



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 by video conference at:

7.00 PM, TUESDAY 21 APRIL 2020

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

Ross McLeod
General Manager

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Live Streaming of Meetings

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and/or voice being live streamed and publicly available.

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The 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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There are no questions with notice.

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There are no confidential reports for consideration.

12. Meeting Closure

OBITUARIES CM/3/20.04

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/5.1/20.04



Subject: Confirmation of Minutes - Council Meeting - 17 March 2020

TRIM No: SF20/42

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Council Meeting held on 17 March 2020 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 - 17 March 2020



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD IN THE SPORTS HALL AT THE MARGARET WHITLAM RECREATION CENTRE
ON TUESDAY, 17 MARCH 2020**

Present:

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Angela Burrill	Lawson Ward
Councillor George Copeland	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Steven Lewis	Hunter Ward
Councillor Will Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward
Councillor Dominic Wy Kanak	Bondi 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 7.00 pm, those present were as listed above.

At 10.36 pm, Cr Burrill left the meeting and did not return.

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 Crs Betts, Kay and Keenan.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Copeland declared a less than significant non-pecuniary interest in item CM/8.6/20.03 – Arts Funding and Cultural Recognition, and informed the meeting that he knows the Chairperson of the Waverley Woollahra Art School.

3. Obituaries

There were no obituaries.

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

4. Addresses by Members of the Public

- 4.1. J Chase (on behalf of Richard Crookes Constructions) – CM/5.2/20.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 27 February 2020.
- 4.2. C Lake (chief petitioner) – CM/7.5/20.03 – Petition – Albion Street, Waverley – Timed Parking Restrictions.
- 4.3. P Cancian (on behalf of Waverley Woollahra Arts School) – CM/8.6/20.03 – Arts Funding and Cultural Recognition.
- 4.4. R Natoli (on behalf of Lokahi Foundation) – CM/8.8/20.03 – Red Flag Day.

- 4.5. R Cole (on behalf of Eastern Suburbs Leagues Club) – CM/8.9/20.03 – Spring Street Cycleway and Streetscape Construction – Stage 3.

AT THIS STAGE IN THE PROCEEDINGS, CR GOLTSMAN MOVED A PROCEDURAL MOTION, SECONDED BY CR BURRILL, THAT A WRITTEN SUBMISSION TO COUNCIL FROM G BEARD (ON BEHALF OF BRONTE PRECINCT) RELATING TO ITEM CM/8.1/20.03 – RESCISSION MOTION – PD/5.3/20.03 – 40 KM/H SPEED LIMIT CHANGES – CONSULTATION OUTCOMES, BE READ OUT TO THE MEETING.

CR LEWIS RAISED A POINT OF ORDER THAT THE MOTION WAS OUT OF ORDER ON THE GROUNDS THAT IT WAS PROCEDURALLY INCORRECT BECAUSE NEITHER PART 4 OF THE CODE OF MEETING PRACTICE NOR COUNCIL'S ORDER OF BUSINESS PROVIDE FOR THE READING OUT OF AN EMAIL, AND THAT SUCH A MOTION SHOULD BE REPHRASED TO SUSPEND THE ORDER OF BUSINESS TO ALLOW THE EMAIL TO BE READ.

THE MAYOR UPHELD THE POINT OF ORDER.

5. Confirmation and Adoption of Minutes

CM/5.1/20.03 Confirmation of Minutes - Council Meeting - 18 February 2020 (SF20/42)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Copeland

That the minutes of the Council Meeting held on 18 February 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

AT THIS STAGE IN THE PROCEEDINGS, CR GOLTSMAN MOVED A PROCEDURAL MOTION, SECONDED BY CR BURRILL, THAT THE ORDER OF BUSINESS BE SUSPENDED TO ALLOW THE MAYOR TO READ OUT TO THE MEETING A SUBMISSION FROM G BEARD (ON BEHALF OF BRONTE PRECINCT) RELATING TO ITEM CM/8.1/20.03 – RESCISSION MOTION – PD/5.3/20.03 – 40 KM/H SPEED LIMIT CHANGES – CONSULTATION OUTCOMES.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED AND THE GENERAL MANAGER READ OUT THE SUBMISSION TO THE MEETING.

Division

For the Procedural Motion: Crs Burrill, Copeland, Goltsman, Lewis, Nemesh and O'Neill.

Against the Procedural Motion: Crs Masselos and Wy Kanak.

CM/5.2/20.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 27 February 2020 (SF20/45)

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Lewis

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 27 February 2020 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/C.06/20.02 – Macpherson Street/St Thomas Street, Bronte – Intersection Upgrade.
2. TC/C.07/20.02 – Macpherson Street, Bronte – Temporary Road Closure for Tower Crane Installation.

And that these items be dealt with separately below.

J Chase (on behalf of Richard Crookes Constructions) addressed the meeting.

CM/5.2.1/20.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 27 February 2020 - TC/C.06/20.02 - Macpherson Street/St Thomas Street, Bronte - Intersection Upgrade (A14/0145)

This item was saved and excepted by Cr Masselos.

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Lewis

That the Traffic Committee's recommendation be adopted subject to clause 1 being amended to include the installation of a dimmer switch such that the recommendation now reads as follows:

'That the Council Officer's Proposal be adopted subject to the Drawing being amended to show the following:

1. Improved street lighting for the pedestrian crossing including the installation of a dimmer switch.
2. The relocation of the pedestrian symbols stem on the southern side of Macpherson Street directly north into the kerb extension.'

CM/5.2.2/20.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 27 February 2020 - TC/C.07/20.02 - Macpherson Street, Bronte - Temporary Road Closure for Tower Crane Installation (A19/0394)

This item was saved and excepted by Cr Masselos.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Lewis

That the Traffic Committee's recommendation be adopted subject to clause 1(c) being amended to include Charing Cross Precinct and Bronte Beach Precinct in the notification process such that clause 1(c) now reads as follows:

'Providing Council with a Resident Notification Letter and Plan detailing the timing and method of notifying local residents, the Charing Cross Precinct, the Bronte Beach Precinct and businesses of the road closure for Council's approval.'

6. Mayoral Minutes**CM/6.1/20.03 Caring for People Who May be at Risk of COVID-19 (A20/0245)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

That Council:

1. Notes that a Council-wide implementation of business continuity and risk management measures are currently underway to enable continued delivery of essential services and to contribute to efforts to prevent further spread of the Novel Coronavirus COVID-19 in line with advice from Commonwealth and NSW Government health authorities.
2. Notes that, according to the Commonwealth Department of Health, the following are at risk of COVID19:
 - (a) People with compromised immune systems (such as people who have cancer).
 - (b) Elderly people.
 - (c) Aboriginal and Torres Strait Islander peoples (as they have higher rates of chronic illness).
 - (d) People with chronic medical conditions.
 - (e) People in group residential settings.
 - (f) Very young children and babies.
3. Notes the recently formed Eastern Suburbs Coronavirus Community Cares Network.
4. Directs officers to work with key community stakeholders, including Precincts, to distribute general information about available support and services in relation to COVID-19, and to assist in co-ordinating essential support by local aged and disability providers and grassroots action by community groups such as the Waverley Community and Seniors Association, Our Big Kitchen and others, in helping vulnerable people and to help contain the spread of COVID-19.

AT THIS STAGE IN THE PROCEEDINGS, CR BURRILL MOVED A PROCEDURAL MOTION, SECONDED BY CR GOLTSMAN, THAT ITEMS 7.5, 8.1, 8.6, 8.8 AND 8.9 ON THE AGENDA BE BROUGHT FORWARD.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED.

Division

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

Against the Procedural Motion: Nil.

7. Reports

CM/7.1/20.03 Investment Portfolio Report - February 2020 (A03/2211)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis
Seconder: Cr Copeland

That Council:

1. Receives and notes the Investment Summary Report for February 2020 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.

Cr Burrill was not present for the consideration and vote on this item.

CM/7.2/20.03 Trade Debtors - Debt Write Off (SF17/299)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis
Seconder: Cr Wy Kanak

That Council writes off bad trade debts amounting to \$6,874.47 as shown in Table 1 in this report, in accordance with clause 213(3) of the *Local Government (General) Regulation 2005*.

Cr Burrill was not present for the consideration and vote on this item.

CM/7.3/20.03 Inbound Donations Policy (A20/0047)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr O'Neill

That Council adopts the Inbound Donations Policy attached to the report.

Cr Burrill was not present for the consideration and vote on this item.

CM/7.4/20.03 Community Grants Policy (A19/0373)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Copeland

That Council adopts the Community Grants Policy attached to this report.

Cr Burrill was not present for the consideration and vote on this item.

CM/7.5/20.03 Petition - Albion Street, Waverley - Timed Parking Restrictions (A02/0637)**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis
Seconder: Cr O'Neill

That Council refers the petition requesting the installation of 30-minute timed parking restrictions between 48 and 52 Albion Street, Waverley, to the Director, Community, Assets and Operations, for appropriate action, and a report come back to Council.

C Lake (chief petitioner) addressed the meeting.

CM/7.6/20.03 Bondi Festival 2020 - Event Program and Budget (A19/0743)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr O'Neill

That Council:

1. Endorses the final event program and budget for the Bondi Festival 2020 as detailed in this report, with the exception of the creative lighting installation.
2. Notes the potential for the Festival to be impacted by Novel Coronavirus (COVID-19) and the possibility that the General Manager may need to cancel and/or postpone the event.
3. Given budget constraints, does not proceed with the Creative Lighting installation.

CM/7.7/20.03 Temporary Cultural Venue Options - North Bondi Park (SF20/1138)**MOTION**

Mover: Cr Masselos
Seconder: Cr Wy Kanak

That Council endorses the option outlined in the report to provide a short-term temporary facility in North Bondi Park to accommodate the Flickerfest Short Film Festival in January 2021 and 2022 with the budget to be allocated from the 2020/21 and 2021/22 financial years.

AMENDMENT

Mover: Cr Burrill
Seconder: Cr Goltsman

That:

1. Council, in view of the large costs associated with Flickerfest in Bondi Park, should continue to seek alternative venues for this event for the duration of the Bondi Pavilion works.
2. Should an alternative venue not become available, Council endorses the option outlined in the report to provide a short-term temporary facility in North Bondi Park to accommodate the Flickerfest Short Film Festival in January 2021 and 2022 with the budget to be allocated from the 2020/21 and 2021/22 financial years.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division**For the Amendment:** Crs Burrill, Goltsman and Nemesh.**Against the Amendment:** Crs Copeland, Lewis, Masselos, O'Neill and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division**For the Motion:** Crs Copeland, Lewis, Masselos, O'Neill and Wy Kanak.**Against the Motion:** Crs Burrill, Goltsman and Nemesh.**DECISION:** That the Motion be adopted.*At 10.36 pm, after the vote on this item, Cr Burrill left the meeting and did not return.***CM/7.8/20.03 Tamarama Basin Construction - Procurement (A19/0700)****MOTION / UNANIMOUS DECISION**

Mover: Cr O'Neill

Seconder: Cr Copeland

That Council awards the contract for the Tamarama Basin construction to Facilities Fix Pty Ltd for the sum of \$59,850.00 (excluding GST).

*Cr Burrill was not present for the consideration and vote on this item.***CM/7.9/20.03 Tender Evaluation - Notts Avenue Safety and Streetscape Upgrade Construction Services (A18/0525)****MOTION / DECISION**

Mover: Cr Masselos

Seconder: Cr Wy Kanak

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 Quality Management and Constructions Pty Ltd as the preferred tenderer for the supply of construction services for the Notts Avenue Safety and Streetscape Upgrade Project for the sum of \$6,621,131.16 excluding GST.
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Quality Management and Constructions Pty Ltd.
4. Funds the \$2.63 million shortfall in the 2020–21 Capital Works Program allocation within the Long Term Financial Plan.
5. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local*

*Government (General) Regulation 2005.***Division****For the Motion:** Crs Copeland, Lewis, Masselos, O'Neill and Wy Kanak.**Against the Motion:** Crs Goltsman and Nemesh.*Cr Burrill was not present for the consideration and vote on this item.***CM/7.10/20.03 National General Assembly of Local Government 2020 - Motion Proposal
(A18/0515)****MOTION / UNANIMOUS DECISION****Mover:** Cr Masselos**Seconder:** Cr Wy Kanak

That Council endorses the submission of the following motion to the Local Government National General Assembly 2020:

'That the National General Assembly calls on the State and Commonwealth Governments to provide effective support to Councils dealing with high visitation impacts on iconic Australian destinations by exploring additional funding support and/or revenue raising initiatives that can be used to help meet the costs of servicing visitation and improving the sustainability of these areas.'

*Cr Burrill was not present for the consideration and vote on this item.***8. Notices of Motions****CM/8.1/20.03 RESCISSION MOTION - PD/5.3/20.03 - 40 km/h Speed Limit Changes -
Consultation Outcomes (A18/0579)****MOTION****Mover:** Cr Burrill**Seconder:** Cr Goltsman

That resolution PD/5.3/20.03 – 40 km/h Speed Limit Changes – Consultation Outcomes, passed at the Strategic Planning and Development Committee meeting on 3 March 2020, be rescinded.

THE MOTION WAS PUT AND DECLARED LOST.

Division**For the Motion:** Crs Burrill, Goltsman and Nemesh.**Against the Motion:** Crs Copeland, Lewis, Masselos, O'Neill and Wy Kanak.

CM/8.2/20.03 Water Tank Rebate Scheme (A06/2074)**MOTION**

Mover: Cr O'Neill
Seconded: Cr Wy Kanak

That Council:

1. Investigates:
 - (a) The introduction of a Water Tank Rebate Scheme available to all ratepayers, residents and businesses of rateable properties in the local government area.
 - (b) The budgetary implications, and identifies options for how this rebate may be funded by Council.
 - (c) The provision of water tank rebates from Sydney Water.
2. Officers provide a report to Council for consideration.

AMENDMENT 1

Mover: Cr Burrill
Seconded: Cr Goltsman

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

AT THIS STAGE IN THE PROCEEDINGS, DURING CR WY KANAK'S ADDRESS ON THE AMENDMENT, CR BURRILL RAISED A POINT OF ORDER ON THE RELEVANCE OF CR WY KANAK'S ADDRESS.

THE MAYOR DID NOT UPHOLD THE POINT OF ORDER AND CR BURRILL MOVED A MOTION OF DISSENT, SECONDED BY CR GOLTSMAN, ON THE CHAIR'S RULING.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

Division

For the Motion of Dissent: Crs Burrill, Goltsman and Nemesh.

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

THE AMENDMENT WAS THEN PUT AND DECLARED LOST.

Division

For the Amendment: Crs Burrill, Goltsman and Nemesh.

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

AMENDMENT 2

Mover: Cr Nemesh
Seconded: Cr Goltsman

That the Motion be adopted subject to the words 'by Council' being deleted from clause 1(b).

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Burrill, Copeland, Goltsman and Nemesh.

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

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division**For the Motion:** Crs Copeland, Lewis, Masselos, O'Neill and Wy Kanak.**Against the Motion:** Crs Burrill, Goltsman and Nemesh.**DECISION:** That the Motion be adopted.**CM/8.3/20.03 Murriverie Road, North Bondi - 15 Minute Parking (A02/0637)****MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis

Seconder: Cr Wy Kanak

That:

1. Council investigates the installation of a 15 minute parking zone for one car spot on the southern side of Murriverie Road, North Bondi, west of Glenayr Avenue.
2. The 15 minute parking zone operates between 9.30 am to 8.00 pm Monday to Friday and 8.30 am to 12.30 pm Saturday.
3. Council undertakes the necessary consultations.
4. A report come back to the May Traffic Committee Meeting.

CM/8.4/20.03 Waverley Cenotaph - Indigenous Commemorative Plaque (A04/0553)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wy Kanak

Seconder: Cr Copeland

That Council:

1. Acknowledges the First Nation People's Frontier Wars which were the battles and skirmishes of First Nation People resisting invasion and displacement from their traditional country.
2. Commits to commemorating the First Nation's People's Frontier Wars by erecting some type of appropriate commemoration whether that is a plaque, artwork or sculpture in Waverley LGA.
3. Calls for expressions of interest from suitably qualified Aboriginal and Torres Strait Islander artists for design and implementation of the work that:
 - (a) Considers cultural protocols.
 - (b) Is in conjunction with the Council's Public Art Committee that includes an expert panel of First Nation people including the La Perouse Local Aboriginal Land Council and other First Nation Elders to provide advice and guidance for the duration of this project.
4. Considers an appropriate location for this commemorative work.
5. Identifies potential costings and budget source.

6. Officers report back to Council.

CM/8.5/20.03 Cultural Bushfire Control Strategies (A02/0424)

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak
Seconder: Cr Copeland

That Council:

1. Supports First Nation elders and bushfire cultural control strategists being involved in creating future bushfire management strategies that acknowledge and implement traditionally-based 'cultural cool burning' techniques as part of broader bushfire management regimes.
2. Makes a submission to the NSW and Federal inquiries and any other bushfire-discussion-related matters requesting that First Nation elders and bushfire cultural control strategists be involved in creating future Australian bushfire management strategies.
3. Through the peak body Local Government NSW, lends its support to Aboriginal burning-off practices combined with Rural Fire Service Aboriginal community volunteer training, such as occurred recently at the NSW south coast Shire of Eurobodalla.

CM/8.6/20.03 Arts Funding and Cultural Recognition (A10/0818)

Cr Copeland declared a less than significant non-pecuniary interest in this item and informed the meeting that he knows the Chairperson of the Waverley Woollahra Art School.

MOTION

Mover: Cr Copeland
Seconder: Cr Wy Kanak

That Council:

1. Notes the recent decision by the Federal Government to remove Arts from the naming of the Federal Infrastructure, Transport, Regional Development and Communications department.
2. Writes to Prime Minister, Scott Morrison; the Minister for Communications and Cyber Safety and Arts, Paul Fletcher; the Shadow Minister for the Arts, Tony Burke; and Greens Arts portfolio-holder Sarah Hanson-Young, to request that the Federal Government:
 - (a) Reinstates the Federal Arts portfolio.
 - (b) Enhances and promotes the role of culture in all its forms.
 - (c) Increases funding to the cultural sector across Australia.

AMENDMENT 1

Mover: Cr Goltsman
Seconder: Cr Burrill

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

'Notes that there is no change to the funding currently committed to the Arts portfolio of \$749 million in

2019–2020.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Burrill, Goltsman and Nemesh.

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

AMENDMENT 2

Mover: Cr Goltsman

Seconder: Cr Burrill

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

‘Notes there is no change in the role and funding of the Australia Council, Screen Australia or other important arts and cultural institutions.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Burrill, Goltsman and Nemesh.

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

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION: That the Motion be adopted.

P Cancian (on behalf of Waverley Woollahra Arts School) addressed the meeting.

CM/8.7/20.03 Waverley Cenotaph - Battle of Crete (A04/0553)

MOTION / DECISION

Mover: Cr Lewis

Seconder: Cr Wy Kanak

That Council:

1. Seeks quotes and commissions installation of a plinth in the Memorial Garden Area of Waverley Park to honour and recognise the connection between Waverley residents who fought and died in the Battle of Crete and the Greek Campaign.
2. Identifies potential costings, a suitable budget source and sponsorship for the cost of the fabrication and installation of the plinth.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.8/20.03 Red Flag Day (A19/0767)**MOTION / UNANIMOUS DECISION**

Mover: Cr Goltsman

Seconder: Cr Burrill

That Council

1. Endorses, in principle, and subject to standard Council assessment, the Lokahi Foundation awareness 'Red Flag' event proposed to take place at Bondi Beach from 6.30 am–10.30 am on 4 December 2020.
2. Grants the proposed event referred to in clause 1 a one-off exception to the practice for events on the Bondi Beach sand not being approved in the month of December, and agrees that no fee is to apply, should the event be recommended for formal approval.

*R Natoli (on behalf of Lokahi Foundation) addressed the meeting.***CM/8.9/20.03 Spring Street Cycleway and Streetscape Construction - Stage 3 (A14/0193)****MOTION**

Mover: Cr Burrill

Seconder: Cr Goltsman

That Council:

1. Notes that Stage 2 works of the Bondi Junction Cycleway project is close to completion in Spring Street (west), between Denison Street and Newland Street, and that works have been delayed from the anticipated completion timing of February 2020.
2. Notes that, when Stage 2 works in Spring Street (west) is complete, Stage 3 works will then commence in Spring Street (east), between Newland Street and Bronte Road, with 'Stage 3A' starting on the south side of Spring Street, followed by 'Stage 3B' on the north side, and that an official start date for Stage 3 works of Saturday 14 March has now been announced, depending on the weather.
3. Notes that Stage 3 is the critical area of Spring Street with major impacts on businesses, residents, vehicles and pedestrians during the construction period, estimated by the project team to take around six months, depending on the weather and unforeseen circumstances.
4. Notes that Officers are presently preparing a comprehensive Construction Pedestrian and Vehicle Plan of Management for each stage of the construction works ('stages 3A and 3B') which includes the following:
 - (a) Parking Plan (on-street and off-street), to include drop off/pick up locations, the community bus zone (and that the plan acknowledges that the zone will be returned to Spring Street at the earliest opportunity during the works), mobility parking, short term parking, loading and truck zones, and the use of Bronte Road for temporary parking.
 - (b) Loading/Unloading Strategy for trucks and delivery vehicles in Spring Street and the use of the Oxford Street mall.
 - (c) Safe Pedestrian/Vehicle Movement and Access Plan, including but not limited to the following:
 - (i) pedestrian access to/from the Medical Centre, Easts, the Eastgate Centre, and other

busy businesses in Spring Street (east), including the steep slope on the southern Spring Street footpath at the Bronte Road intersection.

- (ii) ensuring a safe, accessible pedestrian path of travel along the footpaths that is not unduly impacted by site barriers and crossing Spring Street, noting the high density of pedestrian traffic on the south side of Spring Street (east).
 - (iii) traffic flow management, including construction vehicles and vehicles exiting the Coles Loading Dock.
5. Ensures that the contractor Ford Civil minimises undue impacts to businesses during the Stage 3 construction period as much as possible by identifying the best times and approaches for noisy and disruptive works to be performed through consultation with key business owners (e.g. Easts, Medical Centre, Eastgate Centre management, and others), and that these processes be supported by Council officers.
 6. Officers investigate improved ways to consult, notify and receive feedback from the impacted community, including a project engagement list, by which interested parties can log their email address and/or mobile number and receive notifications of project progress.
 7. Publicises a summary of the above comprehensive Construction Pedestrian and Vehicle Plan of Management in local media, social media, on Council's website, and via other communication channels, and arranges distribution of the summary to business owners and residents directly impacted by works in Spring Street (east), including Bronte Road (between Oxford Street and Ebley Street) and as appropriate.
 8. Receives an initial progress report for Stage 3 works at the June 2020 Operations and Community Services Committee meeting.

AMENDMENT

Mover: Cr Lewis

Seconder: Cr Wy Kanak

That the Motion be adopted subject to the following sentence being added at the end of clause 4:

‘and that a summary version of this Plan of Management be prepared for consultation.’

THE AMENDMENT WAS PUT AND DECLARED CARRIED.

THE MOVER OF THE MOTION AS AMENDED THEN ACCEPTED AN AMENDMENT TO CLAUSE 7 SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council:

1. Notes that Stage 2 works of the Bondi Junction Cycleway project is close to completion in Spring Street (west), between Denison Street and Newland Street, and that works have been delayed from the anticipated completion timing of February 2020.
2. Notes that, when Stage 2 works in Spring Street (west) is complete, Stage 3 works will then commence in Spring Street (east), between Newland Street and Bronte Road, with ‘Stage 3A’ starting on the south side of Spring Street, followed by ‘Stage 3B’ on the north side, and that an official start date for Stage 3 works of Saturday 14 March has now been announced, depending on the weather.
3. Notes that Stage 3 is the critical area of Spring Street with major impacts on businesses, residents, vehicles and pedestrians during the construction period, estimated by the project team to take

around six months, depending on the weather and unforeseen circumstances.

4. Notes that Officers are presently preparing a comprehensive Construction Pedestrian and Vehicle Plan of Management for each stage of the construction works ('stages 3A and 3B') which includes the following:
 - (a) Parking Plan (on-street and off-street), to include drop off/pick up locations, the community bus zone (and that the plan acknowledges that the zone will be returned to Spring Street at the earliest opportunity during the works), mobility parking, short term parking, loading and truck zones, and the use of Bronte Road for temporary parking.
 - (b) Loading/Unloading Strategy for trucks and delivery vehicles in Spring Street and the use of the Oxford Street mall.
 - (c) Safe Pedestrian/Vehicle Movement and Access Plan, including but not limited to the following:
 - (i) pedestrian access to/from the Medical Centre, Easts, the Eastgate Centre, and other busy businesses in Spring Street (east), including the steep slope on the southern Spring Street footpath at the Bronte Road intersection.
 - (ii) ensuring a safe, accessible pedestrian path of travel along the footpaths that is not unduly impacted by site barriers and crossing Spring Street, noting the high density of pedestrian traffic on the south side of Spring Street (east).
 - (iii) traffic flow management, including construction vehicles and vehicles exiting the Coles Loading Dock.

And that a summary version of this Plan of Management be prepared for consultation.

5. Ensures that the contractor Ford Civil minimises undue impacts to businesses during the Stage 3 construction period as much as possible by identifying the best times and approaches for noisy and disruptive works to be performed through consultation with key business owners (e.g. Easts, Medical Centre, Eastgate Centre management, and others), and that these processes be supported by Council officers.
6. Officers investigate improved ways to consult, notify and receive feedback from the impacted community, including a project engagement list, by which interested parties can log their email address and/or mobile number and receive notifications of project progress.
7. Publishes a summary of the above comprehensive Construction Pedestrian and Vehicle Plan of Management in local media, social media, on Council's website, and via other communication channels, and arranges distribution of the summary to business owners and residents directly impacted by works in Spring Street (east), including Bronte Road (between Oxford Street and Ebley Street) and as appropriate.
8. Receives an initial progress report for Stage 3 works at the June 2020 Operations and Community Services Committee meeting.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

Against the Motion: Nil.

DECISION: That the Motion be adopted.

R Cole (on behalf of Eastern Suburbs Leagues Club) addressed the meeting.

At 9.25 pm, the meeting adjourned for a short break.

At 9.35 pm, the meeting resumed.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

CM/10.1/20.03 General Manager's Delegations (SF20/29)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Lewis

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

Cr Burrill was not present for the consideration and vote on this item.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Lewis

That:

1. Council notes the potential impacts on business continuity for Council from the current Novel Coronavirus (COVID-19) pandemic.
2. Council resolves that it wishes to provide greater day-to-day decision-making authority to the General Manager while the pandemic affects the community and Council's operations.
3. Council delegates/sub-delegates to the General Manager the functions in accordance with the Instrument of Delegation to the General Manager attached to this report.
4. Emily Scott be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
5. Should Emily Scott be unable or unwilling to act as General Manager at any time, Peter Monks be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
6. Should Emily Scott and Peter Monks be unable or unwilling to act as General Manager at any time, John Clark be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.

7. Should Emily Scott, Peter Monks and John Clark be unable or unwilling to act as General Manager at any time, Darren Smith be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
8. Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by the Council.
9. Council reviews the General Manager's delegations at the June 2020 and December 2020 Council meetings.
10. Council authorises the General Manager to approve purchases with fewer than the required number of quotes called for in the Purchasing Procedure up to \$250,000, until December 2020 when a review of this will be included in the report to Council on the General Manager's delegations.
11. The General Manager reports to Councillors monthly by email on tenders accepted under delegation and any exemptions approved under clause 8 above.
12. Council authorises the Mayor and Deputy Mayor to affix the Council Seal to the Instrument of Delegation to the General Manager.

Cr Burrill was not present for the consideration and vote on this item.

CM/10.2/20.03 Closure of Waverley Library due to Coronavirus (A20/0245)

MOTION

Mover: Cr Goltsman

That a proposed Motion to close Waverley Library in order to minimise the transmission of the coronavirus be treated as an item of urgent business.

