manager

RECOMMENDATION:

That:

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

CM/11.1/19.07 CONFIDENTIAL REPORT - Officeworks - Lease Extension

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

CM/11.2/19.07 CONFIDENTIAL REPORT - Bondi Pavilion Restoration and Conservation Project - Temporary Relocation of Facilities during Construction Phase

This matter is considered to be confidential in accordance with section 10A(2)(g) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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 as confidential under 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, Council may close part of its meeting to deal with business of the following kind:

- (a) Personnel matters concerning particular individuals (other than councillors).
- (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 clauses 14.9–14.10 of the Waverley Code of Meeting Practice, 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/12/19.07

Subject: Resuming in Open Session
Author: Ross McLeod, General Manager



RECOMMENDATION:

That Council resumes in open session.

Introduction/Background

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