The Mayor ruled that the business proposed to be considered was not of great urgency because staff have protocols in place at the Library to deal with the outbreak and they are monitoring the situation, and it would be pre-emptive of Council to take this action without investigating first.

11. Closed Session

CM/11/20.03 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 Lewis

Seconder: Cr Nemesh

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/11.1/20.03 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.

CM/11.2/20.03 CONFIDENTIAL REPORT - Tamarama Surf Life Saving Club - Building Upgrade Project

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 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*.

Cr Burrill was not present for the consideration and vote on this item.

At 11.08 pm, Council moved into closed session.

CM/11.1/20.03 CONFIDENTIAL REPORT - Bondi Pavilion Restoration and Conservation Project - Temporary Relocation of Facilities during Construction Phase (A15/0272)

MOTION

Mover: Cr Masselos
Seconder: Cr Wy Kanak

That Council:

1. 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)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Notes the various options contained in this report for the continued provision of food and beverage services to local residents and visitors during the closure of the Bondi Pavilion.
3. Endorses Option C as detailed in this report for the provision of retail food and beverage offerings in Area 1 as indicated in Figure 1 in this report.
4. Delegates to the General Manager the authority to consider and approve any suitable structure proposals that come forward from interested parties for food and beverage offerings provided that,

in the opinion of the General Manager, they add amenity to, and are consistent with, the food truck precinct concept, site dimensions and site constraints.

5. Endorses the creation of up to eight temporary mobile vendor licences to allow food trucks or other approved operators to operate on the Bondi Pavilion forecourt, and authorises the General Manager to finalise all necessary documentation.
6. Notes the proposed installation of a temporary tourist information booth to be installed on the Bondi Pavilion forecourt for the duration of the building closure as indicated in Area 1 in Figure 1 in this report.
7. Notes the proposed installation of temporary lifeguard amenities in Area 2 as indicated in Figure 1 in this report.
8. Notes the proposed installation of temporary public amenities in Area 3 as indicated in Figure 1 in this report.
9. Notes the proposed installation of a temporary Lifeguard Observation Tower and first aid room in Area 4 as indicated in Figure 1 in this report.

AMENDMENT 1

Mover: Cr Goltsman
Seconder: Cr Nemesh

That the Motion be adopted subject to clause 3 being amended to read as follows:

‘Endorses Option C as detailed in this report for the provision of retail tenancies in Area 1 as indicated in Figure 1 in this report.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Goltsman and Nemesh.

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

AMENDMENT 2

Mover: Cr Goltsman
Seconder: Cr Nemesh

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

‘Conducts an expression of interest process to all existing tenants of the Pavilion, advising them of the space allocation in the southern section of the forecourt and invites them to submit a proposal of how they would provide a structure to continue their business.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Goltsman and Nemesh.

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

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 10 SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council:

1. 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)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Notes the various options contained in this report for the continued provision of food and beverage services to local residents and visitors during the closure of the Bondi Pavilion.
3. Endorses Option C as detailed in this report for the provision of retail food and beverage offerings in Area 1 as indicated in Figure 1 in this report.
4. Delegates to the General Manager the authority to consider and approve any suitable structure proposals that come forward from interested parties for food and beverage offerings provided that, in the opinion of the General Manager, they add amenity to, and are consistent with, the food truck precinct concept, site dimensions and site constraints.
5. Endorses the creation of up to eight temporary mobile vendor licences to allow food trucks or other approved operators to operate on the Bondi Pavilion forecourt, and authorises the General Manager to finalise all necessary documentation.
6. Notes the proposed installation of a temporary tourist information booth to be installed on the Bondi Pavilion forecourt for the duration of the building closure as indicated in Area 1 in Figure 1 in this report.
7. Notes the proposed installation of temporary lifeguard amenities in Area 2 as indicated in Figure 1 in this report.
8. Notes the proposed installation of temporary public amenities in Area 3 as indicated in Figure 1 in this report.
9. Notes the proposed installation of a temporary Lifeguard Observation Tower and first aid room in Area 4 as indicated in Figure 1 in this report.
10. Should the northern section of the forecourt become available, advises existing tenants that this option is also available.

AMENDMENT 3

Mover: Cr Goltsman

Seconder: Cr Nemesh

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

‘A report comes back to Council on the proposals and recommendations.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Goltsman and Nemesh.

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

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

Cr Burrill was not present for the consideration and vote on this item.

Subsequent to the meeting, before 10 am the next day, a notice of motion to rescind this decision was lodged with the General Manager. The rescission motion will be considered at the April Council meeting.

CM/11.2/20.03 CONFIDENTIAL REPORT - Tamarama Surf Life Saving Club - Building Upgrade Project (A19/0445)

MOTION / UNANIMOUS DECISION

Mover: Cr O'Neill
Seconder: Cr Copeland

That Council:

1. 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)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Notes that, under section 55(3)(m) of the *Local Government Act*, Council is not required to invite tenders before entering into a contract if it has entered into a public-private partnership.
3. Authorises the General Manager to negotiate directly with Chrofi Architects for head consultant services for the revised development application, tender and construction phase documentation for the Tamarama Surf Life Saving Club (TSLSC) Building Upgrade Project, in accordance with the probity advice attached to this report.
4. Notes that any contract resulting from the direct negotiations will be between Council and TSLSC jointly and Chrofi Architects.
5. Notes the project update provided in this report.

Cr Burrill was not present for the consideration and vote on this item.

12. Resuming in Open Session

CM/12/20.03 Resuming in Open Session

MOTION / DECISION

Mover: Cr Lewis
Seconder: Cr Wy Kanak

That Council resumes in open session.

Cr Burrill was not present for the consideration and vote on this item.

At 11.21 pm, Council resumed in open session.

Resolutions from closed session made public

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

13. Meeting Closure

THE MEETING CLOSED AT 11.25 PM.

.....
SIGNED AND CONFIRMED
MAYOR
21 APRIL 2020

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/20.04



Subject: Confirmation of Minutes - Extraordinary Council Meeting -
3 April 2020

TRIM No: SF20/42

Author: Natalie Kirkup, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Extraordinary Council Meeting held on 3 April 2020 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. Extraordinary Council Meeting Minutes - 3 April 2020



**MINUTES OF THE WAVERLEY EXTRAORDINARY COUNCIL MEETING
HELD BY VIDEO CONFERENCE ON FRIDAY, 3 APRIL 2020**

Present:

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson 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 Will Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward
Councillor John Wakefield	Bondi Ward
Councillor Dominic Wy Kanak	Bondi 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 7.00 pm, those present were as listed above.

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.

1. Apologies/Leaves of Absence

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

3. Addresses by Members of the Public

There were no addresses by members of the public.

4. Notices of Motions**CM/4.1/20.04E Coronavirus (COVID-19) - Council's Response (A20/0245)**

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING PROCEDURAL MOTION WAS MOVED BY CR LEWIS AND SECONDED BY CR KEENAN:

That debate on item CM/4.1/20.04E be adjourned to the Extraordinary Council Meeting scheduled to be held by video conference on Tuesday, 7 April 2020, at 7.30 pm, and that this notice of motion be heard as the third agenda item coming after the two items submitted by the General Manager.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED ON A SHOW OF HANDS 7/5.

MOTION

That Council:

1. Notes that the Federal Government is considering locking down suburbs to control the spread of coronavirus.
2. Adopts an abundance of caution approach to its future decisions and actions in relation to keeping our community safe from the coronavirus outbreak.
3. Immediately closes all beaches and beach parks within the municipality, including Bondi Beach, Bronte Beach and Tamarama Beach, until measures can be put in place that allow limited access while physical distancing is observed, and this involves consultation with the NSW Police and NSW

Health authorities.

4. Immediately instigates an information campaign on the coronavirus outbreak and what measures Council is undertaking including:
 - (a) Social media campaign.
 - (b) Signage across the local government area.
 - (c) Letterbox-drop the entire municipality.
 - (d) Alerts and updates to residents via applicable phone apps.
5. Requests the State and Federal Governments and their agencies to provide any assistance to Council to control the spread of coronavirus in the municipality.

6. Meeting Closure

THE MEETING CLOSED AT 7.27 PM.

.....
SIGNED AND CONFIRMED
MAYOR
21 APRIL 2020

CONFIRMATION AND ADOPTION OF MINUTES CM/5.3/20.04



Subject: Confirmation of Minutes - Extraordinary Council Meeting -
7 April 2020

TRIM No: SF20/42

Author: Natalie Kirkup, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Extraordinary Council Meeting held on 7 April 2020 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. Extraordinary Council Meeting Minutes - 7 April 2020



**MINUTES OF THE WAVERLEY EXTRAORDINARY COUNCIL MEETING
HELD BY VIDEO CONFERENCE ON TUESDAY, 7 APRIL 2020**

Present:

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson 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 Will Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward
Councillor John Wakefield	Bondi Ward
Councillor Dominic Wy Kanak	Bondi 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 7.39 pm, those present were as listed above, with the exception of Cr Wy Kanak, who arrived at 7.40 pm.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

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

1. Apologies/Leaves of Absence

There were no apologies

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

3. Addresses by Members of the Public

There were no addresses by members of the public.

4. Reports

CM/4.1/20.04E2 Coronavirus (COVID-19) - Business Continuity, Response and Service Delivery (A20/0245)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Receives and notes the Novel Coronavirus COVID-19 – Business Continuity, Response and Service Delivery report.
2. Notes the business continuity arrangements put in place within the organisation to ensure the continued delivery of essential services.
3. Notes the service disruptions and steps taken to meet additional compliance demands.
4. Notes the early projections of impacts on Council revenue and financial performance from Novel Coronavirus COVID-19 and receives a further report on these matters as part of the Q3 budget review.
5. Notes the contextual matters likely to influence Council's approach to community support and fiscal

and financial management during the pandemic crisis.

6. Notes that Council financial performance for Q4 in financial year 2019–20 is likely to be markedly different than the approved budget due to impacts from the COVID-19 pandemic.
7. Notes that Council continues to base decision-making on NSW Health and NSW and Commonwealth government advice and on its own proactive risk assessment work that is being employed to determine which services/facilities and open spaces should be closed and when.
8. Notes that a tripartite Councillor Group, comprising the Mayor, Deputy Mayor and Cr Betts, has been established during the COVID-19 outbreak.
9. Continues to work closely with the state government, in particular the Department of Health and Police, to respond to directions and regulations as they arise in addition to the proactive steps taken by Council.
10. Continues its approved capital works program in line with the federal and state government policies to stimulate construction activity to sustain income and employment levels in the community.
11. Continues to take appropriate legal action against owners of backpacker accommodation, boarding houses and short-term rental properties where there is a clear threat to public health, including the issuing of orders under section 124 of the *Local Government Act*.
12. Endorses the Mayor's urging of the State Government since 22 March 2020 to allow appropriately qualified Council staff to be appointed as Authorised Officers under the *Public Health Act 2010*, enabling them to assist police by issuing penalty notices for breaches of the public health orders.
13. Notes that the Mayor wrote to the Minister for Health and Medical Research, the Hon Brad Hazzard, MP, on 31 March 2020:
 - (a) Offering any appropriate assistance to Health Department staff in their work addressing the pandemic.
 - (b) Suggesting that consideration be given to allowing appropriately qualified members of Council staff to be appointed as Authorised Officers under the *Public Health Act 2010*, noting that this may already be possible under section 126(2) of the Act.
 - (c) Drawing to the Minister's attention that Council has sought advice from the NSW Government as to whether Council officers can be appointed Authorised Officers under the *Public Health Act 2010*.
14. Requests the state and federal government and their agencies to provide further assistance to Council to help Council control the spread of COVID-19 within the local government area (LGA).
15. Turns off the on-street parking meters throughout the Waverley LGA from Wednesday, 8 April 2020, to 30 June 2020.
16. Authorises the General Manager to turn on on-street parking meters throughout the Waverley LGA prior to 30 June 2020 if he considers circumstances make it appropriate.
17. Continues the current approach of being flexible and compassionate in the enforcement of parking restrictions, except in cases involving parking in red zones (loading bays, ACROD bays, No Stopping zones) or where cars are parked in a dangerous manner.

18. Notes that turning off the on-street parking meters and being flexible in the enforcement of parking restrictions will result in the loss of revenue of approximately \$56,000 per week, on current projections, down from \$364,000 per week as budgeted for in the 2019–20 budget or a reduction of approximately \$728,000 in the balance of the budget projected to 30 June 2020.
19. Continues to conduct a comprehensive information campaign on COVID-19 about how to stop its spread, what service providers are available to assist and support residents, noting that Council is already undertaking a letterbox drop and multicultural communications.
20. Considers further communication measures, including providing alerts and updates to residents via an applicable smart phone app.
21. Considers setting up a hotline with after-hours capacity (at least via email and phone) for residents, residents groups and community organisations to contact Council.
22. Thanks staff on the excellent timely work with respect to business continuity, responses and service delivery to rapidly changing circumstances.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Nil.

CM/4.2/20.04E2 Coronavirus (COVID-19) - Business Support Package (A20/0258)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Endorses the short-term COVID-19 Business Support Package and the measures contained therein as outlined in this report.
2. Notes that a review of the operation of the package will be carried out by staff on or before 30 June 2020.
3. In accordance with sections 610E and 610F of the *Local Government Act 1993*, publicly exhibits for 28 days:
 - (a) The introduction of a \$0 (fee waiver) COVID-19 Small Business Support category in Council's Fees and Charges to apply to the following fees:
 - (i) All fees for licence inspections.
 - (ii) Fitness permits fees.
 - (iii) Mobile vendor licence fees.
 - (b) The following criteria for the COVID-19 Small Business Support category:
 - (i) Recipients must be small businesses (according to the ATO definition) or registered not-for-profit organisations.

(ii) The Business Support Package is in effect.

4. Notes that it has resolved to turn off the on-street parking meters throughout the Waverley local government area from Wednesday, 8 April 2020, to 30 June 2020.
5. Authorises the operation of the Business Support Package until 30 September 2020 or until such earlier time as determined by Council.
6. Notes that Table 2 of the report contains a summary of the Business Support Package as follows:

Area	Revenue of Council	Proposal	Responsible Team
Financial			
Licence inspections	Less than 1% of revenue	Health, hygiene, licensing and fire safety inspection fees will be waived to all small business in the local government area. Inspections will still be carried out. Measure is a waive across Waverley LGA (no action required by community members).	Compliance
Fitness permits	Less than 1% of revenue	Fee waivers will be applied to outdoor fitness permits and to community markets (such as Bondi Junction Mall, Carl Jeppesen Place). Measure is a waive across Waverley LGA (no action required by community members).	Events
Mobile vending	Less than 1% of revenue	Mobile vendor licence fees will be waived for four months and reviewed in June.	Property & Facilities
Footpath seating		Fees not charged for four months as businesses are unable to trade on the footpath.	Property & Facilities
Markets		Mobile vendor licence fees will not be charged for four months due to the reduced utility of the service. Reviewed in June. (Note: Roscoe Street market ceases annually in April for winter break).	Property & Facilities
Community tenants		Community tenants that have ceased operating will have their rent suspended for at least 3 months. (Note: Randwick community transport continuing to operate essential service).	Property & Facilities
Commercial, retail and stratum (small business)		Three-month rent suspension for small businesses on case-by-case basis.	Property & Facilities
Pavilion tenants		No support - Building is closing on 4 May; cafes could be continuing to trade as take away under restrictions. Exception of Lets go Surfing due to inability to trade as a result of beach closure.	Property & Facilities
Commercial, retail and stratum (Corporate)		No support provided. Tenants such as Spotlight, Officeworks, Scentre Management, ISPT lease.	Property & Facilities

Residential leases		Case-by-case basis dependant on the impact of the pandemic on income of tenants.	Property & Facilities
External hirers of community venues		All hirers have ceased operation and no fees are payable. Refunds provided for payments made past last day of operation.	Property & Facilities
Licensed sporting groups		Winter season clubs under licence: fees not be applied for period of closure of sporting facilities.	Property & Facilities
On-street parking	15% of revenue	On-street parking in commercial centres will focus on infringements where community safety access is a risk. Measure is a relaxing on infringing (no action required by community members).	Compliance
Commercial waste	2% of revenue	Commercial waste fees and charges to be adjusted to level of service. Customers can also apply for extended credit terms during the pandemic period.	Waste & Cleaning
Council suppliers	Reduces councils cash holdings affecting investment income	Council will pay its small business suppliers promptly within 15 days payment terms. Measure will be implemented by responsible team (no action required by community member)	Finance
Credit extensions	32% of revenue	Extended credit on certain fees and charges small businesses owe to Council with a suspension of interest charges.	Finance
Hardship policy	Reduces Council's cash holdings affecting invest. income	Financial Hardship Policy which will review and implement a process for considering applications for other forms of assistance, including deferred rate payments with no interest charge.	Finance
Non-financial			
Take-away trade	N/A	Relaxed conditions of consent for restaurants to enable trade as take-away-only services.	Compliance
Relaxed hours of operation	N/A	Relaxed operating hours for all supermarkets and grocers to ensure a continual supply and restock of products (now a government requirement).	Compliance
Public works	N/A	Continuation of Council's current capital works program to support employment in the construction sector.	Major Projects
Buy local	N/A	'Buy Local' publicity campaign via Council communication channels and the Bondi and Districts Chamber of Commerce.	Economic Development and Chamber of Commerce
Procurement	N/A	Council procurement from local suppliers if consistent with statutory procurement regulations and prescribed delegations.	Procurement

5. Notices of Motions

CM/5.1/20.04E2 Coronavirus (COVID-19) - Council's Response (A20/0245)

This matter was last considered by Council at its extraordinary meeting on 3 April 2020. Debate on the item was adjourned to this meeting.

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING PROCEDURAL MOTION WAS MOVED BY CR LEWIS AND SECONDED BY CR KEENAN:

That debate on item CM/4.1/20.04E be adjourned to the Extraordinary Council Meeting scheduled to be held by video conference on Tuesday, 7 April 2020, at 7.30 pm, and that this notice of motion be heard as the third agenda item coming after the two items submitted by the General Manager.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED ON A SHOW OF HANDS 7/5.

FOLLOWING THE RESUMPTION OF DEBATE, THE FOLLOWING MOTION WAS MOVED:

MOTION

Mover: Cr Nemesh
Seconder: Cr Goltsman

That Council:

1. Notes that the Waverley local government area (LGA) has the highest infection rate of COVID-19 within NSW, and the community transmission and infection rate within the LGA are increasing.
2. Notes that, on 30 March 2020, the NSW Health Minister, the Hon Brad Hazzard, MP, made the COVID-19 Public Health Order restrictions on gathering and movement under the *Public Health Act 2010*, which 'directs that a person must not, without reasonable excuse, leave the person's place of residence' and 'that a person must not participate in a gathering in a public place of more than 2 persons', with some exceptions.
3. Due to the severity of the current situation, adopts an abundance of caution approach to its future decisions and actions in relation to keeping our community and Council employees safe from the COVID-19 outbreak.
4. Notes the following key actions undertaken:
 - (a) Waverley's three beaches were closed on the afternoon of Saturday, 21 March 2020, in accord with the Notice of Motion lodged with the request for an Extraordinary Council Meeting to the Mayor by Crs Nemesh, Goltsman and Betts on the morning of Saturday, 21 March 2020.
 - (b) Waverley Library was closed on Wednesday, 18 March 2020, consistent with the urgency matter that was raised at the Council meeting on Tuesday, 17 March 2020.
 - (c) Council's Customer Service Centre was closed.
 - (d) All playgrounds and outdoor sporting facilities, including outdoor fitness stations, were closed from 26 March 2020.
 - (e) Bubblers were closed from 31 March 2020 after representation from Councillors and members of the public.

- (f) St Vincent's Hospital has set up a pop-up COVID-19 clinic at the Bondi Pavilion from 1 April 2020.

AMENDMENT

Mover: Cr Lewis
Seconder: Cr O'Neill

That the Motion be adopted subject to the deletion of clauses 4(a) and 4(b).

AT THIS STAGE IN THE PROCEEDINGS, CR KEENAN MOVED A PROCEDURAL MOTION, SECONDED BY CR WAKEFIELD, THAT THE AMENDMENT BE NOW PUT.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED.

THE AMENDMENT WAS THEN PUT AND DECLARED CARRIED ON DIVISION.

Division

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

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

THE MOVER OF THE MOTION AS AMENDED THEN ACCEPTED A NEW CLAUSE 2 AND THE ADDITION OF CLAUSES 5(A) AND (B) SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council:

1. Notes that the Waverley local government area (LGA) has the highest infection rate of COVID-19 within NSW, and the community transmission and infection rate within the LGA are increasing.
2. Notes that the Woollahra, Randwick and Northern Beaches LGAs have also recorded among the highest incidence of infections of COVID-19 in NSW.
3. Notes that, on 30 March 2020, the NSW Health Minister, the Hon Brad Hazzard, MP, made the COVID-19 Public Health Order restrictions on gathering and movement under the *Public Health Act 2010*, which 'directs that a person must not, without reasonable excuse, leave the person's place of residence' and 'that a person must not participate in a gathering in a public place of more than 2 persons', with some exceptions.
4. Due to the severity of the current situation, adopts an abundance of caution approach to its future decisions and actions in relation to keeping our community and Council employees safe from the COVID-19 outbreak.
5. Notes the following key actions undertaken:
 - (a) Waverley's three beaches were closed on the afternoon of Saturday, 21 March.
 - (b) Waverley Library was closed on Wednesday, 18 March 2020.
 - (c) Council's Customer Service Centre was closed.
 - (d) All playgrounds and outdoor sporting facilities, including outdoor fitness stations, were closed from 26 March 2020.
 - (e) Bubblers were closed from 31 March 2020 after representation from Councillors and members of the public.

- (f) St Vincent's Hospital has set up a pop-up COVID-19 clinic at the Bondi Pavilion from 1 April 2020.

THE MOTION WAS THEN PUT AND DECLARED CARRIED ON A SHOW OF HANDS 12/0.

UNANIMOUS DECISION: That the Motion be adopted.

6. Meeting Closure

THE MEETING CLOSED AT 9.43 PM.

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SIGNED AND CONFIRMED
MAYOR
21 APRIL 2020

CONFIRMATION AND ADOPTION OF MINUTES CM/5.4/20.04



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 26 March 2020

TRIM No: SF20/45

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That Part 1 of the minutes of the Waverley Traffic Committee Meeting scheduled to be held on 26 March 2020 be received and noted, and that the recommendations contained therein be adopted.

Introduction/Background

This meeting was scheduled to be held at Waverley Council Chambers on Thursday, 26 March 2020. Due to the coronavirus and social distancing requirements, the meeting was held by email between 23 March 2020 and 2 April 2020, in accordance with clause 5.4 of the Waverley Traffic Committee Charter.

The Waverley Traffic Committee (WTC) is not a committee of Council. The WTC operates under delegation from Transport for NSW (TfNSW), 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 - 26 March 2020

**MINUTES OF THE WAVERLEY TRAFFIC
COMMITTEE MEETING SCHEDULED TO BE
HELD AT WAVERLEY COUNCIL CHAMBERS,
CNR PAUL STREET AND BONDI ROAD, BONDI
JUNCTION ON THURSDAY, 26 MARCH 2020**



Voting Members Present:

Cr P Masselos	Waverley Council – Chair
Sgt L Barrett	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Mr M Carruthers	Transport for NSW – Network and Safety Officer
Mr P Pearce	Representing Marjorie O’Neill, MP, Member for Coogee
Ms J Zin	Representing Gabrielle Upton, MP, Member for Vaucluse

Also Present:

Cr T Kay	Waverley Council – Alternate Chair
Mr B Gidies	State Transit – Traffic and Services Manager (Eastern Region)
Mr D Joannides	Waverley Council – Executive Manager, Infrastructure Services

This meeting was scheduled to be held at Waverley Council Chambers on Thursday, 26 March 2020. Due to the coronavirus and social distancing requirements, the meeting was held by email between 23 March 2020 and 2 April 2020, in accordance with clause 5.4 of the Waverley Traffic Committee Charter.

Apologies

There were no apologies.

Declarations of Pecuniary and Non-Pecuniary Interests

There were no declarations of interest.

Adoption of Previous Minutes by Council - 27 February 2020

The recommendations contained in Part 1 – Matters Proposing that Council Exercise its Delegated Functions – of the minutes of the Waverley Traffic Committee meeting held on 27 February 2020 were adopted by Council at its meeting on 17 March 2020 with the following changes:

1. TC/C.06/20.02 – Macpherson Street/St Thomas Street, Bronte – Intersection Upgrade.

Council adopted the recommendation of the Traffic Committee subject to clause 1 being amended to read as follows:

‘Improved street lighting for the pedestrian crossing including the installation of a dimmer switch.’

2. TC/C.07/20.02 – Macpherson Street, Bronte – Temporary Road Closure for Tower Crane Installation.

Council adopted the recommendation of the Traffic Committee subject to clause 1(c) being amended to read as follows:

‘Providing Council with a Resident Notification Letter and Plan detailing the timing and method of notifying local residents, Charing Cross Precinct, Bronte Beach Precinct and businesses of the road closure for Council’s approval.’

Items by Exception

The following items on the agenda were dealt with together, and the Council Officer’s Proposal for each item was unanimously supported by the Committee:

1. TC/C.01/20.03 – Read Lane, Bronte – No Parking Restrictions.
2. TC/C.02/20.03 – Albion Street, Waverley – Timed Parking.
3. TC/C.04/20.03 – 13 Gordon Place, Bronte – ‘P Disability Only’ Zone.
4. TC/C.05/20.03 – 22 Philip Street, Bondi – ‘P Disability Only’ Zone.
5. TC/V.02/20.03 – Bondi Public School – School Pick-up/Drop-off – No Stopping Zone.
6. TC/V.03/20.03 – 17 Simpson Street, Bondi Beach – ‘P Disability Only’ Zone.
7. TC/V.04/20.03 – 25 Glasgow Avenue, Bondi Beach – Construction Zone.

The following items were dealt with separately:

1. TC/C.03/20.03 – 16 Thompson Street, Tamarama – Construction Zone.
2. TC/V.01/20.03 – Barracluff Avenue, Bondi Beach – Traffic Assessment.

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 TfNSW. 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.01/20.03 Read Lane, Bronte - No Parking Restrictions (A14/0145)****COUNCIL OFFICER'S PROPOSAL:**

That Council installs No Parking restrictions on the northern side of Read Lane between Murray Street and Alfred Street, Bronte.

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, TfNSW representative and Waverley Council representative (Chair).

TC/C.02/20.03 Albion Street, Waverley - Timed Parking (A16/0643)**COUNCIL OFFICER'S PROPOSAL:**

That Council writes to Randwick Council requesting consideration of changes to parking restrictions on the eastern side of Albion Street north of Wallace Street, Waverley. These restrictions involve conversion of 10.5 m of unrestricted parking to a 10.5 m '1P 8.30 am–6 pm Mon–Fri, 8.30 am–12.30 pm Sat' zone eastern side of Albion Street, as shown in Figure 2 in 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 Coogee, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/C.03/20.03 16 Thompson Street, Tamarama - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 12 m long 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Saturday Council Authorised Vehicles Excepted Excludes Public Holidays' zone in Thompson Street, Tamarama.
2. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the construction zone, as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That:

1. The Council Officer's Proposal not be adopted.
2. Council notes that the construction zone application has been withdrawn.

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

TC/C.04/20.03 13 Gordon Place, Bronte - 'P Disability Only' Zone (A18/0719)**COUNCIL OFFICER'S PROPOSAL:**

That Council installs a 5 m long 'P Disability Only' zone outside 13 Gordon Place, Bronte.

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, TfNSW representative and Waverley Council representative (Chair).

TC/C.05/20.03 22 Philip Street, Bondi - 'P Disability Only' Zone (A18/0719)**COUNCIL OFFICER'S PROPOSAL:**

That Council installs a 5 m long 'P Disability Only' zone outside 22 Philip Street, Bondi.

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, TfNSW representative and Waverley Council representative (Chair).

TC/V STATE ELECTORATE OF VAUCLUSE**TC/V.01/20.03 Barracluff Avenue, Bondi Beach - Traffic Assessment (A03/0042-04)****COUNCIL OFFICER'S PROPOSAL:**

That Council prepares a preferred option and alternatives for community consultation that include:

1. Preferred option:

- (a) Construction of 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.
- (b) Kerb extensions in Barracluff Avenue on both sides of the road opposite:
 - (i) 23 Barracluff Avenue and 25 Barracluff Avenue.
 - (ii) 5 Barracluff Avenue and 7 Barracluff Avenue.

2. Alternative option: closure of Barracluff Avenue in the vicinity of 21 Barracluff Avenue.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That:

- 1. The Council Officer's Proposal not be adopted.
- 2. This item be deferred to the next Traffic Committee meeting.

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

A submission from L Coleman was circulated to Committee members.

TC/V.02/20.03 Bondi Public School - School Pick-up/Drop-off - No Stopping Zone (A03/0042-04)

COUNCIL OFFICER'S PROPOSAL:

That Council:

- 1. Installs No Stopping restrictions:
 - (a) On the western side of Moore Street, Bondi, with an unbroken yellow (C3) line from the southern side of the Bondi Public School teachers' car park to 10 m north of the car park, as shown in Figure 2 in this report. No stopping signs are to be installed to reinforce the line marking.
 - (b) On the eastern side of the Moore Street/Moore Street intersection with an unbroken yellow (C3) line extending 8 m into both Moore Street and Henderson Street, as shown in Figure 2 in this report.
- 2. Relocates the existing car share space outside the school gate on Moore Street 10 m to the north, as shown in Figure 2 in this report.
- 3. Installs a new kerb ramp (Type A) as per Council's Standard Footpath Drawing (F3) on the school (western) side of Moore Street opposite the existing ramp on the eastern side of the road, as shown in Figure 4 in 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, TfNSW representative and Waverley Council representative (Chair).

TC/V.03/20.03 17 Simpson Street, Bondi Beach - 'P Disability Only' Zone (A18/0719)

COUNCIL OFFICER'S PROPOSAL:

That Council installs a 5 m long 'P Disability Only' zone outside 17 Simpson Street, Bondi Beach.

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, TfNSW representative and Waverley Council representative (Chair).

TC/V.04/20.03 25 Glasgow Avenue, Bondi Beach - Construction Zone (A03/2514-04)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs a 15 m long 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Sat Council Authorised Vehicles Excepted Excludes Public Holidays' zone in front of 25 Glasgow Avenue, Bondi.
2. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the construction zone, as necessary.

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, TfNSW representative and Waverley Council representative (Chair).

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE

Nil.

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SIGNED AND CONFIRMED
MAYOR
21 APRIL 2020

MAYORAL MINUTES CM/6/20.04

Subject: Mayoral Minutes

Author: Mayor of Waverley, Cr Paula Masselos



Mayoral minutes are permissible at Waverley Council meetings 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/7.1/20.04

Subject: Schedule of Meeting Dates for Council and its Standing Committees - Amendment

TRIM No: A04/1869

Author: Jane Worthy, Internal Ombudsman

Director: Ross McLeod, General Manager

RECOMMENDATION:

That Council amends the 2020 Schedule of Meeting Dates for Council and its Standing Committees by:

1. Cancelling the scheduled May and June meetings of the Operations and Community Services Committee and the Strategic Planning and Development Committee.
2. Scheduling additional Council meetings to be held via video conference on 5 May and 2 June 2020 at 7 pm.

1. Executive Summary

This report recommends that Council alters the adopted schedule of meeting dates for Council, the Operations and Community Services Committee and the Strategic Planning and Development Committee for 2020 by cancelling the Committee meetings scheduled in May and June and replacing them with Council meetings.

2. Introduction/Background

Council adopted its schedule of meeting dates in November last year. However, some changes are required to ensure that Council can make timely decisions during the COVID-19 pandemic. While Council's committees have fairly broad delegations, they are unable to make certain decisions prohibited from delegation under section 377 of the *Local Government Act 1993*, including adopting the Budget and the Operational Plan, setting fees and charges and considering the Long Term Financial Plan.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 November 2019	CM/7.5/19.11	That Council adopts the 2020 Schedule of Meeting Dates for Council and its Standing Committees attached to this report.

4. Discussion

To ensure maximum flexibility for Council decision-making during this period and to reduce the need to call extraordinary Council meetings, it is recommended that Council replaces Committee meetings with full Council meetings in May and June. Any further changes required will be proposed, if necessary.

There are no legislative restrictions to Council changing its adopted meeting schedule, providing it still holds the required 10 Council meetings in a year.

Council has deferred consideration of the budget to allow additional time to review the financial impacts of COVID-19 and the support packages approved by Council at the last meeting. Two full Council meetings in both May and June will allow for greater flexibility in the timing of reports requiring Council decisions.

5. Financial impact statement/Timeframe/Consultation

There are no unbudgeted costs associated with this report. Should Council approve the recommendations, staff will notify the changes on Council's website.

Council has previously been required to advertise Council meeting dates in a local newspaper; however, the new Model Code of Meeting Practice has removed this requirement. In addition, the Wentworth Courier has suspended print until further notice. Therefore, Council will no longer advertise meeting dates in the local paper, and officers will consider making the meeting dates on Council's website and social media platforms more prominent.

6. Conclusion

This report proposes the cancellation of the May and June meetings of the Operations and Community Services Committee and the Strategic Planning and Development Committee, and the scheduling of full Council meetings on 5 May and 2 June 2020 in their place.

7. Attachments

Nil.

REPORT CM/7.2/20.04



Subject: Councillor Superannuation - Submission

TRIM No: SF20/1538

Author: Jane Worthy, Internal Ombudsman

Director: Ross McLeod, General Manager

RECOMMENDATION:

That Council makes a submission to the Office of Local Government's on its 'Councillor Superannuation Discussion Paper 2020' supporting Option 4, which proposes amending the *Local Government Act 1993* to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the payment of the mayor's and councillors' fees.

1. Executive Summary

For many years, there has been debate about whether Councillors should receive superannuation contributions on the annual fees paid to them. Under Commonwealth superannuation legislation, councils are not required to make superannuation contributions in relation to the fees paid to mayors and councillors because they are not employees of councils, although it is possible for councils to make superannuation contributions on behalf of mayors and councillors on a pre-tax basis out of the fees paid.

In March 2020, the Office of Local Government (OLG) issued a discussion paper to seek community views about whether changes should be made to current situation. Submissions close 8 May 2020. The Discussion Paper is attached to this report.

The discussion paper sets out four options for consideration and this report recommends that Council makes a submission supporting Option 4, which is to make the necessary change to the *Local Government Act* to require councils to pay superannuation contributions to all Councillors in line with the superannuation guarantee legislation.

2. Introduction/Background

The release of the discussion paper by OLG was prompted by concerns raised within the local government sector that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections.

The discussion paper seeks the views of councils and others on the following four options:

1. Maintaining the status quo – Mayors and councillors can continue to voluntarily contribute a portion of their fees to a complying superannuation fund of their choice
2. Mandate the current voluntary situation – Amend the *Local Government Act 1993* (the Act) to make it compulsory for councils to pay a portion of the mayors' and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillor.

3. Amend the Act to allow councils to voluntarily pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees. This means that the payment of councillor superannuation in addition to their fee would be at each council's discretion, allowing the council to take into account the council's resources and the local community's views.
4. Amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees.

3. Relevant Council Resolutions

Nil.

4. Discussion

The Discussion Paper identifies three key reasons to support councillors receiving superannuation payments in addition to their fees:

- It will ensure that mayors and councillors are adequately remunerated for the performance of their duties.
- It will address a historic anomaly that has seen mayors and councillors denied the benefit of superannuation guarantee payments enjoyed by the broader workforce.
- It is hoped it will encourage more women to stand as candidates for election to councils.

The Paper analyses each of these reasons and challenges some of the premises they are based on.

One of the key issues raised is the possibility that the payment of superannuation benefits to councillors could potentially result in lower annual increases set by the Remuneration Tribunal. This view is based on two inter-related factors:

- In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, under section 242A(1) of the Act, to give effect to the same policies on increases in remuneration as the Industrial Relations Commission. The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors.
- While superannuation guarantee payments are made in addition to an employee's wages, the Grattan Institute has demonstrated that higher compulsory superannuation contributions are ultimately funded by lower wages. When the superannuation guarantee increases, this is wholly or mostly borne by workers who receive smaller pay rises and lower take-home pay.

These concerns will of course only be tested if and when the changes are made and shouldn't deter any decision to ensure councillors' civic work is treated in the same way as the work of council employees.

The cost of paying the superannuation guarantee councillors would need to be met by each council out of its existing budget. This cost will vary from council to council depending on what fees the mayor and councillors receive and how many councillors there are on the council.

For Waverley, the report states that the current average annual cost to council of making a 9.5% superannuation contribution for councillors is \$21,541. The total estimated annual costs for Councillors in NSW is close to \$3 million.

5. Financial impact statement/Time frame/Consultation

Submissions are due by 8 May 2020. The government has not provided a timeline for reporting back to the sector following the consultation or for making a decision on the matter.

If and when the changes are made to make the payment of superannuation compulsory for councillors, Waverley will need to factor this into the budget.

6. Conclusion

Should Council support the recommendations in this report, Council officers will prepare and lodge a submission supporting the introduction of superannuation payments in line with the superannuation guarantee legislation and any legislative changes necessary to make this happen.

7. Attachments

1. OLG - Councillor superannuation - Discussion paper - March 2020 [↓](#)



Office of
Local Government

COUNCILLOR SUPERANNUATION

Discussion paper

March 2020

Strengthening local government

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Minister's foreword



Since becoming the Minister for Local Government, I have actively engaged with local councils across New South Wales. I am constantly impressed by the passion held by our mayors and councillors, and frequently find myself commenting on the incredible work ethic of many who continually deliver for their communities.

I am proud to be a part of a Government that is committed to supporting councils to deliver for their local communities. Since 2011 this Government has provided more than \$9 billion to local councils to deliver and improve local infrastructure, services and facilities for their communities. About half of this funding has gone to regional and rural communities which are struggling through one of the worst droughts on record and are recovering and rebuilding after the recent natural disasters. This funding boost has helped local councils provide the very things that make our communities tick – from local infrastructure to essential services and programs that unite local residents.

Under Commonwealth legislation, councils are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors because they are not employees of councils. Recently I was pleased to host a workshop where the obstacles that deter women from nominating to be a councillor or mayor were identified, and the lack of superannuation payments was one of the barriers raised. It can also be said that this goes some way in deterring people under 35 from representing their community on their local council.

As you know, mayors and councillors currently receive a level of remuneration that is independently set by the Local Government Remuneration Tribunal based on the application of a range of criteria. It is currently possible for councils to make superannuation contributions on behalf of mayors and councillors on a pre-tax basis out of the fees they receive from the council as determined by the Tribunal.

However, the Government recognises that not everyone agrees with the current arrangements and acknowledges the calls for councils to be required to make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fees. The purpose of this discussion paper is to encourage further discussion about this issue and assist the Government in better understanding the views of the local government sector and the broader community.

The discussion paper:

- provides information on the current system for setting councillor remuneration and the legislation governing superannuation contributions for elected officials
- sets out the arguments for and against the payment of superannuation contributions for mayors and councillors, and
- provides different options and legislative models.

I welcome your input into this conversation and look forward to hearing your views.

The Hon Shelley Hancock MP
Minister for Local Government

1. Should mayors and councillors in NSW receive superannuation payments in addition to their fees?

Reasons that mayors and councillors should receive superannuation payments in addition to their fees can be summarised as follows:

- it will ensure that mayors and councillors are adequately remunerated for the performance of their duties
- it will address a historic anomaly that has seen mayors and councillors denied the benefit of superannuation guarantee payments enjoyed by the broader workforce, and
- it is hoped it will encourage more women to stand as candidates for election to councils.

Each of these arguments are examined below.

Are NSW mayors and councillors adequately remunerated?

In NSW, the remuneration received by mayors and councillors is independently set by an expert tribunal, the Local Government Remuneration Tribunal.

Under section 239 of the *NSW Local Government Act 1993* (the Act), the Tribunal is required to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.

To ensure that mayors and councillors receive remuneration that is commensurate with, and reflects their workload and responsibilities, the Tribunal is required to consider a range of criteria under section 240 of the Act in determining remuneration categories. These include:

- the size, physical terrain, population and the distribution of the population of each local government area
- the nature and volume of business dealt with by each council
- the nature and extent of the development of each local government area
- the diversity of the communities each council serves
- the regional, national and international significance of the council, and
- any other matters the Tribunal considers relevant to the provision of efficient and effective local government.

The Tribunal last undertook a significant review of the categories and the allocation of councils into each of the categories in 2017. The Tribunal has indicated that it will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020.

Under section 241 of the Act, the Tribunal is required to determine, no later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.

As noted above, in determining the maximum and minimum fees payable in each of the categories, the Tribunal is required under section 242A(1) of the Act, to give effect to the same policies on increases in remuneration as the Industrial Relations Commission.

The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

However, the Tribunal is able to determine that a council can be placed into another existing or a new category with a higher range of fees without breaching the Government's wage policy pursuant to section 242A(3) of the Act. This means that where, for whatever reason, the workload or responsibilities of the mayor and councillors increase, they may receive an increase in remuneration that reflects their increased workload even if that increase exceeds the 2.5% public sector wages cap.

The current remuneration levels for mayors and councillors in each category are set out below:

Table 1: Minimum and maximum fees for NSW mayors and councillors

Category		Councils in Category	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
			Minimum	Maximum	Minimum	Maximum
General Purpose Councils – Metropolitan	Principal CBD	1	27,640	40,530	169,100	222,510
	Major CBD	1	18,430	34,140	39,160	110,310
	Metropolitan Large	8	18,430	30,410	39,160	88,600
	Metropolitan Medium	9	13,820	25,790	29,360	68,530
	Metropolitan Small	11	9,190	20,280	19,580	44,230
General Purpose Councils – Non - metropolitan	Regional City	2	18,430	32,040	39,160	99,800
	Regional Strategic Area	2	18,430	30,410	39,160	88,600
	Regional Rural	37	9,190	20,280	19,580	44,250
	Rural	57	9,190	12,160	9,780	26,530
County Councils	Water	4	1,820	10,140	3,920	16,660
	Other	6	1,820	6,060	3,920	11,060

- Mayors and county council chairpersons receive their fee **in addition to** the fee they receive as a councillor/member.

A comparison of average remuneration received by mayors and councillors in NSW with the remuneration received by their counterparts in other jurisdictions indicates that NSW councillors receive similar or higher levels of remuneration than their counterparts in other jurisdictions other than Queensland.

Table 2: Interjurisdictional comparison of councillor remuneration

Jurisdiction	Average	Lowest Fee	% NSW fee	Highest fee	% NSW fee
NSW	24,860	9,190		40,530	
QLD	121,194	53,049	577%	189,338	467%
VIC	27,450	8,660	94%	46,240	114%
TAS	22,824	9,322	101%	36,326	90%
WA	17,634	3,589	39%	31,678	78%
NT	23,263	7,755	84%	38,770	96%
SA	16,215	6,500	71%	25,930	64%

Table 3: Interjurisdictional comparison of mayors' remuneration

Jurisdiction	Average	Lowest Fee	% NSW fee	Highest fee	% NSW fee
NSW	160,315	57,590		263,040	
QLD	209,255	106,100	184%	312,410	119%
VIC	129,291	61,651	107%	196,931	75%
TAS	79,884	32,626	57%	127,142	48%
WA	70,685	4,102	7%	137,268	52%
NT	80,385	26,796	47%	133,974	51%
SA	101,500	26,000	45%	177,000	67%

Have NSW mayors and councillors been denied a financial benefit received by other members of the workforce through the payment of the superannuation guarantee?

The superannuation guarantee was introduced in 1992-93, with compulsory contributions rising at regular intervals from 3 per cent of wages in that year to 9 per cent in 2002-03 and 9.5 per cent in 2013-14. The superannuation guarantee is scheduled to rise incrementally from 9.5 per cent of wages today to 12 per cent by July 2025.

While superannuation guarantee payments are made in addition to an employee's wages, as the Grattan Institute has demonstrated¹, higher compulsory superannuation contributions are ultimately funded by lower wages. When the superannuation guarantee increases, this is wholly or mostly borne by workers who receive smaller pay rises and lower take-home pay. For example, when the superannuation guarantee increased by from 9 per cent to 9.25 per cent in 2013, the Fair Work Commission stated in its minimum wage decision that the proposed minimum wage increase was *"lower than it otherwise would have been in the absence of the Super Guarantee increase"*.

Given the evidence that superannuation guarantee payments are in effect paid for by workers through lower wages, it would be over simplifying the situation to assume that workers are receiving a 9.5% supplementary payment that is being denied to NSW mayors and councillors.

The last increase in the superannuation guarantee came into effect in 2013/14 when the contribution rate increased from 9.25% to 9.5%. A comparison of increases in average weekly earnings with increases in NSW mayors' and councillors' remuneration as determined by the Tribunal since then indicates that NSW mayors and councillors have, on average, enjoyed slightly higher increases in remuneration than the rest of the community.

Table 4: Comparison of increases in average weekly earnings with increases in mayors' and councillors' remuneration

Financial year	Average weekly ordinary time earnings Aust - annual average increase June to June each year	Councillor remuneration increase 1 July
1 July 2014 – 30 June 2015	2.3%	2.5%
1 July 2015 – 30 June 2016	2.0%	2.5%
1 July 2016 – 30 June 2017	2.2%	2.5%
1 July 2017 – 30 June 2018	1.8%	2.5%
1 July 2018 – 30 June 2019	2.7%	2.5%
1 July 2019 – 30 June 2020	3.1%	2.5%

¹ See John Daley and Brendan Coates (2018) [Money in retirement: More than enough](#). Grattan Institute. November 2018

Were councils to be required to make an additional payment on behalf of mayors and councillors equivalent to the superannuation guarantee amount (currently 9.5% of their fees) this would, in effect confer on mayors and councillors a 9.5% increase in their remuneration outside of the normal process for setting mayors' and councillors' remuneration by the Local Government Remuneration Tribunal.

This will not be a one-off increase. With the superannuation guarantee set to increase to 12% in the years up to 2025, this would see further increases to mayors' and councillors' remuneration over and above any increases approved by the Tribunal.

While the receipt of a 9.5% increase in their remuneration through the payment of the superannuation guarantee is likely to be widely supported by mayors and councillors, it is important that the community is consulted and support shown by them before changes are made.

At present it is not clear whether ratepayers would support seeing the revenue they contribute to their local councils being diverted from providing services and infrastructure to fund a 9.5% increase in remuneration for their elected representatives.

Will payment of the superannuation guarantee encourage more women to stand as candidates at council elections?

Payment of the superannuation guarantee for mayors and councillors has been promoted as an equity measure to address disparities in men's and women's superannuation balances.

Research has demonstrated that the principal impediments to more women standing as candidates at local government elections are:

- lack of awareness of local government and the role of councils and councillors
- feeling unqualified
- balancing carer and work commitments
- the investment of time required to be an effective councillor, and
- perceptions of the culture of councils and councillor conduct.²

The payment of the superannuation guarantee would benefit male and female councillors alike. In the short term, male mayors and councillors will be the principal beneficiaries of any increase in remuneration through the receipt of an additional superannuation payment given that they currently comprise 69% of councillors in NSW³.

Major stakeholders promoting an increase in the number of females represented on councils including Local Government NSW, Women for Election Australia, Australian Local Government Women's Association and the Country Women's Association of NSW recently noted that *"a key barrier for women standing for election to local government can be the lack of access to superannuation, with women unwilling to take on more work with insufficient remuneration"*. The stakeholders also noted *"women tend to have far lower superannuation balances than men, often due to time out of the workforce caring for family members"*.

² See Manion, Jo and Sumich, Mark (2013), [Influencing Change – Views of elected representatives on leadership, decision making and challenges for Local Government in NSW](#)

³ See Office of Local Government (2019), [NSW Candidate and Councillor Diversity Report 2017](#)

Will payment of the superannuation guarantee encourage younger people to stand as candidates at council elections?

Two separate studies undertaken by the University of Melbourne in 2014⁴ and 2015⁵ found that younger people tend not to be engaged by and are uninterested in superannuation or retirement planning. HECS repayments and saving to purchase a first home tend to be higher financial priorities for younger people than saving for retirement.

The average tenure of councillors is between one to two terms. More than three quarters (77%) of councillors elected at the 2012, 2016 and 2017 elections had served two terms or less. Assuming that councillors were to receive the superannuation guarantee of 9.5% with respect to their fees over one or two terms, as demonstrated by table 5, the value of the capital contributions made to their superannuation funds would, at retirement, represent a small proportion of their accumulated lifetime superannuation capital.

Table 5: Comparison of superannuation contribution amounts that would be made on the maximum annual fee in each category of council at a rate of 9.5% over 1 term (4 years) and 2 terms (8 years).

Category		Number of Councils in Category	Councillor/Member Maximum Annual Fee	4 years at 9.5%	8 years at 9.5%
General Purpose Councils – Metropolitan	Principal CBD	1	40,530	15,401	30,802
	Major CBD	1	34,140	12,973	25,946
	Metropolitan Large	8	30,410	11,556	23,112
	Metropolitan Medium	9	25,790	9,800	19,600
	Metropolitan Small	11	20,280	7,706	15,412
General Purpose Councils – Non-metropolitan	Regional City	2	32,040	12,175	24,350
	Regional Strategic Area	2	30,410	11,556	23,112
	Regional Rural	37	20,280	7,706	15,412
	Rural	57	12,160	4,621	9,242
County Councils	Water	4	10,140	3,853	7,706

⁴ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2014), [Superannuation Knowledge, Behaviour and Attitudes in Young Adults in Australia](#). CIFR Paper No. RP002/2014

⁵ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2015), [No Thought for Tomorrow: Young Australian Adults' Knowledge, Behaviour and Attitudes About Superannuation](#). Law and Financial Markets Review Vol. 9, No. 2, pages 90-105

	Other	6	6,060	2,303	4,606
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How much will it cost and who will pay?

The cost of paying the superannuation guarantee for mayors and councillors will need to be met by each council out of its existing budget.

This cost will vary from council to council depending on what fees the mayor and councillors receive and how many councillors there are on the council. The table below sets out the average annual cost to councils in each remuneration category of paying the 9.5% superannuation guarantee for the mayor and each councillor based on the maximum annual fee payable in each category.

The total estimated annual cost of paying the 9.5% superannuation guarantee for mayors and councillors for the local government sector as whole is close to \$3 million (\$2,758,739).

Table 6: Average annual cost to councils of making a 9.5% superannuation contribution for mayors and councillors

Category		Councils in Category	Average annual cost of paying 9.5% superannuation contribution for mayors and councillors
General Purpose Councils – Metropolitan	Principal CBD	1	55,792
	Major CBD	1	55,886
	Metropolitan Large	8	45,973
	Metropolitan Medium	9	35,911
	Metropolitan Small	11	21,541
General Purpose Councils – Non-metropolitan	Regional City	2	46,007
	Regional Strategic Area	2	45,973
	Regional Rural	37	21,543
	Rural	57	11,762
County Councils	Water	4	9,289
	Other	6	5,081

2. Why are councils not required to make superannuation guarantee payments to mayors and councillors?

The Commonwealth *Superannuation Guarantee (Administration) Act 1993* (SG Act) imposes an obligation on an employer to pay the superannuation guarantee of 9.5% of an employee's earnings to a complying superannuation fund nominated by the employee.

The obligations under the SG Act do not extend to councils with respect to the fees they pay to mayors and councillors because they are not employees of the council for the purposes of that Act. Mayors and councillors are elected to a civic office in the council and the council is not their employer.

Section 12(9A) of the SG Act expressly excludes mayors and councillors across Australia from the definition of "employee" meaning that councils are not obliged to make superannuation guarantee payments to mayors and councillors under that Act. Section 12(9A) of the SG Act provides that, "*a person who holds office as a member of a local government council is not an employee of the council*".

Section 251 of the NSW Local Government Act also makes it clear that the payment of a fee to a mayor or councillor does not constitute the payment of a salary and mayors and councillors are not to be taken to be employees of councils because of the payment of the fee.

3. Can NSW councils make superannuation contributions on behalf of mayors and councillors as a component of their fees?

There is nothing currently preventing councils from making superannuation contributions on a voluntary basis on behalf of the mayor and councillors.

The Australian Tax Office has made a definitive ruling, (ATO ID 2007/205) that allows for mayors and councillors to redirect their annual fees into superannuation on a pre-tax basis.

In practical terms, there is nothing currently preventing mayors and councillors, who wish to make concessional contributions to their superannuation funds, from entering into an arrangement with their council under which they agree to forego part of their remuneration in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Councils are also able to determine for themselves, by council resolution and/or within an appropriate council policy, if and how councillors may do this.

4. Can NSW councils make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fee?

It is open to councils under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the Commonwealth *Taxation Administration Act 1953* (TAA) to resolve that mayors and councillors are subject to Pay As You Go withholding. The resolution must be unanimous to be effective.

A resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA operates to take the mayor and councillors out of section 12(9A) of the SG Act, which recognises that they are not employees of the council, and brings them within section 12(10) of the SG Act which states that:

A person covered by paragraph 12-45(1)(e) in Schedule 1 to the Taxation Administration Act 1953 (about members of local governing bodies subject to PAYG withholding) is an employee of the body mentioned in that paragraph.

Section 12(1) effectively deems the mayor and councillors to be employees and the council to be their employer for the purposes of the SG Act. This will mean the council will be obliged to make superannuation guarantee contributions (currently 9.5% of the mayor's and councillors' fees) to complying superannuation funds in respect of fees paid to the mayor and councillors. These contributions would be paid in addition to the fees received by the mayor and councillors.

It should be noted however that a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA will also result in mayors and councillors being treated as employees for a wide range of other taxation purposes. Among other things:

- the council will have to withhold amounts from the payment of fees to the mayor and councillors in accordance with section 12-45(1)(e) of Schedule 1 of the TAA
- the council will be subject to fringe benefits tax under the Commonwealth *Fringe Benefits Tax Assessment Act 1986* on the taxable value of expenses paid to and facilities provided to the mayor and councillors under the council's councillor expenses and facilities policy adopted under section 252 of the LGA, and
- the council will be obliged under Commonwealth *Child Support (Registration and Collection) Act 1988* to withhold payments from fees paid to the mayor and councillors for the purposes of making child support/maintenance/carers payments.

It is unclear however whether a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA is permissible under sections 248(2) and 249(3) of the Act where it would have the consequence of requiring a council to make a superannuation guarantee contribution in respect of the fees paid to councillors and the mayor that, taken together with their fees, exceeds the maximum amount determined by the Local Government Remuneration Tribunal.

It is also unclear what impact section 242A of the Act would have in relation to a council's resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA. Section 242A of the Act places an obligation on the Local Government Remuneration Tribunal when determining the remuneration of mayors and councillors, to apply the same policies on increases in remuneration as those that the Industrial Relations Commission is required to apply under section 146C of the NSW *Industrial Relations Act 1996* when making or varying awards or orders relating to the conditions of employment of public sector employees.

It is possible that where a council is obliged to make superannuation guarantee contributions on behalf of the mayor and councillors in addition to their fee, the Tribunal may, in turn, be obliged under section 242A to make a determination reducing the mayor's and councillors' fees to ensure that the fee and superannuation contribution do not result in an increase that exceeds the 2.5% public sector wages cap.

5. What is the position in Queensland?

Section 226 of the Queensland *Local Government Act 2009* gives councils the option to pay an amount into a complying superannuation fund on behalf of the mayor and councillors up to an amount payable with respect to employees of the council. The amount paid is in addition to the amount the mayor and councillor receive as a fee. Alternatively, councils may contribute a portion of the mayor's or councillors' fees to complying superannuation fund as is the case in NSW.

6. Options

Option 1: Maintaining the status quo

Under this option, councils will continue not to be obliged to make superannuation guarantee payments on behalf of the mayor and councillors. Mayors and councillors who wish to make concessional contributions to their superannuation funds can continue to enter into an arrangement with the council under which they agree to forego part of their fee in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Option 2: Amending the NSW *Local Government Act 1993* to require councils to pay a portion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Under this option, the Act would be amended to require councils to pay a proportion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Option 3: Amending the NSW *Local Government Act 1993* to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the payment of the mayor's and councillors' fees.

Under this option, all councils will be required to pay an amount equivalent to the superannuation guarantee contribution payable with respect to the mayor's and councillors' fees, into a complying superannuation fund nominated by the mayor and councillors. The payment would be made in addition to the payment of the mayor's and councillors' fees.

A supporting amendment would be required to exempt the additional payment from section 242A of the Act.

Option 4: Amend the NSW *Local Government Act 1993* to give councils the option to pay an amount equivalent to the superannuation guarantee into a

complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees.

This option is based on the Queensland model. Under this option, the payment of an additional superannuation contribution in addition to the mayor's and councillors' fees would be optional for councils. Councils would also have the option to make a superannuation contribution on behalf of the mayor and councillors as a portion of the mayor's or councillors' fees.

As with option 3, a supporting amendment would be required to exempt the additional payment from section 242A of the Act.

7. Have Your Say

We now want to hear from you.

Key questions to consider

- **Should councils be required to make superannuation contributions for the mayor and councillors?**
- **Should contributions be made as a portion of mayors' and councillors' fees or in addition to them?**
- **Which is your preferred option?**
- **Do you have an alternative suggested option?**

Submissions may be made in writing by COB Friday 8 May 2020 to the following addresses.

Post

Locked Bag 3015
NOWRA NSW 2541

Email:

olg@olg.nsw.gov.au

Submissions should be labelled 'Councillor Superannuation Consultation' and marked to the attention of OLG's Council Governance Team.

Further information

For more information, please contact OLG's Council Governance Team on (02) 4428 4100 or via email at olg@olg.nsw.gov.au.

**REPORT
CM/7.3/20.04**

Subject: Investment Portfolio Report - March 2020

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 March 2020 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 March 2020, Council's Investment Portfolio generated \$263,148 of interest.

The interest on investment budget for the 2019–20 financial year was adopted by Council at its meeting on 18 June 2019, and was set at \$3,865,231. Second quarter amendment increasing budgeted interest to \$3,875,231 was adopted by Council at its meeting on 18 February 2020.

The TCorp Long term Growth fund was down 9.5% (\$967,689) during March due to the human and economic toll of the Covid-19 virus. The fund's diversification among a wide range of asset classes reduced the impact on the fund's performance compared to the widely reported drop in domestic and most international share markets. Council has \$9,189,093 invested in this fund as at 31/03/2020.

The interest income for the year to date figure as at 31 March 2020 is tracking at 73.26% (\$2,839,075) of the current budget forecast of \$3,875,231.

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 table below illustrates the monthly interest income received by Council and performance against the Budget.

Table 1. Monthly interest income received by Council.

Month	2019/20 Budget (\$)	Actual Monthly (\$)	Actual YTD (\$)	Tracking YTD Original Budget %	Current Budget %
July	3,865,231	374,347	374,347	9.68%	
August	3,865,231	368,646	742,993	19.22%	
September	3,865,231	314,157	1,057,150	27.35%	
October	3,865,231	409,532	1,466,682	37.95%	
November	3,865,231	298,396	1,765,078	45.67%	
December	3,865,231	259,164	2,024,242	52.37%	
Q2 Amendment	10,000				
January	3,875,231	300,294	2,324,536	60.14%	59.98%
February	3,875,231	251,390	2,575,926	66.64%	66.47%
March	3,875,231	263,148	2,839,075	73.45%	73.26%

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 17 March 2020	CM/7.1/20.03	That Council: <ol style="list-style-type: none"> 1. Receives and notes the Investment Summary Report for February 2020 attached to this report. 2. Notes that all investments have been made in accordance with the requirements of section 625 of the <i>Local Government Act 1993</i> and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

4. Discussion

As at 31 March 2020, Council's cash investment portfolio generated interest earnings of \$2,839,075 representing 73.26% of the current approved budget of \$3,875,231.

Council's investment portfolio posted a return of -5.97% pa for the month of March versus the Ausbond Bank Bill Index benchmark return of 1.18% pa. The Portfolio had a negative return for the month because the TCorp Long Term Growth Fund was down 9.5%. Council has \$9,189,093 invested in this fund as at 31/03/2020.

Over the last 12 months, Council's investment portfolio has exceeded the Ausbond Bank Bill index benchmark by 0.43% pa (1.66% vs 1.23% pa).

Portfolio value

Council's investment portfolio, as at 31 March 2020, has a current market value of \$181,817,897 which represents a gain of \$744,517 on the \$181,073,380 face value of the portfolio. 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
Bonds	\$ 3,000,000	\$ 3,085,389
Cash	\$ 7,248,175	\$ 7,248,175
Floating Rate Note	\$ 28,800,000	\$ 28,805,825
Floating Rate Term Deposits	\$ 8,500,000	\$ 8,513,446
Managed Funds	\$ 13,525,205	\$ 13,525,205
Term Deposit	\$ 120,000,000	\$ 120,639,857
Total	\$ 181,073,380	\$181,817,897

Analysis

Attached to this report is the Summary of Investment Portfolio for the period ending 31 March 2020. These reports are prepared by Council's independent financial advisor, Prudential Investment Services Corp.

Included in this report are tables showing that the Portfolio had a negative return for the month of March 2020 because the TCorp Long Term Growth Fund was down 9.5% during March 2020. Council has \$9,189,093 invested in this fund as at 31/03/2020. The fund's diversification among a wide range of asset classes resulted in better returns than the widely reported drop in domestic and most international share markets. Australian shares fell -20.9% with Energy (-37.6%) and IT (-35.2%) leading the falls. Consumer staples was the best performing sector (-3.5%) as the grocery chains stood to benefit in the short term from the stockpiling of day to day goods. Overseas markets were all weaker with the US S&P 500 (-12.4%), European S&P350 (-14.1%), Japanese S&P 500 (-6.5%), and the Chinese S&P 300 (-6.3%) all falling. However, the fund is to be held for a longer term, between 7 to 10 years. A return of CPI plus 3.5% p.a. is estimated over a period of 10 years. The overall return for the last 12 months has exceeded the AusBond Bank Bill index by 0.43% pa (1.66% vs 1.23% pa).

Table 3. Portfolio return.

Month	Portfolio Return %	Ausbond BB Index %	Variance %
Apr-19	3.08	2.01	1.07
May-19	2.71	1.79	0.92
June-19	2.47	1.62	0.85
July-19	3.31	1.42	1.89
Aug-19	1.99	0.99	1.00
Sep-19	2.53	1.03	1.50
Oct-19	2.08	0.95	1.13
Nov-19	3.46	1.00	2.46
Dec-19	1.61	0.85	0.76
Jan-20	3.78	0.96	2.82
Feb-20	-0.83	0.95	-1.78
March-20	-5.97	1.18	-7.15
Average % return Over the last 12 months	1.66	1.23	0.43

Council has a well-diversified portfolio invested among a range of term deposits and floating rate notes from highly rated Australian ADIs. 85% of the portfolio is spread among the top three credit rating categories (A long term/A2 short term and higher) and NSW TCorpIM managed funds.

It is noted that some draw down on Council's investment funds is likely to be required over the coming month as revenues are affected by the Covid-19 pandemic in order to assist in funding operational requirements.

Investments in ethically, socially and environmentally beneficial alternatives

As at the end of March 2020, 80% of Council's portfolio was invested in non-fossil fuel lending ADIs and socially responsible investments, while fossil fuel lending ADIs accounted for 12.6% of the portfolio. The remaining 7.5% is invested with TCorp.

When excluding the capital money to meet day-to-day operating requirement in the CBA bank account (a fossil fuel lending bank), 83.3% of Council's investment portfolio was invested in non-fossil fuel lending ADIs and socially responsible investments, while fossil fuel lending ADIs accounted for 8.9% of the portfolio.

Over the period of 22 months, from June 2018 to March 2020, Council has reduced its investment in fossil fuel lending ADIs from 59% to 12.6% as displayed in Figure 1 below. It is down from 17.6% in February.

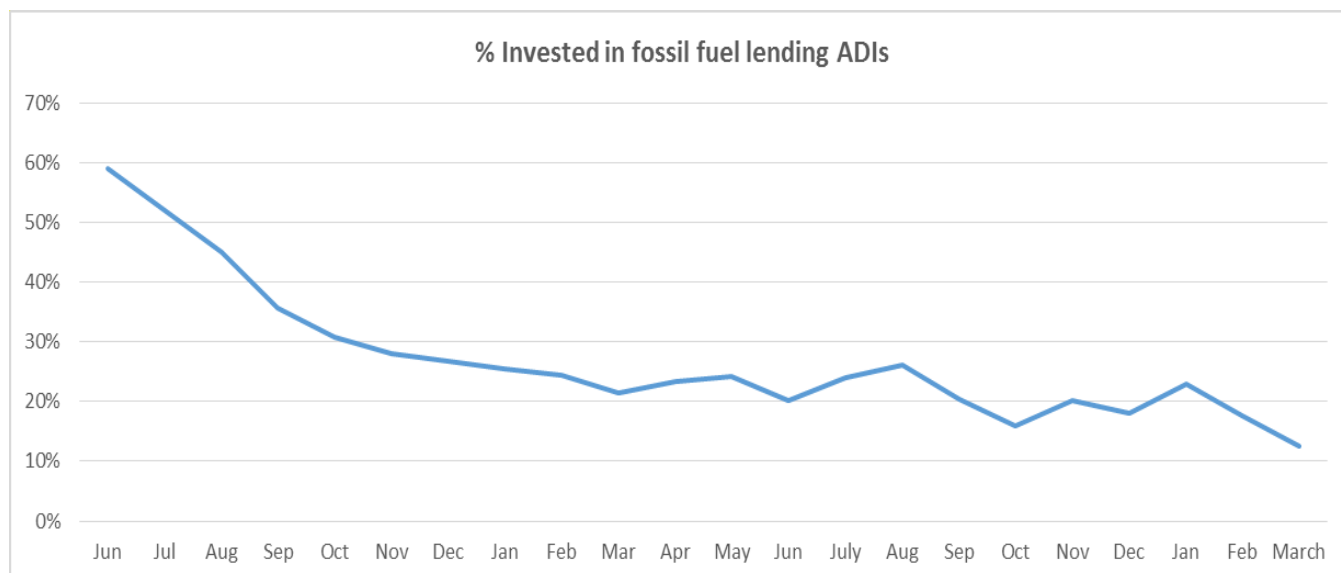


Figure 1. Investments in fossil fuel lending ADIs.

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 achieved interest earning of \$2,839,075 YTD at 31 March 2020, it represents 73.26% of the current budgeted interest of \$3,875,231. It is tracking below the budget due to the effect of the coronavirus pandemic on the financial market. A revision amendment is expected in the Q3 budget review.

A revision amendment is also expected to reflect the likely draw down on funds to meet operational requirements in response to revenue reductions associated with Covid-19.

7. Attachments

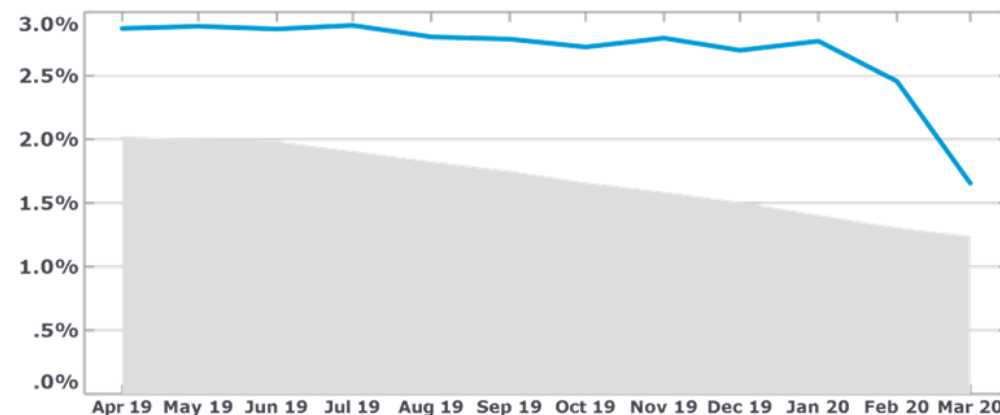
1. Investment Summary Report - March 2020 [↓](#)



Investment Summary Report March 2020

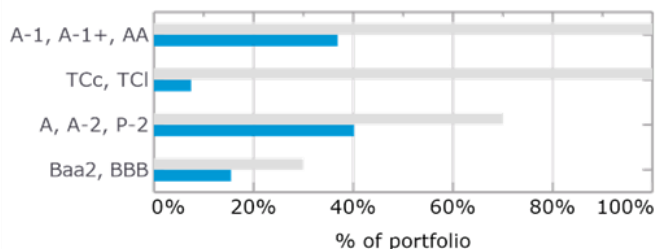
Waverley Council**Executive Summary - March 2020****Investment Holdings**

	Face Value (\$)	Current Value (\$)
Bonds	3,000,000.00	3,085,389.23
Cash	7,248,174.92	7,248,174.92
Floating Rate Note	28,800,000.00	28,805,825.38
Floating Rate Term Deposits	8,500,000.00	8,513,445.62
Managed Funds	13,525,204.65	13,525,204.65
Term Deposit	120,000,000.00	120,639,857.27
	181,073,379.57	181,817,897.07

Investment Performance

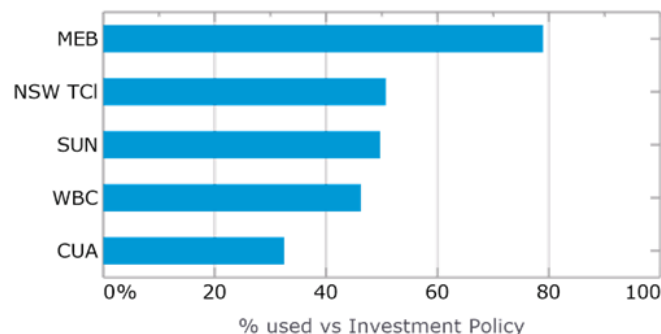
Portfolio Rolling 12 month return

AusBond BB Index Rolling 12 month 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	134,523,380	74%	100%
Between 1 and 3 Years	43,050,000	24%	50%
Between 3 and 10 Years	3,500,000	2%	30%
	181,073,380		

Waverley Council

Investment Holdings Report - March 2020

**Cash Accounts**

Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
5,294,329.60	0.6500%	Commonwealth Bank of Australia	A-1+	5,294,329.60	120789	24hr Call
539,316.12	0.0000%	Commonwealth Bank of Australia	A-1+	539,316.12	120794	General Funds
42,120.38	0.0000%	Commonwealth Bank of Australia	A-1+	42,120.38	120795	Trust Funds
391,778.63	0.0000%	Commonwealth Bank of Australia	A-1+	391,778.63	120796	Cemetery Funds
245,402.74	0.0000%	Commonwealth Bank of Australia	A-1+	245,402.74	120797	Depositor Funds
142,816.12	0.0000%	Commonwealth Bank of Australia	A-1+	142,816.12	120799	Library CP
338,184.99	0.0000%	Commonwealth Bank of Australia	A-1+	338,184.99	120800	Eastgate CP
216,654.72	0.0000%	Commonwealth Bank of Australia	A-1+	216,654.72	120801	Hollywood Av CP
37,571.62	0.0000%	Commonwealth Bank of Australia	A-1+	37,571.62	370151	Library Gift
7,248,174.92	0.4748%			7,248,174.92		

Managed Funds

Face Value (\$)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
2,141,009.59	-0.8221%	NSW T-Corp (Cash)	TCC	Short Term Income Fund	2,141,009.59	411310	Builder Deposits
2,195,101.71	-0.1272%	NSW T-Corp (Cash)	TCC	Cash Fund	2,195,101.71	505262	
9,189,093.35	-9.5275%	NSW T-Corp (LT)	TCI	Long Term Growth Fund	9,189,093.35	538089	
13,525,204.65					13,525,204.65		

Term Deposits

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
14-Apr-20	3,000,000.00	1.6700%	Suncorp Bank	A-1	3,000,000.00	20-Sep-19	3,026,628.49	538551	26,628.49	At Maturity	
21-Apr-20	4,000,000.00	1.6700%	Suncorp Bank	A-1	4,000,000.00	20-Sep-19	4,035,504.66	538550	35,504.66	At Maturity	
21-Apr-20	2,000,000.00	1.6500%	ME Bank	A-2	2,000,000.00	9-Oct-19	2,015,821.92	538600	15,821.92	At Maturity	
28-Apr-20	1,000,000.00	1.6500%	Suncorp Bank	A-1	1,000,000.00	20-Sep-19	1,008,769.86	538552	8,769.86	At Maturity	
28-Apr-20	1,000,000.00	2.2600%	Westpac Group	A-1+	1,000,000.00	13-May-19	1,002,972.05	537941	2,972.05	Quarterly	Green
5-May-20	2,000,000.00	2.2600%	Westpac Group	A-1+	2,000,000.00	13-May-19	2,005,944.11	537940	5,944.11	Quarterly	Green

Waverley Council**Investment Holdings Report - March 2020****Term Deposits**

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
12-May-20	1,000,000.00	2.4500%	Auswide Bank	P-2	1,000,000.00	16-May-19	1,021,546.58	537954	21,546.58	At Maturity	
12-May-20	3,000,000.00	1.6500%	ME Bank	A-2	3,000,000.00	9-Oct-19	3,023,732.88	538601	23,732.88	At Maturity	
19-May-20	2,000,000.00	2.4500%	Auswide Bank	P-2	2,000,000.00	16-May-19	2,043,093.15	537955	43,093.15	Annually	
26-May-20	1,000,000.00	2.4500%	Auswide Bank	P-2	1,000,000.00	20-May-19	1,021,278.08	537958	21,278.08	At Maturity	
2-Jun-20	2,000,000.00	2.4500%	Auswide Bank	P-2	2,000,000.00	20-May-19	2,042,556.16	537959	42,556.16	At Maturity	
9-Jun-20	2,000,000.00	1.6000%	ME Bank	A-2	2,000,000.00	4-Feb-20	2,004,997.26	539424	4,997.26	At Maturity	
16-Jun-20	2,000,000.00	2.1500%	Auswide Bank	P-2	2,000,000.00	20-Jun-19	2,033,693.15	538062	33,693.15	At Maturity	
16-Jun-20	3,000,000.00	1.9400%	Westpac Group	A-1+	3,000,000.00	17-Jun-19	3,002,391.78	538045	2,391.78	Quarterly	Green
23-Jun-20	2,000,000.00	1.6000%	ME Bank	A-2	2,000,000.00	18-Feb-20	2,003,769.86	539463	3,769.86	At Maturity	
30-Jun-20	3,000,000.00	1.6000%	ME Bank	A-2	3,000,000.00	4-Feb-20	3,007,495.89	539425	7,495.89	At Maturity	
7-Jul-20	1,500,000.00	1.6000%	ME Bank	A-2	1,500,000.00	21-Feb-20	1,502,630.14	539479	2,630.14	At Maturity	
14-Jul-20	3,000,000.00	1.6000%	ME Bank	A-2	3,000,000.00	4-Feb-20	3,007,495.89	539426	7,495.89	At Maturity	
21-Jul-20	2,000,000.00	1.6000%	ME Bank	A-2	2,000,000.00	18-Feb-20	2,003,769.86	539464	3,769.86	At Maturity	
28-Jul-20	3,000,000.00	1.6500%	Credit Union Australia	A-2	3,000,000.00	10-Dec-19	3,015,324.66	538895	15,324.66	At Maturity	
11-Aug-20	5,000,000.00	1.7000%	ME Bank	A-2	5,000,000.00	13-Aug-19	5,054,027.40	538387	54,027.40	At Maturity	
25-Aug-20	3,000,000.00	1.7000%	ME Bank	A-2	3,000,000.00	21-Aug-19	3,031,298.63	538407	31,298.63	At Maturity	
26-Aug-20	4,000,000.00	1.5800%	Westpac Group	A-1+	4,000,000.00	22-Aug-19	4,006,406.58	538408	6,406.58	Quarterly	Green
8-Sep-20	3,000,000.00	1.6700%	Westpac Group	A-1+	3,000,000.00	11-Sep-19	3,002,882.47	538521	2,882.47	Quarterly	Green
15-Sep-20	1,500,000.00	1.6000%	ME Bank	A-2	1,500,000.00	21-Feb-20	1,502,630.14	539480	2,630.14	At Maturity	
22-Sep-20	5,000,000.00	1.6800%	Westpac Group	A-1+	5,000,000.00	12-Sep-19	5,004,602.74	538526	4,602.74	Quarterly	Green
30-Sep-20	3,000,000.00	1.9000%	ME Bank	A-2	3,000,000.00	17-Sep-19	3,030,764.38	538533	30,764.38	At Maturity	
27-Oct-20	3,000,000.00	3.0000%	Rural Bank	A-2	3,000,000.00	22-Oct-18	3,039,945.21	537252	39,945.21	Annually	
10-Nov-20	4,000,000.00	1.5200%	Westpac Group	A-1+	4,000,000.00	14-Nov-19	4,007,829.04	538671	7,829.04	Quarterly	Green
17-Nov-20	3,000,000.00	1.6300%	Credit Union Australia	A-2	3,000,000.00	19-Nov-19	3,017,952.33	538736	17,952.33	At Maturity	
24-Nov-20	2,000,000.00	1.6300%	Credit Union Australia	A-2	2,000,000.00	26-Nov-19	2,011,343.01	538819	11,343.01	At Maturity	

Waverley Council

Investment Holdings Report - March 2020

**Term Deposits**

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
1-Dec-20	3,000,000.00	1.6000%	Suncorp Bank	A-1	3,000,000.00	25-Mar-20	3,000,920.55	539595	920.55	At Maturity	
15-Dec-20	2,000,000.00	2.9500%	Credit Union Australia	A-2	2,000,000.00	18-Dec-18	2,016,972.60	537426	16,972.60	Annually	
25-Jan-21	3,000,000.00	1.6500%	Auswide Bank	P-2	3,000,000.00	13-Feb-20	3,006,509.59	539456	6,509.59	At Maturity	
9-Feb-21	2,500,000.00	2.9500%	Newcastle Permanent Building Society	A-2	2,500,000.00	11-Feb-19	2,510,102.74	537536	10,102.74	Annually	
23-Feb-21	2,000,000.00	2.9000%	Credit Union Australia	A-2	2,000,000.00	26-Feb-19	2,005,561.64	537565	5,561.64	Annually	
9-Mar-21	3,000,000.00	1.5500%	MyState Bank	P-2	3,000,000.00	13-Mar-20	3,002,420.55	539571	2,420.55	At Maturity	
16-Mar-21	3,000,000.00	1.7200%	Suncorp Bank	A-1	3,000,000.00	17-Mar-20	3,002,120.55	539581	2,120.55	At Maturity	
23-Mar-21	6,000,000.00	1.6000%	Suncorp Bank	A-1	6,000,000.00	19-Mar-20	6,003,419.18	539589	3,419.18	At Maturity	
8-Jun-21	6,000,000.00	3.1500%	Westpac Group	AA-	6,000,000.00	6-Jun-18	6,013,463.01	536715	13,463.01	Quarterly	
3-Aug-21	2,000,000.00	1.9000%	Bank of Queensland	BBB+	2,000,000.00	6-Aug-19	2,024,882.19	538366	24,882.19	Annually	
21-Sep-21	2,500,000.00	2.8000%	Newcastle Permanent Building Society	BBB	2,500,000.00	25-Mar-19	2,501,342.47	537651	1,342.47	Annually	
8-Feb-22	3,000,000.00	3.0500%	Newcastle Permanent Building Society	BBB	3,000,000.00	19-Feb-19	3,010,528.77	537553	10,528.77	Annually	
8-Mar-22	2,000,000.00	1.7000%	Auswide Bank	Baa2	2,000,000.00	5-Mar-20	2,002,515.07	539531	2,515.07	Annually	
120,000,000.00		1.9574%			120,000,000.00		120,639,857.27		639,857.27		

Floating Rate Term Deposits

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
10-Jun-21	3,000,000.00	1.6465%	Commonwealth Bank of Australia ¾yr@4% then BBSW+1.08%	AA-	3,000,000.00	10-Jun-16	3,002,977.23	535380	2,977.23	10-Jun-20	
16-Nov-21	3,000,000.00	1.6300%	Westpac Group 3moBBSW+0.82%	AA-	3,000,000.00	28-Nov-18	3,004,421.10	537360	4,421.10	28-May-20	Green
16-May-22	2,500,000.00	2.0066%	Westpac Group 3moBBSW+1.10%	AA-	2,500,000.00	16-May-17	2,506,047.29	535241	6,047.29	18-May-20	
8,500,000.00		1.7466%			8,500,000.00		8,513,445.62		13,445.62		

Waverley Council

Investment Holdings Report - March 2020

**Floating Rate Notes**

Maturity Date	Face Value (\$)	Rate (%pa)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Reference Date
7-Apr-20	3,000,000.00	2.2643%	NPBS Snr FRN (Apr20) BBSW+1.35%	A-2	3,000,000.00	7-Apr-15	3,016,251.26	504013	15,819.08	7-Apr-20
7-Apr-20	1,000,000.00	2.2643%	NPBS Snr FRN (Apr20) BBSW+1.35%	A-2	1,011,250.00	1-Dec-17	1,005,417.09	536004	5,273.03	7-Apr-20
9-Nov-20	2,250,000.00	2.1600%	ME Bank Snr FRN (Nov20) BBSW+1.25%	A-2	2,250,000.00	9-Nov-17	2,261,448.18	535919	6,790.68	11-May-20
12-Apr-21	1,500,000.00	2.2750%	SUN Snr FRN (Apr21) BBSW+1.38%	A+	1,500,000.00	12-Apr-16	1,515,890.96	533415	7,385.96	14-Apr-20
16-Apr-21	2,500,000.00	2.1466%	ME Bank Snr FRN (Apr21) BBSW+1.27%	BBB	2,500,000.00	17-Apr-18	2,515,774.08	536513	11,174.08	16-Apr-20
18-May-21	2,000,000.00	2.3800%	BoQ Snr FRN (May21) BBSW+1.48%	BBB+	2,000,000.00	18-May-16	2,018,307.67	533605	5,607.67	18-May-20
2-Jul-21	2,100,000.00	2.2974%	TMB Snr FRN (Jul21) BBSW+1.37%	BBB	2,100,000.00	2-Jul-18	2,119,981.13	536787	11,896.13	2-Apr-20
30-Aug-21	1,500,000.00	2.1100%	BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	BBB	1,500,000.00	30-Aug-18	1,507,841.51	536983	2,861.51	29-May-20
28-Oct-22	2,400,000.00	1.7841%	TMB Snr FRN (Oct22) BBSW+0.90%	BBB	2,400,000.00	28-Oct-19	2,384,251.88	538616	7,507.88	28-Apr-20
2-Dec-22	3,000,000.00	1.4692%	BOz 'SRI' Snr FRN (Dec22) BBSW+0.90%	BBB	3,000,000.00	2-Dec-19	2,967,142.68	538825	3,622.68	2-Jun-20
25-Jan-23	1,250,000.00	1.9341%	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	1,250,000.00	25-Jan-18	1,247,126.62	536145	4,239.12	28-Apr-20
6-Feb-23	1,100,000.00	2.3150%	NPBS Snr FRN (Feb23) BBSW+1.40%	BBB	1,100,000.00	6-Feb-18	1,105,300.19	536174	3,837.19	6-May-20
21-Feb-23	1,700,000.00	1.7872%	CUA Snr FRN (Feb23) BBSW+0.90%	BBB	1,700,000.00	21-Feb-20	1,676,045.69	539454	3,329.58	21-May-20
30-Jul-24	2,500,000.00	1.6700%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,500,000.00	30-Jul-19	2,463,191.78	538331	7,091.78	30-Apr-20
24-Oct-24	1,000,000.00	2.0100%	CUA Snr FRN (Oct24) BBSW+1.12%	BBB	1,000,000.00	24-Oct-19	1,001,854.66	538604	3,744.66	24-Apr-20
28,800,000.00		2.0251%			28,811,250.00		28,805,825.38		100,181.03	

Fixed Rate Bonds

Maturity Date	Face Value (\$)	Rate (%pa)	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-1	3,042,780.00	18-May-18	3,085,389.23	536638	47,019.23	3.0000%	
3,000,000.00					3,042,780.00		3,085,389.23		47,019.23	3.0000%	

Waverley Council**Accrued Interest Report - March 2020****Accrued Interest Report**

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
<u>Bonds</u>									
SUN Snr Bond (Oct20) 3.50%	536638		3,000,000.00	18-May-18	20-Oct-20		31	8,942.31	3.51%
Bonds Total								8,942.31	3.51%
<u>Floating Rate Note</u>									
CUA Snr FRN (Mar20) BBSW+1.30%	534995		3,000,000.00	20-Mar-17	20-Mar-20	16,560.25	19	3,457.63	2.21%
CUA Snr FRN (Mar20) BBSW+1.30%	535984		3,200,000.00	24-Nov-17	20-Mar-20	17,664.27	19	3,688.14	2.21%
NPBS Snr FRN (Apr20) BBSW+1.35%	504013		3,000,000.00	07-Apr-15	07-Apr-20		31	5,769.31	2.26%
NPBS Snr FRN (Apr20) BBSW+1.35%	536004		1,000,000.00	01-Dec-17	07-Apr-20		31	1,923.11	2.26%
ME Bank Snr FRN (Nov20) BBSW+1.25%	535919		2,250,000.00	09-Nov-17	09-Nov-20		31	4,127.67	2.16%
SUN Snr FRN (Apr21) BBSW+1.38%	533415		1,500,000.00	12-Apr-16	12-Apr-21		31	2,898.29	2.28%
ME Bank Snr FRN (Apr21) BBSW+1.27%	536513		2,500,000.00	17-Apr-18	16-Apr-21		31	4,557.85	2.15%
BoQ Snr FRN (May21) BBSW+1.48%	533605		2,000,000.00	18-May-16	18-May-21		31	4,042.74	2.38%
TMB Snr FRN (Jul21) BBSW+1.37%	536787		2,100,000.00	02-Jul-18	02-Jul-21		31	4,097.56	2.30%
BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	536983		1,500,000.00	30-Aug-18	30-Aug-21		31	2,688.09	2.11%
TMB Snr FRN (Oct22) BBSW+0.90%	538616		2,400,000.00	28-Oct-19	28-Oct-22		31	3,636.63	1.78%
BOz 'SRI' Snr FRN (Dec22) BBSW+0.90%	538825		3,000,000.00	02-Dec-19	02-Dec-22	13,350.82	31	3,769.39	1.48%
BEN Snr FRN (Jan23) BBSW+1.05%	536145		1,250,000.00	25-Jan-18	25-Jan-23		31	2,053.32	1.93%
NPBS Snr FRN (Feb23) BBSW+1.40%	536174		1,100,000.00	06-Feb-18	06-Feb-23		31	2,162.78	2.31%
CUA Snr FRN (Feb23) BBSW+0.90%	539454		1,700,000.00	21-Feb-20	21-Feb-23		31	2,580.42	1.79%
SUN Snr FRN (Jul24) BBSW+0.78%	538331		2,500,000.00	30-Jul-19	30-Jul-24		31	3,545.89	1.67%
CUA Snr FRN (Oct24) BBSW+1.12%	538604		1,000,000.00	24-Oct-19	24-Oct-24		31	1,707.13	2.01%
Floating Rate Note Total						47,575.34		56,705.95	2.05%
<u>Floating Rate Term Deposits</u>									

Waverley Council**Accrued Interest Report - March 2020****Accrued Interest Report**

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Commonwealth Bank of Australia	535380		3,000,000.00	10-Jun-16	10-Jun-21	14,725.55	31	4,433.61	1.74%
Westpac Group	535380	Green	3,000,000.00	10-Jun-16	10-Jun-21		31	4,153.15	1.63%
Westpac Group	535241		2,500,000.00	16-May-17	16-May-22		31	4,260.59	2.01%
Floating Rate Term Deposits Total						14,725.55		12,847.35	1.78%
<u>Managed Funds</u>									
Short Term Income Fund	411310	Builder Deposits	2,141,009.59	01-Dec-15			31	-17,746.68	-9.26%
Cash Fund	505262		2,195,101.71	30-Jul-15			31	-2,794.60	-1.49%
Managed Funds Total								-20,541.28	-5.41%
<u>Term Deposits</u>									
ME Bank	537069		3,000,000.00	05-Sep-18	03-Mar-20	41,424.66	2	460.28	2.80%
AMP Bank	538019		2,000,000.00	06-Jun-19	10-Mar-20	35,035.62	9	1,134.25	2.30%
AMP Bank	538061		1,500,000.00	20-Jun-19	17-Mar-20	24,501.37	16	1,446.58	2.20%
Suncorp Bank	538551		3,000,000.00	20-Sep-19	14-Apr-20		31	4,255.07	1.67%
Suncorp Bank	538550		4,000,000.00	20-Sep-19	21-Apr-20		31	5,673.43	1.67%
ME Bank	538600		2,000,000.00	09-Oct-19	21-Apr-20		31	2,802.74	1.65%
Westpac Group	537941	Green	1,000,000.00	13-May-19	28-Apr-20		31	1,919.45	2.26%
Suncorp Bank	538552		1,000,000.00	20-Sep-19	28-Apr-20		31	1,401.37	1.65%
Westpac Group	537940	Green	2,000,000.00	13-May-19	05-May-20		31	3,838.90	2.26%
Auswide Bank	537954		1,000,000.00	16-May-19	12-May-20		31	2,080.83	2.45%
ME Bank	538601		3,000,000.00	09-Oct-19	12-May-20		31	4,204.11	1.65%
Auswide Bank	537955		2,000,000.00	16-May-19	19-May-20		31	4,161.64	2.45%
Auswide Bank	537958		1,000,000.00	20-May-19	26-May-20		31	2,080.82	2.45%
Auswide Bank	537959		2,000,000.00	20-May-19	02-Jun-20		31	4,161.64	2.45%

Waverley Council**Accrued Interest Report - March 2020****Accrued Interest Report**

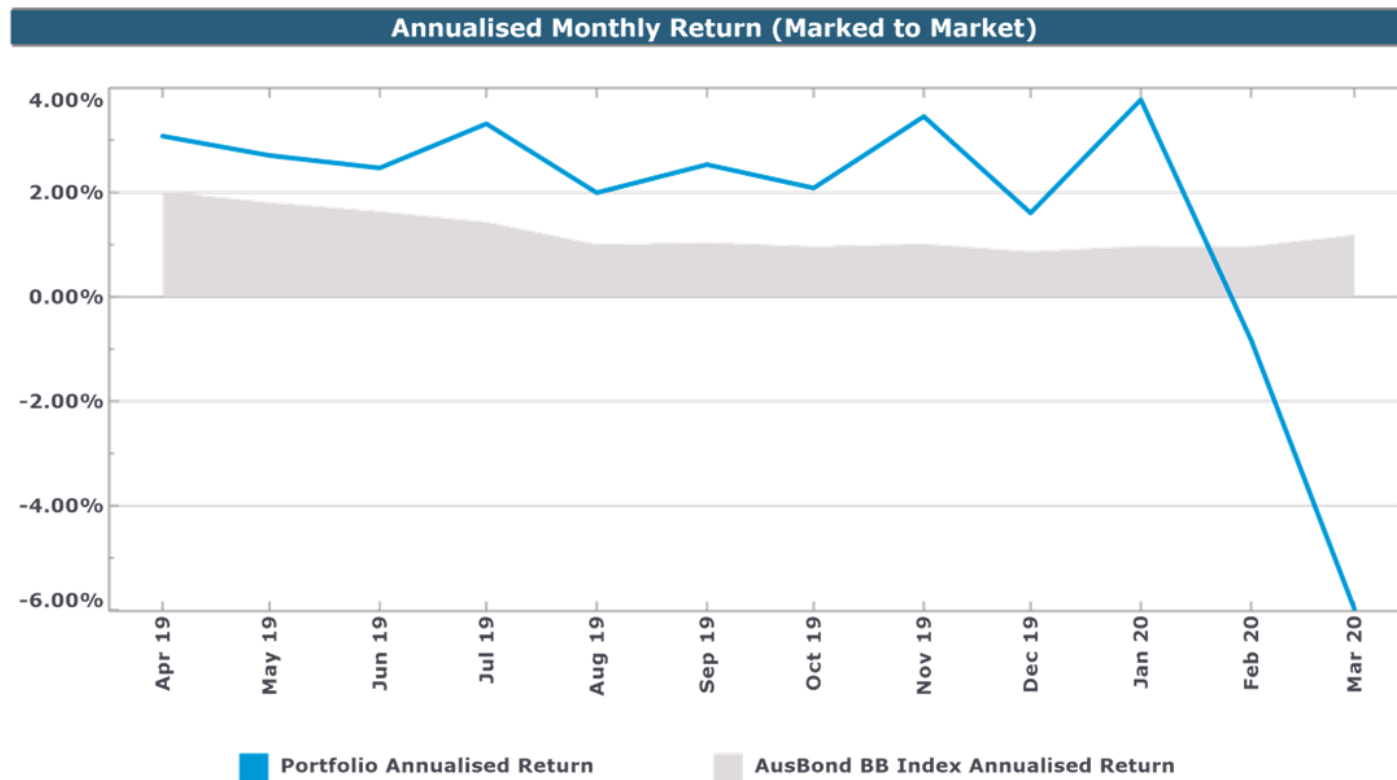
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
ME Bank	539424		2,000,000.00	04-Feb-20	09-Jun-20		31	2,717.81	1.60%
Westpac Group	538045	Green	3,000,000.00	17-Jun-19	16-Jun-20	14,510.14	31	4,943.02	1.94%
Auswide Bank	538062		2,000,000.00	20-Jun-19	16-Jun-20		31	3,652.05	2.15%
ME Bank	539463		2,000,000.00	18-Feb-20	23-Jun-20		31	2,717.81	1.60%
ME Bank	539425		3,000,000.00	04-Feb-20	30-Jun-20		31	4,076.71	1.60%
ME Bank	539479		1,500,000.00	21-Feb-20	07-Jul-20		31	2,038.36	1.60%
ME Bank	539426		3,000,000.00	04-Feb-20	14-Jul-20		31	4,076.71	1.60%
ME Bank	539464		2,000,000.00	18-Feb-20	21-Jul-20		31	2,717.81	1.60%
Credit Union Australia	538895		3,000,000.00	10-Dec-19	28-Jul-20		31	4,204.11	1.65%
ME Bank	538387		5,000,000.00	13-Aug-19	11-Aug-20		31	7,219.18	1.70%
ME Bank	538407		3,000,000.00	21-Aug-19	25-Aug-20		31	4,331.51	1.70%
Westpac Group	538408	Green	4,000,000.00	22-Aug-19	26-Aug-20		31	5,367.68	1.58%
Westpac Group	538521	Green	3,000,000.00	11-Sep-19	08-Sep-20	12,490.68	31	4,255.07	1.67%
ME Bank	539480		1,500,000.00	21-Feb-20	15-Sep-20		31	2,038.36	1.60%
Westpac Group	538526	Green	5,000,000.00	12-Sep-19	22-Sep-20	20,942.47	31	7,134.25	1.68%
ME Bank	538533		3,000,000.00	17-Sep-19	30-Sep-20		31	4,841.09	1.90%
Rural Bank	537252		3,000,000.00	22-Oct-18	27-Oct-20		31	7,643.84	3.00%
Westpac Group	538671	Green	4,000,000.00	14-Nov-19	10-Nov-20		31	5,163.83	1.52%
Credit Union Australia	538736		3,000,000.00	19-Nov-19	17-Nov-20		31	4,153.15	1.63%
Credit Union Australia	538819		2,000,000.00	26-Nov-19	24-Nov-20		31	2,768.76	1.63%
Suncorp Bank	539595		3,000,000.00	25-Mar-20	01-Dec-20		7	920.55	1.60%
Credit Union Australia	537426		2,000,000.00	18-Dec-18	15-Dec-20		31	5,010.96	2.95%
Auswide Bank	539456		3,000,000.00	13-Feb-20	25-Jan-21		31	4,204.11	1.65%

Waverley Council**Accrued Interest Report - March 2020****Accrued Interest Report**

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Newcastle Permanent Building Society	537536		2,500,000.00	11-Feb-19	09-Feb-21		31	6,263.70	2.95%
Credit Union Australia	537565		2,000,000.00	26-Feb-19	23-Feb-21		31	4,926.02	2.90%
MyState Bank	539571		3,000,000.00	13-Mar-20	09-Mar-21		19	2,420.55	1.55%
Suncorp Bank	539581		3,000,000.00	17-Mar-20	16-Mar-21		15	2,120.55	1.72%
Suncorp Bank	539589		6,000,000.00	19-Mar-20	23-Mar-21		13	3,419.18	1.60%
Westpac Group	536715		6,000,000.00	06-Jun-18	08-Jun-21	47,120.55	31	16,052.05	3.15%
Bank of Queensland	538366		2,000,000.00	06-Aug-19	03-Aug-21		31	3,227.40	1.90%
Newcastle Permanent Building Society	537651		2,500,000.00	25-Mar-19	21-Sep-21	70,191.78	31	5,945.21	2.80%
Newcastle Permanent Building Society	537553		3,000,000.00	19-Feb-19	08-Feb-22		31	7,771.24	3.05%
Auswide Bank	539531		2,000,000.00	05-Mar-20	08-Mar-22		27	2,515.07	1.70%
Term Deposits Total						266,217.27		190,478.81	1.99%
						328,518.16		248,433.14	1.81%

Waverley Council

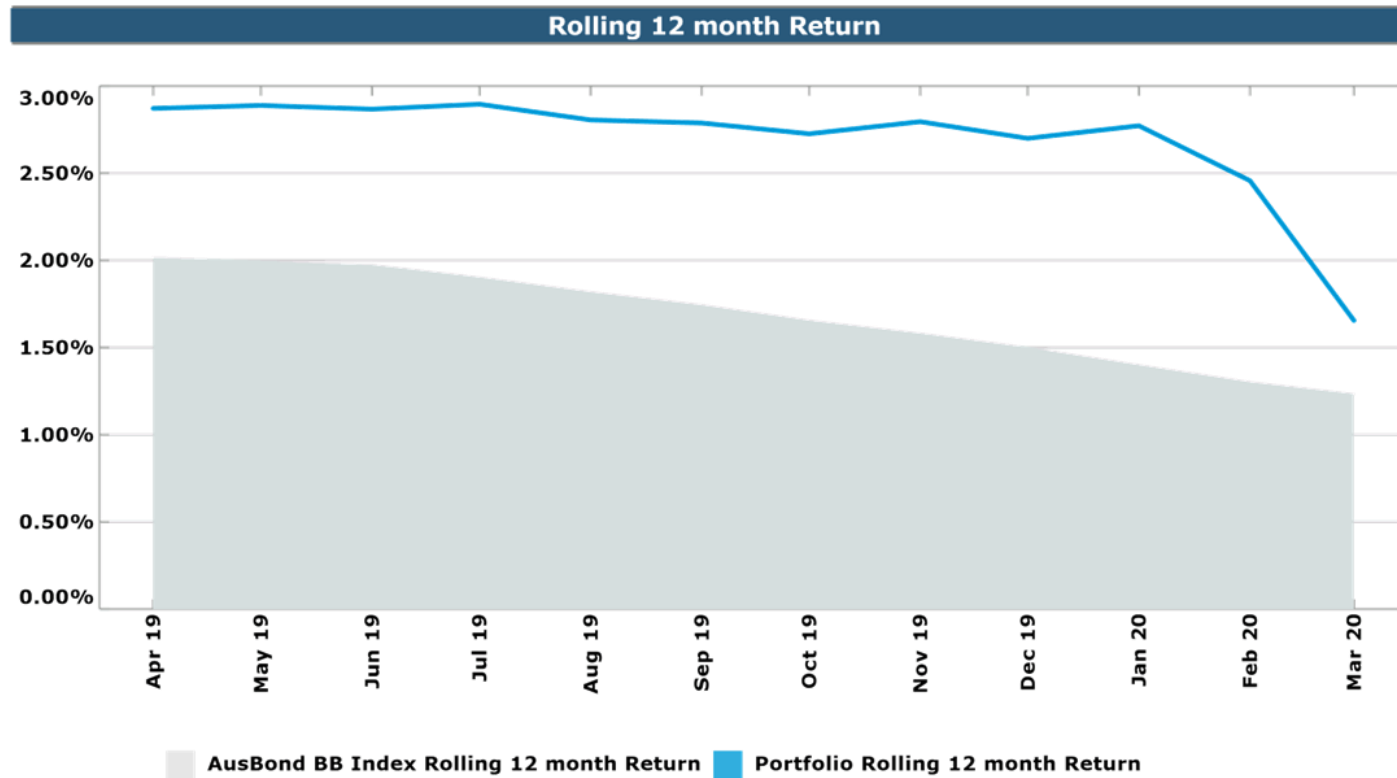
Investment Performance Report - March 2020

**Historical Performance Summary**

	Portfolio	AusBond BB Index	Outperformance
Mar 2020	-5.97%	1.18%	-7.15%
Last 3 Months	-1.09%	1.03%	-2.12%
Last 6 Months	0.63%	0.98%	-0.35%
Financial Year to Date	1.29%	1.04%	0.25%
Last 12 months	1.66%	1.23%	0.43%

Waverley Council

Investment Performance Report - March 2020

**Historical Performance Summary (actual)**

	Portfolio	AusBond BB Index	Outperformance
Mar 2020	-0.52%	0.10%	-0.62%
Last 3 Months	-0.27%	0.26%	-0.53%
Last 6 Months	0.32%	0.49%	-0.17%
Financial Year to Date	0.97%	0.78%	0.19%
Last 12 months	1.66%	1.23%	0.43%

Waverley Council

Environmental Commitments Report - March 2020

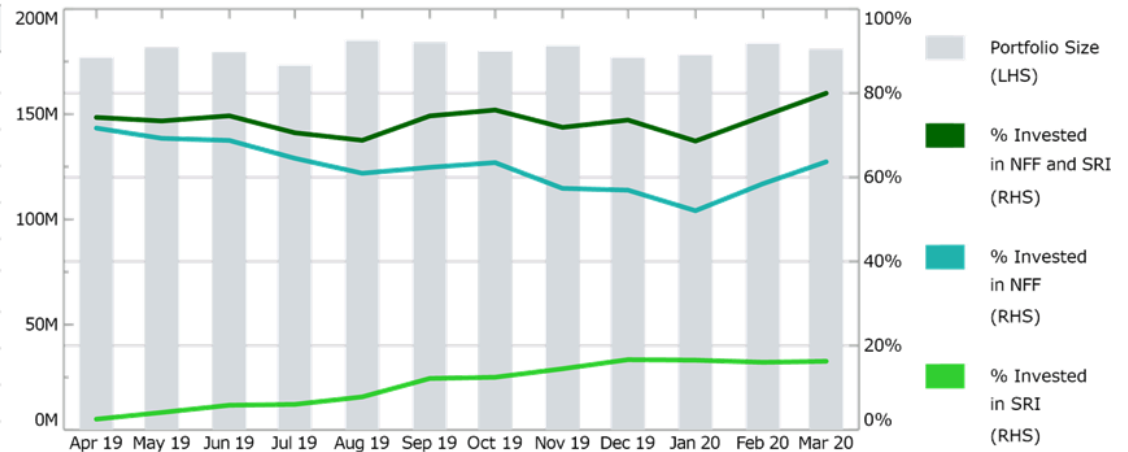


Current Breakdown

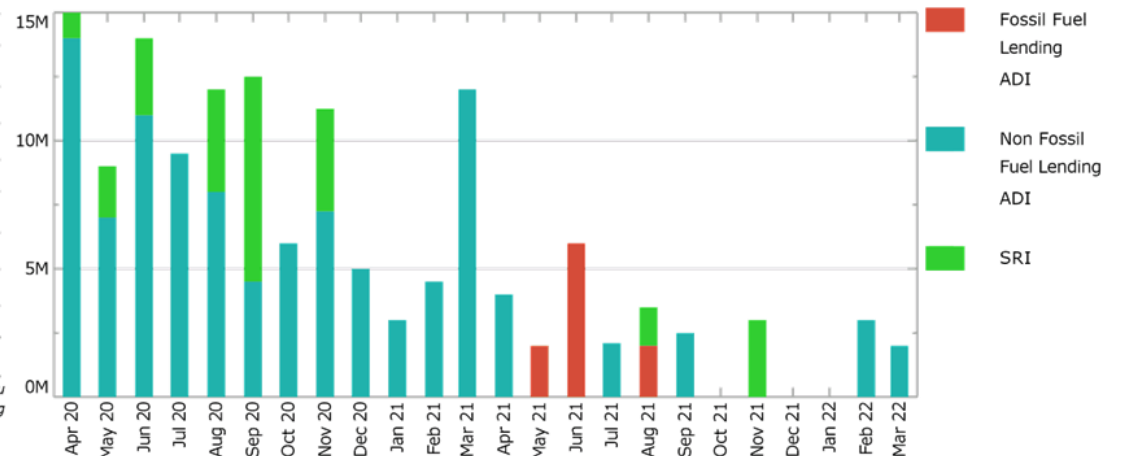
ADI Lending Status *	Current Month (\$)	Previous Month (\$)
Fossil Fuel Lending ADIs		
AMP Bank		3,500,000
Bank of Queensland	4,000,000	4,000,000
Commonwealth Bank of Australia	10,248,175	16,306,279
Westpac Group	8,500,000	8,500,000
	22,748,175 12.6%	32,306,279 17.6%
Non Fossil Fuel Lending ADIs		
Auswide Bank	13,000,000	11,000,000
Bendigo and Adelaide Bank	4,250,000	4,250,000
Credit Union Australia	14,700,000	20,900,000
Members Equity Bank	35,750,000	38,750,000
MyState Bank	3,000,000	
Newcastle Permanent Building Society	13,100,000	13,100,000
Suncorp Bank	27,000,000	15,000,000
Teachers Mutual Bank	4,500,000	4,500,000
	115,300,000 63.7%	107,500,000 58.5%
Other		
NSW T-Corp (Cash)	4,336,111	4,356,653
NSW T-Corp (LT)	9,189,093	10,156,783
	13,525,205 7.5%	14,513,435 7.9%
Socially Responsible Investments		
Bank Australia (Sustainability)	4,500,000	4,500,000
Westpac Group (Green TD)	25,000,000	25,000,000
	29,500,000 16.3%	29,500,000 16.0%
	181,073,380	183,819,714

* 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

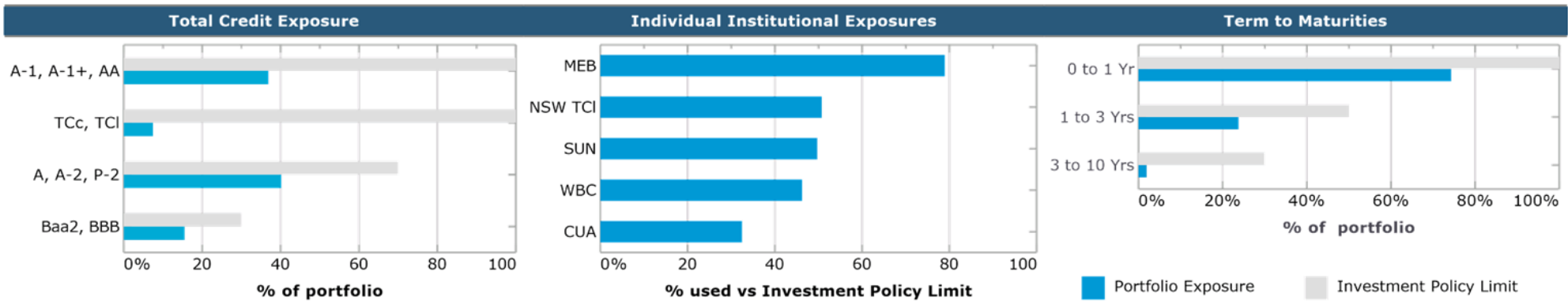


Upcoming maturities



Waverley Council

Investment Policy Report - March 2020



	Credit Rating	Face Value (\$)	Policy Max
Short Term	A-1	23,000,000	
Short Term	A-1+	29,248,175	
Long Term	AA	14,500,000	
		66,748,175	37% 100% ✓
Short Term	TCc	4,336,111	
Short Term	TCI	9,189,093	
		13,525,205	7% 100% ✓
Short Term	A-2	54,750,000	
Short Term	P-2	14,000,000	
Long Term	A	4,000,000	
		72,750,000	40% 70% ✓
Long Term	Baa2	2,000,000	
Long Term	BBB	26,050,000	
		28,050,000	15% 30% ✓
		181,073,380	100%

✓ = compliant
✗ = non-compliant

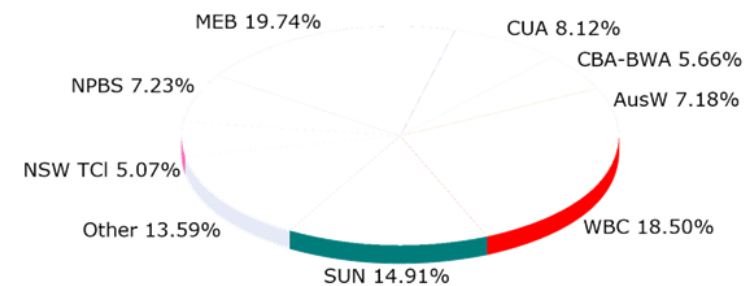
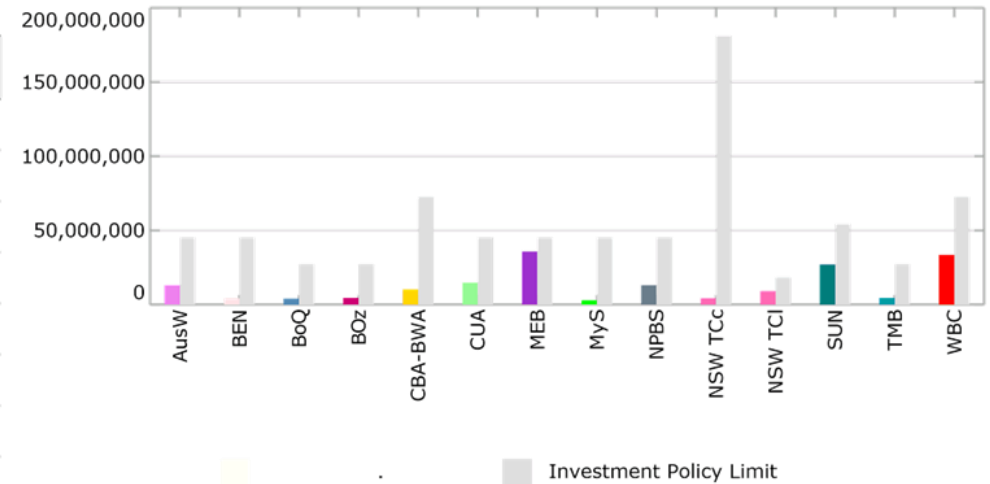
	% used vs Investment Policy Limit
Members Equity Bank (A-2, BBB)	79% ✓
NSW T-Corp (LT) (TCI)	51% ✓
Suncorp Bank (A-1, A+)	50% ✓
Westpac Group (A-1+, AA-)	46% ✓
Credit Union Australia (A-2, BBB)	32% ✓
Newcastle Permanent Building Society (A-2, BBB)	29% ✓
Auswide Bank (P-2, Baa2)	29% ✓
Teachers Mutual Bank (A-2, BBB)	17% ✓
Bank Australia (A-2, BBB)	17% ✓
Bank of Queensland (A-2, BBB+)	15% ✓
Commonwealth Bank of Australia (A-1+, AA-)	14% ✓
Bendigo and Adelaide Bank (A-2, BBB+)	9% ✓
MyState Bank (P-2, Baa1)	7% ✓

	Face Value (\$)	Policy Max
Between 0 and 1 Year	134,523,380	74% 100% ✓
Between 1 and 3 Years	43,050,000	24% 50% ✓
Between 3 and 10 Years	3,500,000	2% 30% ✓
	181,073,380	

Detailed Maturity Profile	Face Value (\$)
00. Cash + Managed Funds	20,773,380 11%
01. Less Than 30 Days	15,000,000 8%
02. Between 30 Days and 60 Days	9,000,000 5%
03. Between 60 Days and 90 Days	11,000,000 6%
04. Between 90 Days and 180 Days	34,000,000 19%
05. Between 180 Days and 365 Days	44,750,000 25%
06. Between 365 Days and 3 Years	43,050,000 24%
07. Between 3 Years and 5 Years	3,500,000 2%
	181,073,380

Waverley Council**Individual Institutional Exposures Report - March 2020****Individual Institutional Exposures**

Parent Group	Credit Rating	Portfolio Exposure (\$)	Investment Policy Limit (\$)
Auswide Bank	P-2, Baa2	13,000,000	45,268,345
Bank Australia	A-2, BBB	4,500,000	27,161,007
Bank of Queensland	A-2, BBB+	4,000,000	27,161,007
Bendigo and Adelaide Bank	A-2, BBB+	4,250,000	45,268,345
Commonwealth Bank of Australia	A-1+, AA-	10,248,175	72,429,352
Credit Union Australia	A-2, BBB	14,700,000	45,268,345
Members Equity Bank	A-2, BBB	35,750,000	45,268,345
MyState Bank	P-2, Baa1	3,000,000	45,268,345
Newcastle Permanent Building Society	A-2, BBB	13,100,000	45,268,345
NSW T-Corp (Cash)	TCc	4,336,111	181,073,380
NSW T-Corp (LT)	TCI	9,189,093	18,107,338
Suncorp Bank	A-1, A+	27,000,000	54,322,014
Teachers Mutual Bank	A-2, BBB	4,500,000	27,161,007
Westpac Group	A-1+, AA-	33,500,000	72,429,352
		181,073,380	

Individual Institutional Exposure Charts

Waverley Council

Cashflows Report - March 2020



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>
2-Mar-20	538825	Bank Australia	Floating Rate Note	Coupon - Received	13,350.82
<u>Deal Total</u>					<u>13,350.82</u>
Day Total					13,350.82
3-Mar-20	537069	ME Bank	Term Deposits	Maturity Face Value - Received	3,000,000.00
		ME Bank	Term Deposits	Interest - Received	41,424.66
<u>Deal Total</u>					<u>3,041,424.66</u>
Day Total					3,041,424.66
5-Mar-20	539531	Auswide Bank	Term Deposits	Settlement Face Value - Paid	-2,000,000.00
<u>Deal Total</u>					<u>-2,000,000.00</u>
Day Total					-2,000,000.00
6-Mar-20	536715	Westpac Group	Term Deposits	Interest - Received	47,120.55
<u>Deal Total</u>					<u>47,120.55</u>
Day Total					47,120.55
10-Mar-20	535380	Commonwealth Bank of Australia	Floating Rate Term Deposits	Interest - Received	14,725.55
<u>Deal Total</u>					<u>14,725.55</u>
	538019	AMP Bank	Term Deposits	Maturity Face Value - Received	2,000,000.00
		AMP Bank	Term Deposits	Interest - Received	35,035.62
<u>Deal Total</u>					<u>2,035,035.62</u>
Day Total					2,049,761.16
11-Mar-20	538521	Westpac Group	Term Deposits	Interest - Received	12,490.68
<u>Deal Total</u>					<u>12,490.68</u>
Day Total					12,490.68
12-Mar-20	538526	Westpac Group	Term Deposits	Interest - Received	20,942.47
<u>Deal Total</u>					<u>20,942.47</u>
Day Total					20,942.47
13-Mar-20	539571	MyState Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00

Waverley Council
Cashflows Report - March 2020



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>
<u>Deal Total</u>					<u>-3,000,000.00</u>
Day Total					-3,000,000.00
17-Mar-20	538045	Westpac Group	Term Deposits	Interest - Received	14,510.14
<u>Deal Total</u>					<u>14,510.14</u>
	538061	AMP Bank	Term Deposits	Maturity Face Value - Received	1,500,000.00
		AMP Bank	Term Deposits	Interest - Received	24,501.37
<u>Deal Total</u>					<u>1,524,501.37</u>
	539581	Suncorp Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
<u>Deal Total</u>					<u>-3,000,000.00</u>
Day Total					-1,460,988.49
19-Mar-20	539589	Suncorp Bank	Term Deposits	Settlement Face Value - Paid	-6,000,000.00
<u>Deal Total</u>					<u>-6,000,000.00</u>
Day Total					-6,000,000.00
20-Mar-20	534995	Credit Union Australia	Floating Rate Note	Coupon - Received	16,560.25
		Credit Union Australia	Floating Rate Note	Maturity Face Value - Received	3,000,000.00
<u>Deal Total</u>					<u>3,016,560.25</u>
	535984	Credit Union Australia	Floating Rate Note	Coupon - Received	17,664.27
		Credit Union Australia	Floating Rate Note	Maturity Face Value - Received	3,200,000.00
<u>Deal Total</u>					<u>3,217,664.27</u>
Day Total					6,234,224.53
25-Mar-20	537651	Newcastle Permanent Building Society	Term Deposits	Interest - Received	70,191.78
<u>Deal Total</u>					<u>70,191.78</u>
	539595	Suncorp Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
<u>Deal Total</u>					<u>-3,000,000.00</u>
Day Total					-2,929,808.22
Net Cash Movement for Period					-3,971,481.85

Waverley Council

Cashflows Report - March 2020



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-Apr-20	536787	Teachers Mutual Bank	Floating Rate Note	Coupon - Received	12,028.31
				<u>Deal Total</u>	<u>12,028.31</u>
				Day Total	12,028.31
7-Apr-20	504013	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	16,935.72
		Newcastle Permanent Building Society	Floating Rate Note	Maturity Face Value - Received	3,000,000.00
				<u>Deal Total</u>	<u>3,016,935.72</u>
	536004	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	5,645.24
		Newcastle Permanent Building Society	Floating Rate Note	Maturity Face Value - Received	1,000,000.00
				<u>Deal Total</u>	<u>1,005,645.24</u>
				Day Total	4,022,580.96
14-Apr-20	533415	Suncorp Bank	Floating Rate Note	Coupon - Received	8,601.37
				<u>Deal Total</u>	<u>8,601.37</u>
	538551	Suncorp Bank	Term Deposit	Maturity Face Value - Received	3,000,000.00
		Suncorp Bank	Term Deposit	Interest - Received	28,412.88
				<u>Deal Total</u>	<u>3,028,412.88</u>
				Day Total	3,037,014.25
16-Apr-20	536513	ME Bank	Floating Rate Note	Coupon - Received	13,379.49
				<u>Deal Total</u>	<u>13,379.49</u>
				Day Total	13,379.49
20-Apr-20	536638	Suncorp Bank	Bonds	Coupon - Received	52,500.00
				<u>Deal Total</u>	<u>52,500.00</u>
				Day Total	52,500.00
21-Apr-20	538550	Suncorp Bank	Term Deposit	Maturity Face Value - Received	4,000,000.00
		Suncorp Bank	Term Deposit	Interest - Received	39,164.93
				<u>Deal Total</u>	<u>4,039,164.93</u>
	538600	ME Bank	Term Deposit	Maturity Face Value - Received	2,000,000.00
		ME Bank	Term Deposit	Interest - Received	17,630.14
				<u>Deal Total</u>	<u>2,017,630.14</u>
				Day Total	6,056,795.07
24-Apr-20	538604	Credit Union Australia	Floating Rate Note	Coupon - Received	5,011.23
				<u>Deal Total</u>	<u>5,011.23</u>
				Day Total	5,011.23
28-Apr-20	536145	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	6,027.50

Waverley Council
Cashflows Report - March 2020



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>
				<u>Deal Total</u>	<u>6,027.50</u>
	537941	Westpac Group	Term Deposit	Maturity Face Value - Received	1,000,000.00
		Westpac Group	Term Deposit	Interest - Received	4,643.84
				<u>Deal Total</u>	<u>1,004,643.84</u>
	538552	Suncorp Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
		Suncorp Bank	Term Deposit	Interest - Received	9,990.41
				<u>Deal Total</u>	<u>1,009,990.41</u>
	538616	Teachers Mutual Bank	Floating Rate Note	Coupon - Received	10,675.27
				<u>Deal Total</u>	<u>10,675.27</u>
				Day Total	2,031,337.02
30-Apr-20	538331	Suncorp Bank	Floating Rate Note	Coupon - Received	10,408.90
				<u>Deal Total</u>	<u>10,408.90</u>
				Day Total	10,408.90
				Net Cash Movement for Period	15,241,055.24

REPORT
CM/7.4/20.04

Subject: Audit, Risk and Improvement Committee Meeting - Minutes - 19 December 2019

TRIM No: SF20/986

Author: Al Johnston, Governance and Internal Ombudsman Officer

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

RECOMMENDATION:

That Council notes the minutes of the Audit, Risk and Improvement Committee meeting held on 19 December 2019 attached to this report.

1. Executive Summary

Council established the Audit, Risk and Improvement Committee ('the Committee') in February 2019. External independent members were appointed in September 2019, and the first meeting of the Committee was held on 29 October 2019. The minutes of the second meeting held on 19 December 2019, confirmed by the Committee at its meeting on 2 April 2020, are attached to this report for Council's information.

2. Introduction/Background

The Audit, Risk and Improvement Committee provides independent assistance to Council by monitoring, reviewing and providing advice on governance processes, risk management and control frameworks, and external accountability obligations.

The Committee is supported by an internal audit function and together they are one mechanism Council uses to ensure its internal controls and management approaches are adequate and effective for the management of risk across the organisation.

The Committee generally meets five times each calendar year. Once the minutes of each meeting have been confirmed by the Committee they are reported to Council for noting.

3. Relevant Council Resolutions

Nil.

4. Discussion

Nil.

5. Financial impact statement/Time frame/Consultation

The minutes of the meeting held on 19 December 2019 were confirmed by the Committee at its meeting held on 2 April 2020.

6. Conclusion

The minutes of the Committee's meeting held on 19 December 2019 are attached to this report for Council's information.

7. Attachments

1. ARIC - 19 December 2019 - Minutes [↓](#)



**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
THURSDAY, 19 DECEMBER 2019**

Voting Members Present:

Elizabeth Gavey	Independent Member (Chair)
John Gordon	Independent Member
Kath Roach	Independent Member
Cr George Copeland	Councillor Member

In Attendance:

Ross McLeod	General Manager
John Clark	Director, Customer Service and Organisation Improvement
Peter Monks	Director, Planning Environment and Regulatory
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer
Jane Worthy	Internal Ombudsman
Umayal Sivanandan	Senior Internal Auditor (SSROC)
Teena Su	Executive Manager, Finance
Kevin Trinh	Executive Manager, Information Management & Technology (for Items 5.5 and 5.7)
Peter Ryan	Manager, Human Resources (for Item 5.5)
Evan Hutchings	Special Project Lead (for Item 5.9)
Al Johnston	Committee Secretary

At the commencement of proceedings at 9.04AM, those present were as listed above.

At 12.19pm, during consideration of Item ARIC/5.9/19.12, Cr Copeland left the meeting and did not return.

1. Apologies/Leaves of Absence

Apologies were received and accepted from Emily Scott, Director, Community Assets and Operations, Brett Hangar, Nexia and Caroline Karakatsanis, Audit Office of NSW.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

3. Confirmation of Minutes

ARIC/3.1/19.12 Confirmation of Minutes - Audit, Risk and Improvement Committee Meeting - 29 October 2019 (SF19/330)

MOTION / DECISION

Mover: Cr Copeland
Seconder: John Gordon

That the Minutes of the Audit, Risk and Improvement Committee Meeting held on 29 October 2019 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

4. Actions from Previous Meetings

ARIC/4.1/19.12 Actions from Previous Meetings (SF19/5449)

MOTION / DECISION

Mover: John Gordon
Seconder: Kath Roach

That:

1. After review and discussion the Committee notes the status of the actions from previous meetings, as at 6 December 2019.
2. The Committee requested that all action and decision items remain in the table for the full year and be coloured coded accordingly to represent 'completed', 'on the current agenda' and 'yet to be actioned'.

5. Reports

ARIC/5.1/19.12 Audit Office of NSW - Matters to report (SF19/5930)

MOTION / DECISION

Mover: Kath Roach
Seconder: Cr Copeland

That the Committee notes that Council's External Auditors do not have any matters to report until the Audit Engagement Plan is drafted early in 2020.

ARIC/5.2/19.12 Review of ARIC Charter (SF19/5469)**MOTION / DECISION**

Mover: John Gordon

Seconder: Kath Roach

That:

1. The Committee endorses the draft Audit, Risk and Improvement Committee Charter attached to this report subject to the following amendments:

- (a). Delete the words “and minimisation” from the second paragraph in Section 1.
- (b). The last paragraph in Section 3 be amended to read:

“To further preserve independence, external independent members must not undertake other business or employment (OBE) with Council without the written approval of the General Manager. This includes any organisation in which an external independent member has a controlling interest. However, Council may utilise the expertise of independent members to assist it in other areas of the organisation, but only in their capacity as independent ARIC members, or in other circumstances where independence can be maintained and subject to the explicit approval of the General Manager in each circumstance.”

- (c). The third paragraph under the heading ‘Invitees and observers’ in Section 4 be amended to read as follows:

“Other Council staff may be invited by the Chair of the Committee or the General Manager to attend meetings as observers, advisors or to provide information and presentations as required”.

- (d). The first paragraph under the heading ‘Conflicts of Interests’ in Section 7 be deleted and replaced with the following words:

“For the avoidance of doubt, external independent members of the Committee are not designated persons”.

- (e). The second paragraph of Section 8, ‘Reporting and Review Requirements’ be amended to read as follows:

“At the first meeting after the financial statements are considered each year by the Committee, the Committee through the Chairperson shall also submit and present a formal report outlining its major achievements, issues identified and other relevant matters to a closed session of a Council meeting”.

- (f). The sixth paragraph under the heading ‘Agendas and minutes’ in Section 9 be amended to read as follows:

“Minutes must be confirmed by the Committee at the next available Committee meeting, and subsequently reported to Council for noting.”

- (g). A diagram of the Committee’s reporting structure be included under Section 2 ‘Authority’.

- (h). Replace the term ‘Chief Audit Executive’ throughout the document with the term ‘internal audit function’.

- (i). Include an additional paragraph under Section 4 'Membership' to read as follows:
- "Council may establish a pool of suitable candidates to fill future vacancies on the Committee. A candidate may be a member of the pool for a maximum period of 12-months".
- (j). The following words relating to agendas be added to Section 9 under the heading 'Agendas and minutes':
- "Agendas are classified as confidential and not publicly available. The confidential agenda will be issued to Committee members and the non-voting invitees as set out in Section 4 of this Charter.
- A non-confidential summary agenda consisting of the agenda contents page will be issued to all Committee members, invitees, councillors and other relevant parties, and published on Council's website.
- A non-member councillor attending a Committee meeting as an observer will be provided with a hardcopy of the confidential agenda for the duration of their attendance at the meeting. At the conclusion of the meeting the agenda must be returned to the Committee Secretariat.
- (k). The following words be added as the penultimate paragraph in Section 9 under the heading 'Agendas and Minutes':
- "Draft minutes are not publicly available".
2. A further draft of the document incorporating all the above-mentioned amendments be circulated to Committee members for their concurrence before the final draft Charter is submitted to Council for adoption.

**ARIC/5.3/19.12 Draft Four Year Audit Plan (2019-2023) & Annual Internal Audit Plan (2019/2020)
(A19/0801)**

MOTION / DECISION

Mover: John Gordon

Seconder: Cr Copeland

That:

1. After review and discussion the Committee notes the Annual Internal Audit Plan and the Draft Four Year Internal Audit Plan 2019-2023.
2. The Committee suggested that Management consider undertaking an interim check of fraud and corruption controls as part of the risk management framework project.

DISCUSSION

The Committee discussed the scheduling of a fraud and corruption audit into the four year audit plan and suggested officers look at the fraud and corruption self-diagnostic check list available from the Audit Office of NSW.

ARIC/5.4/19.12 Annual Internal Audit Plan Status Update – 2018/2019 & 2019/2020 (A19/0149)**MOTION / DECISION**

Mover: Kath Roach
Seconder: Cr Copeland

That after review and discussion the Committee notes the Annual Internal Audit Plan status update – 2018/2019 & 2019/2020.

ARIC/5.5/19.12 Completed Internal Audit Reports - Annual Internal Audit Plan 2018_2019 (A19/0150)**MOTION / DECISION**

Mover: John Gordon
Seconder: Kath Roach

That:

1. After review and discussion the Committee notes the following completed Internal Audit Reports from the Annual Internal Audit Plan 2018/2019:
 - (a). Overtime Process Review.
 - (b). Commercial Waste Services (2014) – Follow-up Review.
 - (c). 10.7 Certificates Process Review.
 - (d). IT Security Audit.
 - (e). Accounts Payable Process Review.
2. The Committee requests Management report back on the issues raised on page 16 of the IT Security Audit report.
3. With regard to the commercial waste services follow-up review, the Committee requests Management report back on the segregation of duties in commercial waste services, the bin number audit, and the compliance of day labour work hours with WHS requirements.

DISCUSSION

In relation to the Overtime Process Review the Committee discussed time in lieu, overtime and flextime and agreed that regular dashboard reporting will identify any anomalies.

In relation to the Commercial Waste Services (2014) – Follow-up Review there was discussion about aged debtors and the control over the collection of debt, and the updated management response to the bin numbers audit at section 3 'Random Audit Checks' of the report and its failure to address fraud prevention controls. The Committee also discussed the segregation of work duties and whether day labour complies with WHS requirements.

In relation to the 10.7 Certificates Process Review the Committee discussed the certificate check and approval process outlined in section 3 of the report.

In relation to the IT Security Audit the Committee discussed phishing activity, Council's insurance cover for cyber risk and requested more information on the exposure referred to on page 16 of the audit report.

In relation to the Accounts Payable Process Review the Committee discussed the goods receipting and

authorisation process referred to in section 3 of the report.

ARIC/5.6/19.12 Audit Recommendations Report - Status Update (SF19/963)

MOTION / DECISION

Mover: Cr Copeland
Seconder: John Gordon

That:

1. After review and discussion the Committee notes the status of the external audit recommendations contained in this report.
2. The Committee endorses the format of the summary report as presented on the agenda subject to the inclusion of the title of each audit and whether the management actions are on track for completion.

ARIC/5.7/19.12 Information Management & Technology - Work Program Update (A18/0665)

MOTION / DECISION

Mover: John Gordon
Seconder: Kath Roach

That after review and discussion the Committee notes progress on the IT work program and requests a further update at the March 2020 meeting.

DISCUSSION

The Committee discussed the timeline and priorities for completing the program by the target date.

ARIC/5.8/19.12 Governance Report (SF19/5934)

MOTION / DECISION

Mover: Kath Roach
Seconder: Cr Copeland

That the Committee notes the update of the Governance Framework / Management Control Environment.

ARIC/5.9/19.12 Risk Management Program - Status (SF19/2474)

MOTION / DECISION

Mover: Kath Roach
Seconder: John Gordon

That after review and discussion the Committee notes the status of Council's Risk Management Program.

DISCUSSION

The Special Projects Lead noted that the ARIC members will be invited to attend the workshops referred to in the report.

The Committee discussed the use of InConsult software, ownership of the data, and whether there are any other software options. The Committee also suggested officers talk to insurers, such as Statewide, about their list of strategic risks in local government.

ARIC/5.10/19.12 Data Analytics Dashboards (A19/0583)**MOTION / DECISION**

Mover: John Gordon

Seconder: Kath Roach

That:

1. After review and discussion the Committee notes the progress of the Data Analytics project.
2. Once the data analytics dashboards are fully operational an update report be presented to the Committee.
3. All data reported to the Committee be de-identified and all other sensitive information be removed from each report where possible.

DISCUSSION

The Committee indicated that it does not wish to receive reports containing all data from each dashboard, and that it is sufficient for the Committee to receive exception reporting. However, the Committee confirmed that it does wish to see full data reports from the procurement dashboard.

ARIC/5.11/19.12 ARIC Meeting Dates 2020 (A19/0807)**MOTION / DECISION**

Mover: John Gordon

Seconder: Kath Roach

That the Committee adopts the following revised dates for its meetings in 2020:

- 26 March 2020
- 21 May 2020
- 3 September 2020
- 15 October 2020
- 10 December 2020

DISCUSSION

The Committee requested that its members be given a tour of Council's facilities in February 2020.

ARIC/5.12/19.12 Draft Waverley ARIC Work Program 2020 (SF19/5470)**MOTION / DECISION**

Mover: John Gordon

Seconder: Kath Roach

That after review and discussion the Committee agreed that the Chair would revise the draft Waverley ARIC Work Program 2020 based on the changes to the ARIC meeting dates for 2020 and circulate prior to the March 2020 meeting.

6 Other Business

There was no other business.

7. Meeting Closure

THE MEETING CLOSED AT 12.46PM.

.....
SIGNED AND CONFIRMED
CHAIR
2 APRIL 2020

REPORT
CM/7.5/20.04

Subject: Diamond Bay Rezoning

TRIM No: A19/0332

Author: Tim Sneesby, Manager, Strategic Planning

Director: Peter Monks, Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Notes that the Diamond Bay area of Vaucluse has a prevailing medium density character, with a high proportion of apartments and townhouses.
2. Notes that there has been a relatively high level of redevelopment in this area in the last five years and the few remaining sites in the Diamond Bay area that could viably redevelop have recently redeveloped.
3. Does not pursue the rezoning of Diamond Bay (Diamond Bay Road, Craig Avenue and Isabel Avenue) from R3 Medium Density Residential to R2 Low Density Residential.

1. Executive Summary

The Diamond Bay area subject of this report has a prevailing medium density character, with less than 10% of dwellings being detached houses. The remaining development opportunities in this area are limited with residual dwelling capacity adding less than a possible 5% increase in dwelling stock in the area. Therefore, given the remaining development opportunities are so limited, downzoning is not recommended for the Diamond Bay area as it would not achieve the objective of preventing perceived overdevelopment. If downzoning was undertaken, this could result in development which is considered inconsistent with the prevailing medium density character of the area.

2. Discussion

A resolution was passed in June 2018 to investigate downzoning the Diamond Bay area from R3 Medium Density Residential to R2 Low Density Residential. This would apply to Diamond Bay Road and Isabel Avenue (Craig Avenue is already R2). The subject area, as identified in blue in Figure 1 below, is zoned R3 Medium Density Residential. While the resolution identifies Craig Avenue as a potential candidate for downzoning, it is noted that this street is already zoned R2 Low Density Residential.



Figure 1. Subject area.

Both Diamond Bay Road and Isabel Avenue have a predominant medium density character with multi-dwelling housing and residential flat buildings being the prevalent building form. In the Diamond Bay area less than 10% of total dwellings are separate houses, with the remainder comprising mostly apartments. In terms of the scale of development, the maximum height of building map permits development to 12.5 metres (four storeys) and the predominant building height of the area is 3–4 storey apartment blocks. Most sites are already built to capacity under current planning controls.

Council officers completed a detailed capacity assessment as part of the Draft Local Housing Strategy. The capacity analysis is based on the net additional dwellings that each lot could accommodate based on what is currently built on the site, compared to what is permitted to be built under existing planning controls, with consideration to lot size and dimensions. The capacity modelling includes a viability component that discounts lots that are strata titled and heavily capitalised. The Waverley Architectural Mapping Project (WAMP) includes dwelling information for each lot in the local government area (LGA) such as housing type, style, storeys, age, etc. The WAMP research provided the basis of the capacity modelling.

Based on this analysis, it was found that the Diamond Bay study area had limited dwelling capacity. However, given that the WAMP data was collected in 2017, a check of recently completed developments was also undertaken. This research found that additional sites with available capacity have been redeveloped into apartment blocks. The research indicates that there is now little capacity remaining in the Diamond Bay study area and any further development would not detrimentally impact on infrastructure provision, given that it would be such a relatively small increase. It is acknowledged that there have been at least six apartment developments in the study area in the last five years and this may have created some community concern regarding ‘overdevelopment’ (Table 1).

Table 1. Recently completed development applications.

Address	Description	No. of units
17 Isabel Ave	Construction of a 3 storey residential building comprising 3 x 3 bedroom units with tile or timber finish, garden terraces.	3
695 Old South Head Rd	Construction of 4 storey mixed use building comprising a retail tenancy on the ground floor & 2 x 1 bedroom, 1 x 2 bedroom & 2 x 3 bedroom units above.	5
4-6 Isabel Ave	Construction of 3/4 storey residential flat building containing 12 x 2 bedroom units.	12

9 Diamond Bay Rd	Construction of a 3 storey residential building comprising 5 x 1 & 1 x 2 bedroom units.	6
1 Stanley St (previously 701-707 OSH Rd)	Construction of a 4 storey residential building comprising 20 units.	20
6-8 Diamond Bay Rd	Construction of a part 3 & part 4 storey residential building to comprise 10 units.	10
	Total	56

On balance and based on the available evidence, downzoning is not recommended as it would not change the prevailing character or lead to any meaningful change to the character of the area given the limited remaining development sites. A downzoning could potentially also lead to the DPIE seeking a commensurate up-zoning elsewhere within the LGA.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 June 2018	CM/8.9/18.06	That Council investigates rezoning the suburb of Diamond Bay (Diamond Bay Road, Craig Avenue and Isabel Avenue) from R3 Medium Density Residential to R2 Low Density Residential when amending the next Waverley Local Environmental Plan.

4. Financial impact statement/Time frame/Consultation

As this report is proposing no changes, there is no financial, time or consultation impact.

5. Conclusion

In conclusion, any proposed downzoning in the Diamond Bay area will have no effect as the assessment has determined there is very limited capacity for any increase in dwelling density beyond that which exists at present. It is therefore recommended that no change be made to the zoning in this area.

6. Attachments

Nil.

REPORT CM/7.6/20.04



Subject: Draft Waverley Development Control Plan 2012
(Amendment No. 8) - Exhibition

TRIM No: A20/0155

Author: Jaime Hogan, Senior Strategic Planner

Director: Peter Monks, Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Exhibits the Draft Waverley Development Control Plan 2012 (Amendment No. 6) attached to this report for a minimum period of 28 days, in accordance with section 3.43 and clause 5 of schedule 1 of the *Environmental Planning and Assessment Act 1979*.
2. Exhibits the Draft Community Participation Plan (Amendment No. 1) attached to this report for a minimum period of 28 days, in accordance with clause 1 of schedule 1 of the *Environmental Planning and Assessment Act*.
3. Adopts the amended Development Application Guide as attached to this report.

1. Executive Summary

The purpose of this report is to:

- Outline the key changes that are proposed as part of the Draft Waverley Development Control Plan 2012 (Amendment No. 8), the Draft Community Participation Plan (Amendment No. 1) and the Development Application Guide.
- Obtain Council resolution to publicly exhibit the Draft Waverley Development Control Plan 2012 (Amendment No. 8), Draft Community Participation Plan (Amendment No. 1).
- Outline the consultation strategy proposed for the public exhibition of the Draft Waverley Development Control Plan 2012 (Amendment No. 8), Draft Community Participation Plan (Amendment No. 1).
- Obtain Council resolution to adopt the amendments to the Development Assessment Guide, to be effective immediately.

2. Introduction/Background

A Development Control Plan (DCP) contains detailed planning and design guidelines, for specific uses or areas, which complement the development standards contained in Local Environmental Plans (LEPs). DCPs cannot contradict objectives or the development standards set out in LEPs.

This report outlines the annual housekeeping changes proposed to the *Waverley Development Control Plan 2012 (Amendment No. 7)* that came into effect on 2 March 2020. These amendments address matters that were not covered by the project scope of Amendment No. 7 as well as additional matters that have been raised through further consultation with Council and Council staff.

It is noted that a comprehensive review of the entire Waverley DCP will be undertaken in the latter half of 2020 with an adoption date likely in mid-2021. The new DCP will align with the preparation of the comprehensive Waverley LEP as well as the Standardised DCP Template anticipated to be released from the Department of Planning, Infrastructure and Environment in 2020. Accordingly, the changes presented in the draft Waverley DCP provided here are of a minor and housekeeping nature. More significant changes have been referred to the comprehensive review.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 12 December 2017	CM/8.14/17.12	<p><i>Extract</i></p> <p>5. Prepares a report outlining how the WLEP and WDCP need to be and can be amended to improve security in the public domain and where large groups of people can congregate for all new large developments. This could include increased CCTV coverage.</p>

4. Discussion

The preparation of the draft Waverley Development Control Plan 2012 (Amendment No. 8) (draft DCP), draft Waverley Community Participation Plan (draft CPP) and draft Waverley Development Application Guide (draft DA Guide) has involved Council staff across different directorates to identify issues for review and conducted a number of staff workshops to discuss a range of matters. The key matters area addressed below, and a full list of proposed changes is provided in Attachment 1. The proposed draft documents are provided in Attachment 2 – Draft Waverley Development Control Plan 2012 (Amendment No.8), Attachment 3 – Draft Waverley Community Participation Plan, and Attachment 4 – Draft Waverley Development Application Guide.

Key proposed amendments to the Waverley Development Control Plan

1. Deletion of Part A2 Advertising and Notification

As part of the changes to the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulations 2000* that were made in March 2018, Councils are required to prepare a Community Participation Plan that addresses advertising and notification requirements as set out in the Regulations. Council adopted its first Community Participation Plan in November 2019. Accordingly, this section is now redundant in the DCP, and is to be removed.

2. Changes to the structure of Part C Residential Development

Amendment No. 6 of the DCP separated the previous Part C2 High Density Residential Development into two sections – Part C3 Medium Density Development and Part C4 High Density Development - to more appropriately align with State policies governing medium density development (*Low Rise Medium Density Housing Code*) and residential flat building development (*State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development* (SEPP 65)).

Feedback from applicants and Waverley's advisory and determination panels is that this has made assessing buildings subject to SEPP 65 more difficult as there were less site-specific provisions to assess a development against. Whilst the original intention of this separation of the two chapters into Medium and High Density Residential Development was to create clarity around the planning controls and to better align with the State policies, this merger is proposed to be undone to provide advisory and determining roles with additional provisions that can guide the assessment of SEPP 65 development such as setbacks, sunlight access, etc.

3. Inter-War Buildings provisions to apply to all building types

The Inter-War Buildings provisions were introduced to Part C Residential Development of the DCP in Amendment No.6 to provide additional protections to Inter-War flat buildings. Since Amendment No. 6, there have been a number of development applications for alterations and additions to Inter-War shop-top housing buildings, or shop fronts with no residential component. To increase the application of these controls, it is proposed that they are moved to Part B General Provisions, to apply to all Inter-War buildings across the local government area, and not just residential flat buildings.

4. Changes to strengthen controls to protect character of semi-detached dwellings

Recent development applications have raised concerns that the controls in the Waverley DCP are not strong enough to retain the character of existing semi-detached dwellings, and the lack of clarity around these controls is resulting in poor urban outcomes, where one half of a semi-detached dwelling pair is demolished, and proposed to be replaced by either a new modern-style building that does not relate to its pair, or to be replaced by a detached dwelling that has no relationship to its pair. The proposed controls aim to retain the front portion of all semi-detached dwellings so as to ensure that the two dwellings always present as a pair. Accordingly, demolition is not supported, and alterations and additions are proposed to occur only from behind the main ridgeline of the roof form. In the case where both semi-detached dwellings are proposed to be demolished and replaced, there are controls to ensure that the replacement dwellings are designed as a pair.

5. Improve security in the public domain and large developments

This proposed change responds to resolution CM/8.14/17.12 (as set out above) that Council:

Prepares a report outlining how the WLEP and WDCP need to be and can be amended to improve security in the public domain and where large groups of people can congregate for all new large developments. This could include increased CCTV coverage.

Public spaces in private developments where large gatherings may take place are often provided with security measures such as providing safety through the design of the building, where the design of the public space has adequate 'eyes on the street' from surrounding residences, or from the public domain. In developments where this is not the case, the Development Assessment team currently require the provision of CCTV cameras in these locations as considered necessary.

In terms of providing greater security for the public domain, Council's DCP currently provides for public safety through the controls and objectives of Part B10 Safety. These provisions are to be read in conjunction with the NSW Government's Crime Prevention and Assessment of Development Applications Guidelines under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. In addition, all developments are to provide a Crime Prevention Through Environmental Design (CPTED) assessment, which addresses how the design of the development will contribute to increased safety both within the development and in the public domain.

Council officers recommend that these provisions are adequate and in line with best practice for designing for safety. However, it is recommended that the current discretionary approach for developments proposing public spaces that may permit gatherings be clarified in the DCP. Accordingly, this is proposed as a new control in Part B10 Safety as:

Where public spaces of larger developments could result in the gathering of groups of people, the development may be required to provide CCTV facilities to monitor those areas.

Proposed amendments to the Waverley Community Participation Plan

6. Administrative changes regarding notification

The proposed changes to the CPP are considered minor and are corrective or seek to reduce administrative burden on Council.

Proposed amendments to the Waverley Development Application Guide

7. Clarification of Public Art requirements

To ensure better design outcomes for our urban environment, the requirements for the provision of a public artwork are proposed to be clarified. The requirement is currently:

For all new development and major alterations and additions within the B3 Commercial Core and B4 Mixed Use Zone in Bondi Junction.

The proposed new requirement is:

Developments located in a B1, B3 or B4 zone and with a construction value exceeding \$10 million are required to integrate a public artwork into the development to a minimum value of 1% of the construction costs (excluding administration and associated costs).

To support this change, a Public Art in the Private Domain Procedure Manual is being prepared to guide applicants through Council's process of assessment and decision making associated with a public artwork.

8. Provide greater clarification around when a context plan is required

Several development applications have recently been submitted without a contextual analysis of the streetscape or surrounding area, which was required in the case of these applications. This has been clarified.

Both of the proposed changes to the DA Guide will also require the DA Checklist to be updated.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

There are no financial impacts as a result of the proposed changes.

Consultation

A summary of the proposed changes as provided in Attachment 1, and the proposed draft documents as set out in Attachments 2–4, are recommended to be publicly exhibited for a minimum of 28 days, as required by schedule 1 of the EP&A Act. Precinct committees will be advised of the exhibition and an

advertisement will be placed in the Wentworth Courier. Copies of the draft documents will be made available at the Customer Service Centre and on Council's 'Have Your Say' website.

Time frame

Following the endorsement of the draft documents for exhibition, it is envisaged that public exhibition of the documents will be conducted between April/May 2020 for a minimum of four weeks. The outcome of the public exhibition is expected to be reported to Council in June 2020, with the documents expected to be effective by 1 July 2020.

6. Conclusion

Matters raised by ongoing consultation with relevant Council officers have been appropriately considered in the annual housekeeping review of the Waverley Development Control Plan 2012. The Draft Waverley Development Control Plan 2012 (Amendment No. 8) is consistent with legislation, Council's policies, plans and strategies. As the comprehensive review of the entire Waverley DCP will be undertaken in the latter half of 2020, the changes presented in the draft DCP provided here are of a minor and housekeeping nature. More significant changes have been referred to the comprehensive review.

7. Attachments

1. Summary of amendments in Draft WDCP 2012 (Amendment No. 8) (under separate cover) [⇒](#)
2. Draft WDCP 2012 (Amendment No. 8) (under separate cover) [⇒](#)
3. Draft Community Participation Plan (under separate cover) [⇒](#)
4. Draft Development Application Guide (under separate cover) [⇒](#)

REPORT
CM/7.7/20.04

Subject: Draft Bondi Junction Urban Design Review Update 2020 - Exhibition

TRIM No: A12/0038-02

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RECOMMENDATION:

That Council:

1. Publicly exhibits the draft Bondi Junction Urban Design Review Update 2020 (the Review) attached to this report for a minimum period of 28 days.
2. Notes the Review has been completed to ensure that the current principles and policy framework applying to development in Bondi Junction are valid and up to date, in the context of recent and continued development pressure.
3. Notes this document will form an important evidence base as part of the strategic planning framework, along with the suite of other completed and draft environmental studies, to inform decisions in the face of continued development pressure, such as proponent-led planning proposals.

1. Executive Summary

The *Bondi Junction Urban Design Review Update 2020* (the Review) evaluates the current principles and policy framework applying to development in Bondi Junction to ensure that they are valid and up to date. The Review will form an important evidence base as part of the strategic planning framework, along with the suite of other completed and draft environmental studies, to inform decisions in the face of continued development pressure, such as proponent-led planning proposals. There is a presumption against a Rezoning Review if the policy framework has been reviewed in the last five years.

The Review examines three studies: the original Bondi Junction Urban Design Review (BJUDR), the West Oxford Street Design Charette and the Bondi Junction Town Square Review – looking at their recommendations and principles and confirming that these stand given the context of high levels of development and change in Bondi Junction. Most of the recommendations from the studies examined in the Review have been actioned and no further work is required for these. Where recommendations have not been fulfilled, the Review recommends further work or in some instances no further work. One of the most significant recommendations from the original BJUDR was for a transition in building height towards the edges of Bondi Junction. This principle is enshrined in one of the aims of the WLEP 2012. This Review recommends that this principle and associated planning controls be upheld.

2. Introduction/Background

The *Bondi Junction Urban Design Review Update 2020* (the Review) evaluates the current principles and policy framework applying to development in Bondi Junction to ensure that they are valid and up to date.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 12 March 2013	1303.13.2.1	<p><i>Bondi Junction Urban Design Review</i> (summarised)</p> <p>This resolution made two sets of recommendations regarding the adoption of the findings of the Bondi Junction Urban Design Review.</p> <p>Clause 1 of the resolution made changes to the LEP and DCP pertaining to zoning, additional permitted uses and added an additional local provision. Blocks in Bondi Junction, west of Oxford Street Mall were rezoned from B3 Commercial Core to B4 Mixed Use. Select properties on the southern side of Ebley Street were given an additional permitted use of office premises. An additional local provision was added for the purposes of solar access in key sites within Bondi Junction.</p> <p>Clause 2 made many recommendations for changes to the LEP and DCP from the consultant team that were 'noted but not necessarily supported'. These recommendations included changes such as incorporating character statements into the DCP, introducing environmental design in the DCP and allowing for additional LEP heights at certain sites. Other recommendations not related to the LEP and DCP were made such as the creation of a VPA policy, to creating a movement strategy for Bondi Junction and even as simple as public domain improvements for specific areas within Bondi Junction.</p> <p>The motion was adopted.</p>
Operations Committee 31 March 2015	OC/5.1/15.03(2)	<p><i>West Oxford Street Precinct Plan</i> (summarised)</p> <p>Clause 1 of the resolution noted that the West Oxford Street Design Charrette produced ideas for the future of West Oxford Street that were publicly exhibited and commented on.</p> <p>Clause 2 noted the summary report and recommendations prepared by the Government Architects Office.</p> <p>Clause 3 supported discussions with Transport for NSW and RMS for public domain improvements and traffic ideas for certain areas within the West Oxford Street Precinct.</p> <p>Clause 4 agreed with the recommendation that no change be made to the LEP in certain blocks in West Oxford Street. This included one of the sites in the 194 Oxford Street Planning Proposal and two sites to the east of this.</p> <p>Clause 5 suggested sending an information sheet about the 194 Oxford Street Planning Proposal to residents in streets surrounding the development and Woollahra Council.</p>

		<p>Clause 6 supported initiating the process for adjusting Council's DCP controls on arcades, through site links and squares.</p> <p>Clause 7 suggested that suggestions made by Council's design team for improvements to Centennial Park and the bus depot be circulated to key stakeholders for their consideration in future planning.</p> <p>Clause 8 endorsed Council preparing a community engagement plan for any future planning.</p> <p>Clause 9 noted various statistics on the feedback received on the LEP and DCP. Most feedback related to maintaining the existing controls to protect the existing amenity of West Oxford Street.</p> <p>Clause 10 noted various statistics on the feedback received on various ideas for the future of the West Oxford Street Precinct. These ideas involved public domain improvements, traffic improvements, heritage, art and culture ideas and built form ideas.</p> <p>The motion was adopted.</p>
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4. Discussion

The *Bondi Junction Urban Design Review Update 2020* (the Review) evaluates the current principles and policy framework applying to development in Bondi Junction to ensure that they are valid and up to date.

The Review examines three studies: the original Bondi Junction Urban Design Review (BJUDR), the West Oxford Street Design Charette and the Bondi Junction Town Square Review – looking at their recommendations and principles and asking the following key questions:

- How these have been implemented?
- If they weren't implemented, are they still valid?
- What has happened since their implementation?
- What have the community said in response to new development?
- Do the original recommendations still stand in the context of change?

The Bondi Junction Urban Design Review (the BJUDR) was completed in 2013 (CityPlan) with a view to identifying planning issues, accommodating development pressures and providing solutions to them within the Bondi Junction Strategic Centre. The BJUDR made recommendations primarily on built-form controls, the public domain and other planning policy and design. The recommendations and findings of the BJUDR were implemented in the planning proposal for the new Standard Instrument LEP of 2012, the DCP as well as applied to planning proposals and development applications for land within the Bondi Junction Strategic Centre.

In particular, the Review examines development applications and planning proposals in the centre from 2013 to understand how the vision, aims and recommendations—in the form of LEP and DCP controls—of the BJUDR have stood the test of time. In undertaking this analysis, the Review makes recommendations for planning within the centre, with a particular focus on whether the original aims and implemented

controls are still relevant and suitable, and hence should continue to be applied, or if new controls should be considered.

Recommendations from these three studies have been considered as: public domain amenity, development potential and policy and design recommendations. Most of the recommendations from the studies examined in the Review have been actioned and no further work is required for these. Where recommendations have not been fulfilled, the Review makes recommends further work or in some instances no further work. One of the most significant recommendations from the original BJUDR was for a transition in building height towards the edges of Bondi Junction. This principle is enshrined in one of the aims of the WLEP 2012. This Review recommends that this principle and associated planning controls be upheld.

It is important to note that the Review will form an important evidence base as part of the strategic planning framework, along with the suite of other completed and draft environmental studies, to inform decisions in the face of continued development pressure, such as proponent-led planning proposals. There is a presumption against a Rezoning Review if the policy framework has been reviewed in the last 5 years.

5. Financial impact statement/Time frame/Consultation

Consultation

The Review is provided in Attachment 1 to be publicly exhibited for a minimum period of 28 days. Precinct committees will be advised of the exhibition and an advertisement will be placed in the Wentworth Courier. A copy of the draft document will be made available at the Customer Service Centre and on Council's 'Have Your say' website.

Time frame

Following the endorsement of the draft Review for exhibition, it is envisaged that public exhibition of the Review will be conducted between April/May 2020 for a minimum of four weeks. The outcome of the public exhibition is expected to be reported to Council in June 2020 with the Review expected to be finalised in July 2020.

6. Conclusion

The Review evaluates the current principles and policy framework applying to development in Bondi Junction to ensure that they are valid and up to date. Most of the recommendations from the three studies examined in the Review have been actioned and no further work is required for these. Where recommendations have not been fulfilled, the Review makes recommends further work or in some instances no further work.

7. Attachments

1. Bondi Junction Urban Design Review Update [📄](#)



stenlake

Bondi Junction Urban Design Review Update 2020

ACKNOWLEDGEMENT

We acknowledge the Bidjigal and Gadigal people who
traditionally occupied the Sydney coast.

We also acknowledge Aboriginal Elders both past, present
and emerging.

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Executive Summary



A number of strategies have been completed for Bondi Junction in the past decade or so, outlining a series of recommendations and principles for future development in Bondi Junction that informed the current policy settings. Since around 2012 there has been significant redevelopment in Bondi Junction and there is continual pressure on redevelopment on this centre.

Given this context of change, the purpose of the *Bondi Junction Urban Design Review Update 2020* (the Review) is to evaluate the current principles and policy framework applying to development in Bondi Junction to ensure that they are valid and up to date.

The Review examines three studies – the original Bondi Junction Urban Design Review (BJUDR), the West Oxford Street Design Charette and the Bondi Junction Town Square Review – looking at their recommendations and principles and asking the following key questions:

- How these have been implemented?
- If they weren't implemented, are they still valid?

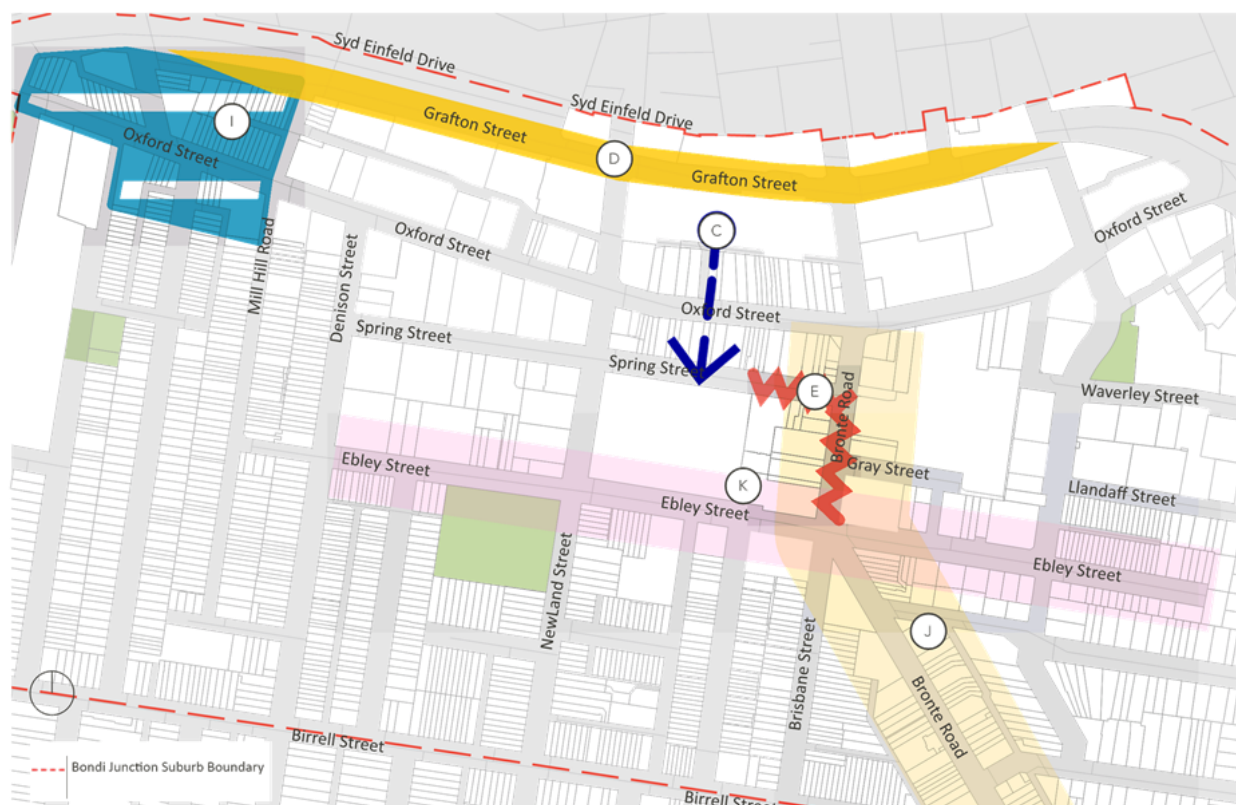
- What has happened since their implementation?
- What have the community said in response to new development?
- Do the original recommendations still stand in the context of change?

Recommendations from these studies have been considered as: public domain amenity, development potential and policy and design recommendations. Most of the recommendations from these studies have been actioned and no further work is required for these.

Where recommendations have not been fulfilled, the Review makes recommends further work or in some instances no further work. One of the most significant recommendations from the original BJUDR was for a transition in building height towards the edges of Bondi Junction.

This principle is enshrined in one of the aims of the WLEP 2012. This Review recommends that this principle and associated planning controls be upheld.

Summary of Recommendations



Public Domain Amenity Recommendations

Recommendation A	Continue to ensure any future developments or upgrades to public domain areas are done in accordance with the BJ Complete Streets Project.
Recommendation B	Continue to ensure any future developments or upgrades to public domain areas are done in accordance with the Complete Streets project and Waverley's People, Movement and Places Strategy.
Recommendation C	Continue to investigate using Rowe Street to link Oxford Street and Spring Street to the Bondi Junction rail interchange.
Recommendation D	Improve public domain of Grafton Street towards and underneath Syd Enfield Drive in connection with the relevant recommendations of the Open Space and Recreation Strategy & Bondi Junction Night Activation Strategy.
Recommendation E	Investigate further mechanisms to reduce pedestrian and vehicle conflicts in Spring Street and Bronte Road.

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Development Potential Recommendations

Recommendation F	Continue to work with the DPIE to update planning controls so that commercial floorspace is retained and grows in Bondi Junction Strategic Centre.
Recommendation G	Investigate LEP height and DCP storey control inconsistencies further with assistance from the Development Assessment Team with an aim to resolving this conflict within either the comprehensive LEP review or DCP review.

Planning Policy and Design Recommendations

Recommendation H	Continue to apply the Waverley VPA policy for developments and planning proposals that are seeking uplift above their current development standards.
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Edge Area Controls – West Oxford Street

Recommendation I	Maintain the current LEP controls for the West Oxford Street area and do not allow for increased development standards in order to respect the existing low scale built form and amenity of the area.
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Edge Area Controls – Bronte Road Corridor

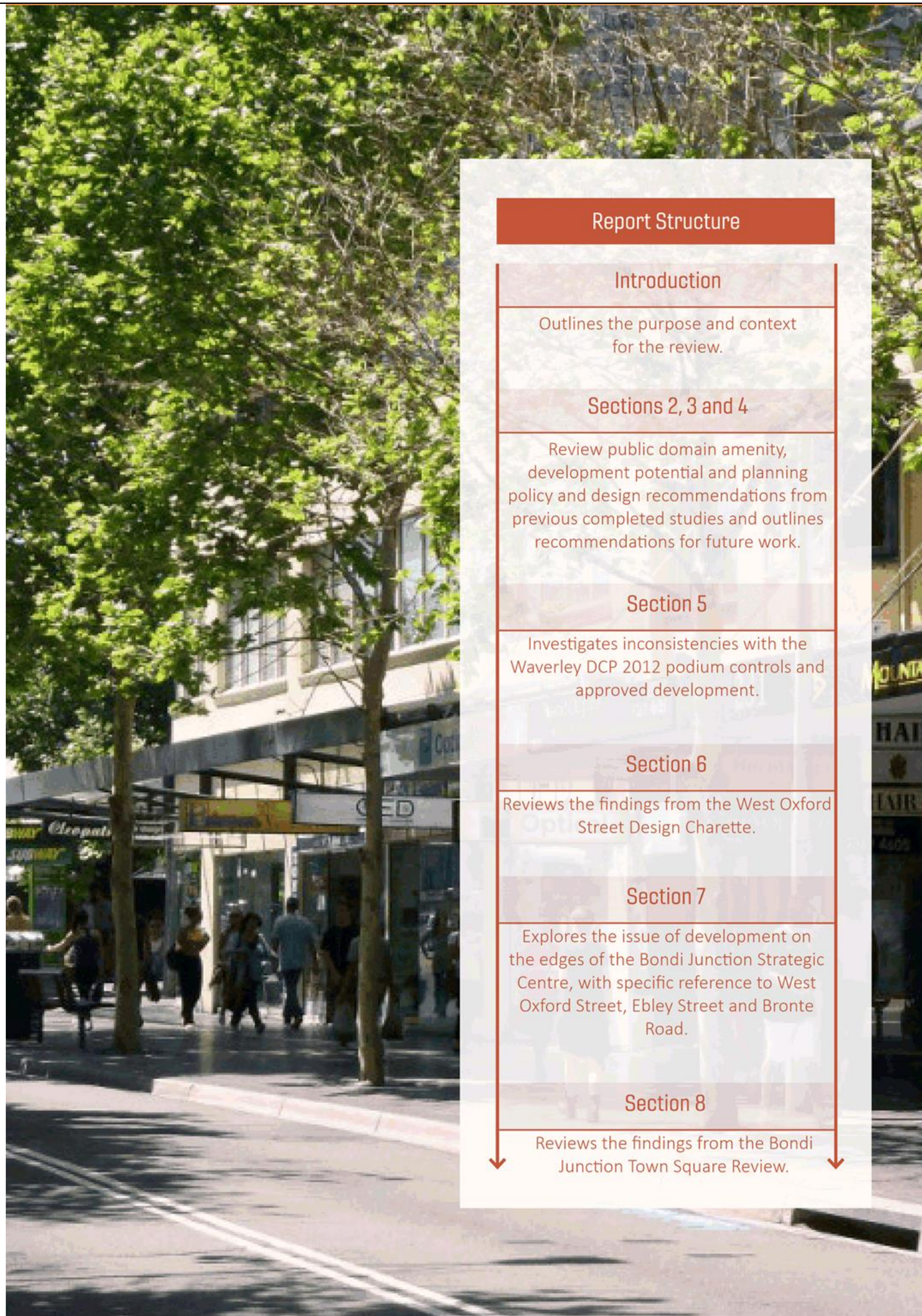
Recommendation J	Maintain the existing LEP controls along the Bronte Road corridor.
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Edge Area Controls – Ebley Street

Recommendation K	Maintain the LEP controls on Ebley Street to ensure that development in these edge areas remains transitional to reduce the impact on surrounding areas.
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Bondi Junction Town Square Peer Review 2007

Recommendation L	Ensure that the FSRs for sites are compatible with the height of buildings in any changes to the LEP.
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Report Structure

Introduction

Outlines the purpose and context for the review.

Sections 2, 3 and 4

Review public domain amenity, development potential and planning policy and design recommendations from previous completed studies and outlines recommendations for future work.

Section 5

Investigates inconsistencies with the Waverley DCP 2012 podium controls and approved development.

Section 6

Reviews the findings from the West Oxford Street Design Charette.

Section 7

Explores the issue of development on the edges of the Bondi Junction Strategic Centre, with specific reference to West Oxford Street, Ebley Street and Bronte Road.

Section 8

Reviews the findings from the Bondi Junction Town Square Review.



1.0 Introduction

The Bondi Junction Urban Design Review (the BJUDR) was completed in 2013 (CityPlan) with a view to identifying planning issues, accommodating development pressures and providing solutions to them within the Bondi Junction Strategic Centre. The BJUDR made recommendations primarily on built-form controls, the public domain and other planning policy and design. The recommendations and findings of the BJUDR were implemented in the Planning Proposal for the new Standard Instrument LEP of 2012, the DCP as well as applied to Planning Proposals and Development Applications for land within the Bondi Junction Strategic Centre.

Since that time there has been considerable development activity and continued development pressure in Bondi Junction (Figure 1.1 & 1.2). The purpose of this update is to analyse how planning within the Bondi Junction Strategic Centre has been implemented, including other studies completed for Bondi Junction such as the West Oxford Street Design Charette and the Bondi Junction Town Square Review. In particular, this analysis will examine Development Applications (DAs) and Planning Proposals (PPs) in the centre from 2013 to understand how the vision, aims and recommendations – in the form of LEP and DCP controls – of the BJUDR have stood the test of time. In undertaking this analysis this update makes recommendations for planning within the centre, with particular focus on whether the original aims and implemented controls are still relevant and suitable, and hence should continue to be applied, or if new controls should be considered.



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	Address	Status
1	95-97 Grafton Street & 422 Oxford Street, (Meriton Tower)	Under Assessment
2	55 Grafton Street, Demolition & construction of 20 storey mixed use tower	Under Assessment
3	10 Denison Street, Demolition & construction of mixed use tower	Under Assessment
4	5-11 Hollywood Avenue, Demolition & construction of a new 11 storey hotel	Under Assessment
5	21 Waverley Crescent, Demolition & construction of a 9 storey RFB	Under Assessment
6	7-11 Bondi Road, Demolition & construction of a 9 storey RFB (inc. affordable housing)	Approved
7	34-38 Bondi Road, Demolition & construction of a 3 storey RFB	Approved
8	27 Paul Street and 8-10 Council Street, Alts & Adds to existing heritage building, demolition & construction of 3 storey RFB (inc. affordable housing)	Approved
9	16A + 16B Llandaff Street, Demolition & construction of a 9 storey RFB	Approved
10	Bondi Junction RSL, 1-9 Gray Street, Demolition & construction of a 10 storey mixed use building	Approved
11	362-374 Oxford Street, Demolition & construction of a 14 storey mixed use building	Approved
12	59-75 Grafton Street, Demolition & construction of a mixed use tower	Approved
13	45-57 Oxford Street, Demolition & construction of mixed use building & alts & adds to existing heritage buildings	Approved
14	292 Oxford Street, Demolition & construction of 12 storey mixed use development	Under Construction
15	59-69 Oxford Street, Mixed use development including existing pub on ground floor	Under Construction
16	87-99 Oxford Street, and 16-22 Spring Street, Demolition & construction of 14 storey mixed use building	Under Construction
17	552-568 Oxford Street, Demolition & construction of a mixed use building	Under Construction
18	20 + 22 Llandaff Street, Demolition & construction of RFB building	Under Construction

19	50 Waverley Street, Alts & Adds to existing RFB	Completed
20	91-95 Old South Head Road, Demolition & construction of RFB	Completed
21	33 Waverley Street, Demolition & construction of RFB	Completed
22	253-255 Oxford Street, Demolition & construction of a 20 storey mixed use building (inc. affordable housing)	Completed
23	570-588 Oxford Street, Demolition & construction of a 22 storey RFB with ground floor retail	Completed
24	241 Oxford Street, Demolition & construction of mixed use building	Completed
25	6 Bronte Road, Demolition & construction of 8 storey commercial building	Completed
26	73-89 Ebley Street, Demolition & construction of a 4 storey mixed use development	Completed
27	139 Oxford Street, Demolition & construction of a 9 storey commercial building with hotel uses	Completed
28	109 Oxford Street, Demolition & construction of a new 12 storey mixed use building	Completed
29	350-354 Oxford Street, Demolition & construction of a mixed use building	Completed
30	310 Oxford Street, Demolition & construction of a 10 storey mixed development	Completed
31	3014 Oxford Street, Demolition & construction of a 12 storey mixed use development	Completed
32	95-97 Grafton Street, Construction of new serviced apartments over 4 levels	Completed

Figure 1.2 Bondi Junction Development Status Table

2.0 Public Domain Amenity Recommendations

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2.1 Develop a Public Domain masterplan to identify key Public Domain projects.

2.1.1 Findings/Analysis

One of the key recommendations of the BJUDR relating to public domain was for a masterplan to be developed identifying key public domain projects and spaces in Bondi Junction. This recommendation has been actioned through the creation of the Complete Streets project. The Complete Streets project directly responds to various recommendations made in the BJUDR relating to public domain principles. The Complete Streets project addresses this recommendation as it considers the various needs of all users of public space by having provisions to ensure the streets are pedestrian-friendly, provide good access to public transport, accommodate cyclists, are safe and benefit the local economy.

2.1.2 Recommendation

Continue to ensure any future developments or upgrades to public domain areas are done in accordance with the Complete Streets project.

2.2 Develop a movement strategy that integrates pedestrian and vehicular movements and has a clear focus on the quality of the public domain.

2.2.1 Findings/Analysis

This recommendation has been actioned through the creation of the Complete Streets project and Waverley's *People, Movement and Places Strategy*. Waverley's *People, Movement and Places Strategy* was developed to address the issues associated with pedestrian and vehicular movements within Waverley more broadly. This was created to address current transport issues and to best meet the changing demands of the future. The *People, Movement and Places Strategy* also outlines provisions for improving the public domain through upgrading cycleways, footpaths, roads and shared pedestrian and vehicle spaces. The Complete Streets project also considers the needs of pedestrians and vehicles equally in direct response to this recommendation of the BJUDR.

2.2.2 Recommendation

Continue to ensure any future developments or upgrades to public domain areas are done in accordance with the Complete Streets project and Waverley's *People, Movement and Places Strategy*.

2.3 Improve the connection from the rail interchange to Oxford Street and further on to Spring Street

2.3.1 Findings/Analysis

Council has been actively pursuing a means of improving the connection from the rail interchange to Oxford Street and Spring Street. Council has identified Rowe Street as a possibility to create a direct connection to the railway station as the street has been closed and made available for redevelopment. Rowe Street was official closed as a road in 2016 to facilitate the development of this link. A feasibility study was completed in 2019 and was reported to Council who adopted the recommendation to sell the Rowe St property.

2.3.2 Recommendation

To prepare for the sale of the Rowe St incorporating a satisfactory legal framework to ensure that the public benefits including design outcomes and the connection to the Transport Interchange are safeguarded.

2.4 Create through site links

2.4.1 Findings/Analysis

The BJUDR outlined that through-site links should be negotiated as a public benefit from new development, particularly where they provide a demonstrable time saving through long, impassable blocks. Planning Proposals in recent years have often included tokenistic through-site links that do little in the way of reducing walk times and hence are not considered to provide public benefit and as such should not be considered as a redeeming feature of a development.

2.4.2 Recommendation

Continue to support and request provision of through-site links in DAs and PPs if they provide a demonstrable public benefit.

2.5.0 Improve public domain of Grafton Street and towards and underneath Syd Enfield Drive

2.5.1 Findings/Analysis

One of the actions of the Complete Streets project is to consider adaptive reuse of space under Syd Enfield Drive with a long-term goal to create more street level activity. It also recommends improving lighting and access of carparks under Syd Enfield Drive with a vision to properly activating this space past the point of being carparking. This is also being investigated as part of Council's Open Space and Recreation Strategy. This strategy will provide recommendations as to how the space under Syd Enfield Drive can be used for public urban recreation space. This strategy is intended to be finished in 2020.

Therefore, this recommendation should remain as a recommendation and should also reference the Open Space and Recreation Strategy.

2.5.2 Recommendation

This recommendation is being investigated as part of the Open Space and Recreation Strategy.

2.6.0 Create share zones in parts of Spring Street and Bronte Road

2.6.1 Findings/Analysis

The BJUDR found that there were no shared zones in Spring Street or Bronte Road. The four-way pedestrian crossing point at the corner of Oxford Street and Bronte Road and the crossing at Oxford Street and Ebley Street were considered appropriate crossing points for pedestrian foot traffic within this area. The BJUDR recommended further investigations to determine whether it would be appropriate to have this section closed to general traffic and only allow for buses, taxis and deliveries.

2.6.2 Recommendation

Investigate further mechanisms to reduce pedestrian and vehicle conflicts in Spring Street and Bronte Road.

2.7.0 Create solar access planes for important public open spaces within the Bondi Junction Centre

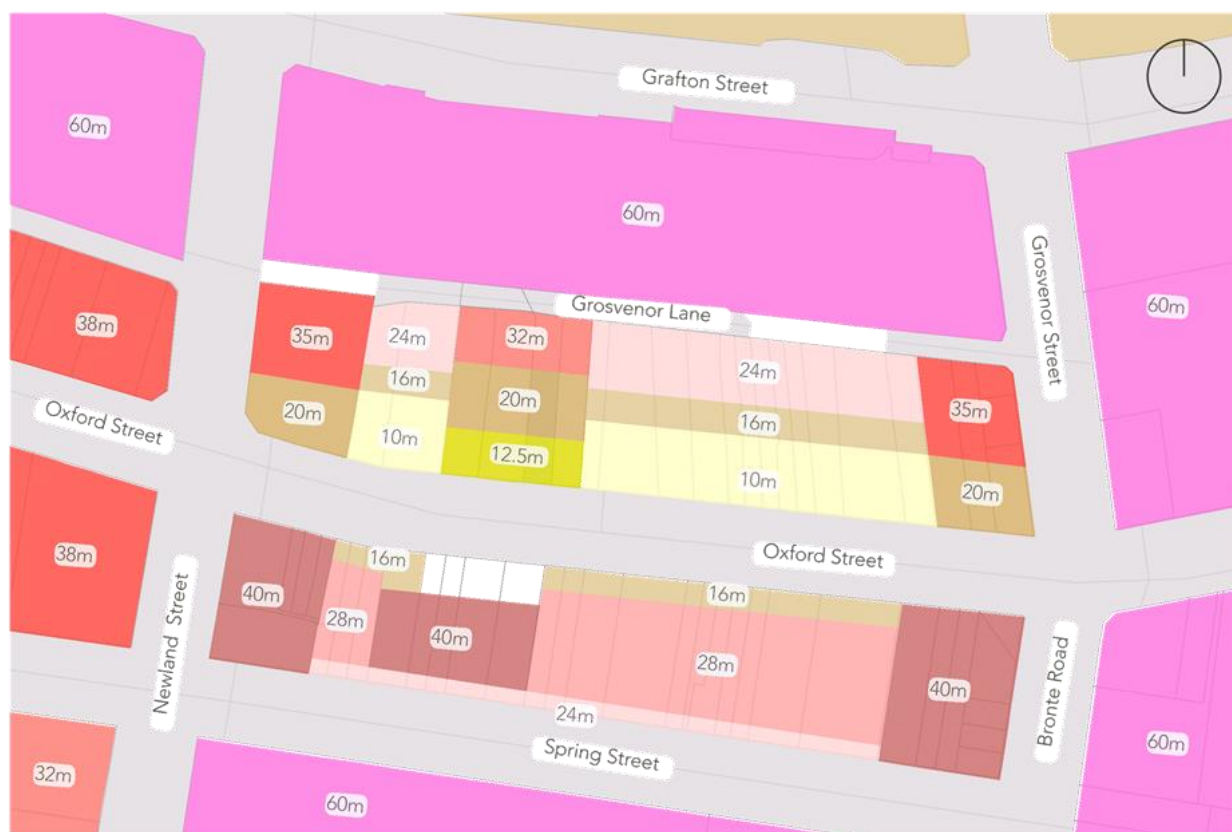


Figure 3 Stepped maximum height of building controls surrounding Oxford Street Mall

2.7.1 Findings/Analysis

As a result of this recommendation an Additional Local Provision was added into the Waverley LEP 2012. Clause 6.7 *Solar access to public spaces in Bondi Junction* in the Waverley LEP was added into the LEP to ensure buildings were designed to maximise sunlight access to important public places in Bondi Junction. The clause outlines the provision that development consent must not be granted to development that results in any part of a building causing an additional shadow impact at 12 noon on 21 June (winter solstice) at the following places: *Clemenston Park, Waverley Street Mall, Eora Park, Norman Lee Place & Oxford Street Mall*.

This clause also aligns with recommendations from the Bondi Junction Town Square Peer Review Submission

that suggested stepped height controls based on the angle of the winter sun, so that Oxford Street Mall could continue to receive sunlight regardless of new development. The stepped heights can be seen in Figure 3.

2.7.2 Recommendation

This recommendation has been actioned. No further action required with this recommendation.

2.8.0 Prevent midwinter lunchtime overshadowing of Clemenston Park by amending the WLEP 2012 height and FSR along the northern side of Ebley Street

2.8.1 Findings/Analysis

Whilst the height and FSR along the northern side of Ebley Street was not changed, Clemenston Park is protected from overshadowing due to the provisions of Clause 6.7 *Solar access to public spaces in Bondi Junction*. As discussed in the previous recommendation, Clause 6.7 provides protection to Clemenston Park as it outlines that any development that causes additional overshadowing impact to Clemenston Park must not be granted development consent.

2.8.2 Recommendation

Whilst this specific recommendation has not been actioned, the intent of the outcome has been actioned. No further action is required for this recommendation.



3.0 Development Potential Recommendations

3.1.0 Improve flexibility in land use by amending the WLEP 2012 to change the zone of the commercial core that lies to the West of Newland Street from B3 Commercial Core to B4 Mixed Use

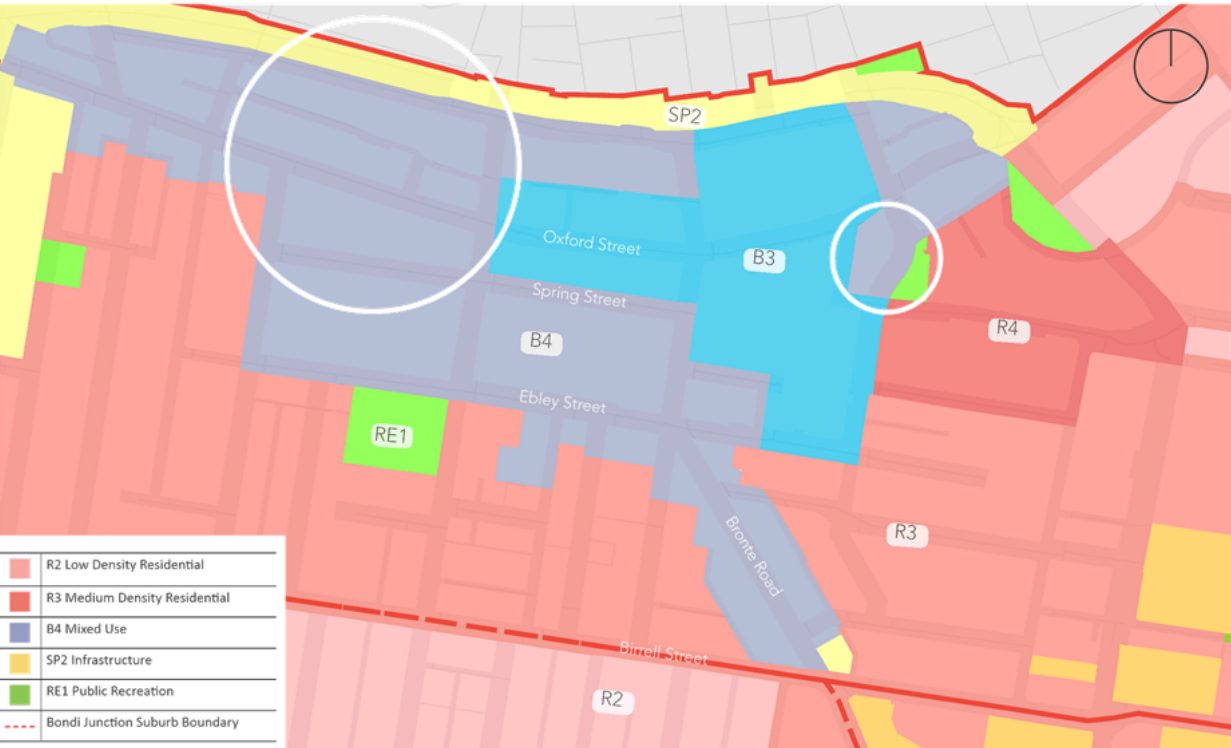


Figure 4 Areas rezoned from B3 Commercial Core to B4 Mixed Use as part of the WLEP 2012

3.1.1 Findings/Analysis

This recommendation was actioned as part of the Waverley Local Environment Plan 2012, the areas in Figure 4 were rezoned from B3 Commercial Core to B4 Mixed Use.

The intention of this was to allow for more residential space within Bondi Junction so that there could be an equal distribution of commercial and residential floorspace with the intention that residents could live and work in Bondi Junction. Council originally sought controls to ensure that new development had a

50/50 mix of commercial and residential. This was not supported by the DPIE. Instead of creating an equal distribution of commercial and residential uses, the rezonings led to an outcome which saw residential uses dominate commercial uses as residential development was much more profitable to developers. As a result, BJ has experienced a loss of 9,000m² in commercial floorspace since 2014 with a further loss of 19,000m² projected in the pipeline.

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The *Bondi Junction Strategic Centre: Protecting and Promoting Commercial Floorspace PP* was lodged with the DPIE in mid-2019 in order to stem the loss of commercial floorspace and ensuring that quasi-residential uses such as serviced apartments could not be used in the commercial floorspace areas. This can be achieved through retaining all the remaining B3 Commercial Core zoned land in Bondi Junction and prohibiting quasi-residential uses such as serviced apartments in this zone (which the PP is attempting to do).

3.1.2 Recommendation

This recommendation has been implemented, with the unanticipated perverse outcome of not delivering a truly mixed-use outcome. Continue to work with the DPIE to update planning controls so that commercial floorspace is retained and grows in Bondi Junction Strategic Centre.

3.2.0 Consider tall office buildings on the block between Oxford Street, Bronte Road and Gray Street (facilitating the opportunity for A-grade office space in Bondi Junction).

3.2.1 Findings/Analysis

It was decided to not implement this recommendation as part of the comprehensive LEP 2012 as there was no mechanism in place to capture any contribution from the windfall gain that these office towers would be getting as a result of this recommendation. It was considered that, as the community could not share in this uplift, and that increasing the development controls would only serve to benefit individual landowners through increased land values, that this recommendation would not be actioned.

3.2.2 Recommendation

No further action required.

3.3.0 Use potential for additional storeys within LEP height limit at selected locations (at present the number of storeys is limited by the DCP which at some locations does not correspond with the full LEP height potential).

3.3.1 Findings/Analysis

There has been an issue arising from development applications within Bondi Junction that has highlighted an inconsistency between the LEP maximum height limit and the DCP floor to ceiling height controls. This has meant that many developments have seemingly not been able to achieve a maximum amount of storeys due to floor to ceiling heights not matching with LEP height controls. This has meant many development applications have used Clause 4.6 Variation applications to gain heights exceeding the LEP height limit.

3.3.2 Recommendation

Investigate this further with assistance from the Development Assessment team with an aim to resolving this conflict within either the Comprehensive LEP review or DCP review.

3.4.0 Acknowledge that certain sites may be the subject of acceptable Development Applications which exceed development controls, if they do not create unacceptable impacts and they meet obligation to improve infrastructure and facilities.

3.4.1 Findings/Analysis

This recommendation was actioned through the creation of Council's Voluntary Planning Agreement (VPA) policy in 2014 (discussed further below). The VPA policy has been used to positive effect in numerous DAs where it could be demonstrated that exceedances of the development controls would not have adverse impacts on the surrounds and could provide a positive public benefit for the surrounding area.

3.4.2 Recommendation

Continue to negotiate VPAs for sites where it is deemed appropriate to exceed development controls.



4.0 Planning Policy and Design Recommendations

4.1.0 Develop a framework for VPA and (now) S7.11 contributions particularly for sites that might be the subject of Development Applications significantly over the existing controls.

4.1.1 Findings/Analysis

Waverley's VPA policy was created in 2014 in order to secure a public benefit from developments and PPs that were receiving a value uplift. The policy provides developers the opportunity to voluntarily provide public benefits to the community in the form of monetary contributions, land dedications and public domain and infrastructure upgrades.

The Planning Proposal at 194-214 Oxford Street and 2 Nelson Street, Bondi Junction (194 Oxford St PP) is an example of how the VPA policy could be implemented to achieve positive outcomes for the community. Council had attempted on various occasions to refuse the Planning Proposal stating issues with the controls being out of context with surrounds, however the NSW Department of Planning, Industry and Environment used its delegation to approve the development. The VPA policy was used to great effect, as although the Planning Proposal was approved, Council was able to gain a \$7.45million contribution from the developers that would be used to help improve community facilities. Since its creation in 2014 the VPA policy has been used to secure \$16.75million for the purposes of community benefits.

4.1.2 Recommendations

This recommendation has been actioned and as such the resulting VPA policy should continue to be used to secure public benefits. Continue to use the Waverley VPA policy for developments and planning proposals that are seeking uplift above their current development standards.

4.2.0 Require development applications to consider impact on surrounding sites. This may include three dimensional testing of overshadowing.

4.2.1 Findings/Analysis

All DAs and PPs are required to assess the impact on surrounding sites, this is one of the key factors in merit assessment. Shadow diagrams form a pivotal part of assessing the impact of a development on surrounding lots and as such are a requirement for applications for dwelling houses, dual occupancies, multi-residential development, mixed use development and commercial development over one storey high.

4.2.2 Recommendations

This recommendation has been actioned. No further recommendation required.

4.3.0 Require development applications to illustrate how neighbouring sites can be renewed or redeveloped adjacent to the proposal.

4.3.1 Findings/Analysis

This has been a key factor in assessing both DAs and PPs. This assessment is undertaken to ensure that the development opportunities of surrounding sites are not sterilised due to restraints enforced on them by the proposal being assessed. This assessment ensures that development occurring on one site does not adversely impact on another site or jeopardise another site's development potential.

4.3.2 Recommendations

This recommendation has been actioned. No further recommendation required.

4.4.0 Introduce environmental design into the DCP including passive solar design and natural ventilation.

4.4.1 Findings/Analysis

Environmental design has been added into the DCP in Chapter B2 Ecologically Sustainable Development. This chapter includes provisions pertaining to passive design, water conservation, renewable energy, natural ventilation and general sustainable building practices.

4.4.2 Recommendations

This recommendation has been actioned. No further recommendation required.

4.5.0 Permit commercial uses on sites on the south side of Ebley Street between Hollywood Avenue and Denison Street where they face potential overshadowing from development to the north.



Figure 4 Sites originally identified for additional permitted uses

4.5.1 Findings/Analysis

The sites outlined in Figure 4 have remained without additional permitted commercial uses. The uses within this area are largely residential and the inclusion of any commercial uses within this area would likely require redevelopment, which would be difficult in this area due to their inclusion within a Heritage Conservation Area and the fine grain, fragmented lot pattern.

4.5.2 Recommendations

No further action required.

4.6.0 Conduct a block by block analysis to assess building massing options for redevelopment sites. This may determine appropriate setbacks in the context of existing building massing, block depth, lot size and access consideration.

4.6.1 Findings/Analysis

This exercise was completed and informed the comprehensive LEP 2012.

4.6.2 Recommendations

No further action required.

4.7.0 Develop a strategic plan for the renewal of the area between Ebley Street and Birrell Street to consider the possible expansion of Bondi Junction southward.



Figure 5 Fine grain lot size between Ebley Street & Birrell Street

4.7.1 Findings/Analysis

The expansion southward of Bondi Junction Strategic Centre did not occur as the area between Ebley Street and Birrell Street remains zoned as R3 Medium Density Residential. This area likely remains zoned as such due to the fine grain nature of the lot sizes in this area and the existence of Heritage Conservation Areas (Figure 5). For mixed use development to occur here various adjoining lots would have to be bought and consolidated to create viable floorspace for commercial use.

4.7.2 Recommendations

Do not pursue the possibility of expanding the Bondi Junction Strategic Centre southwards to include the area between Ebley Street and Birrell Street, given the existing HCAs and fragmented lot pattern.

5.0 Waverley DCP Podium Controls Review

5.1.0 Findings/Analysis

The current Waverley DCP podium controls apply to development in the Bondi Junction commercial centre. The controls list that areas without heritage on the street must build a podium to the street alignment up to six storeys, areas with heritage on the street must build a podium to the street alignment up to two/three storeys. There has been an inconsistency of compliance and non-compliance with these controls with developments in Bondi Junction as seen in the examples below in Table 3.

Table 3 Examples of podium heights and setbacks for tower developments in Bondi Junction

Address	Podium Height	Compliance	Setback
292-302 Oxford Street	5 storey podium	Yes	No
306 Oxford Street	3 storey podium	Yes	Yes
310 Oxford Street	3 storey podium	Yes	Yes
59-75 Grafton Street	6 storey podium	Yes	Yes
241 Oxford Street	2 storey podium	No	No
253-255 Oxford Street	2 storey podium	No	Yes
570-588 Oxford Street	7 storey podium	Yes	No

The issue that is arising from many developments within Bondi Junction is that the storeys above the top podium level are not setting back the required 6m, so the top podium level and the continuation of the tower above are almost non-distinguishable. Many of the sites developed have smaller setbacks meaning the tower is not pronounced, which has set a precedent that many other tower developments are following; potentially resulting in greater overshadowing and impacts on amenity. The inconsistencies in compliance with these controls brings the viability of the DCP controls into question, which is important when considering how to apply the controls to the remaining developable sites.

There are currently four remaining sites in the Bondi Junction commercial centre that have redevelopment potential, they are listed below:

- 47-53 Spring Street
- 376-382 Oxford Street
- 6-8 Denison Street
- 10 Denison Street (DA lodged in December 2019)

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The developments that have occurred on streets marked with heritage (306 and 310 Oxford Street) have built to compliance with the controls and therefore helped to create and maintain a consistent tower built form in this area. Therefore, it is important that the 376-382 Oxford Street site also complies with the development controls to maintain the consistent built form of the towers in this area. Being also identified in the heritage streets in the DCP, 6-8 and 10 Denison Street also need to comply with the 2/3 storey podium and setback controls to ensure the consistency of tower forms in this area.

The towers on Spring Street have not complied with the podium height or setback requirements, as has been a somewhat common theme in the non-heritage listed streets. Therefore, it could be considered unreasonable to expect development occurring on 47-53 Spring Street to follow the controls of the DCP as the development would look out of place with the rest of the towers in this area. In this instance any tower development should be designed to be consistent in scale and form with the towers surrounding the site.

5.1.1 Recommendations

The podium height and setback controls listed for 376-382 Oxford Street, 6-8 Denison Street and 10 Denison Street should be maintained and enforced. The podium height and setback controls for any development on 47-53 Spring Street should be assessed on their merit for the consistency with the built form of surrounding towers.

6.0 West Oxford Street Design Charette

The West Oxford Street Design Charette was developed in 2015 with the intention of generating ideas for the long-term redevelopment of the area into a precinct that provides a fitting threshold to Bondi Junction, with better connections to adjacent areas, and a better place for the community to live, work, shop and enjoy. The West Oxford Street precinct area is identified in Figure 6.



Figure 6 West Oxford Street Precinct Area outlined in red

Arising out of the charette were recommendations pertaining to built-form, public domain and road re-configurations for the short, medium and long-term.

Much of the public domain works recommendations consisted of upgrades to the footbridge adjoining West Oxford Street and Woollahra, upgrades to footpaths and cycleways in the immediate vicinity, formulating incentives for developers to offset provisions for cultural assets and street tree planting.

The built-form recommendations outlined in the charette included increases to maximum heights and floorspace ratios, development of the bus depot, creation of through-site links, key sites being identified, and design excellence provisions being required for these key sites. The recommendations for changing the development controls included:

- A continuous 6 storey edge along Oxford St with small footprint development up to 9 stories along the Syd Einfeld frontage to a maximum depth of 30m
- 4 storeys on the southern side of Oxford St east of St James Rd to the south side of Mill Hill Road
- Development up to 4 stories over the bus depot, with bus access beneath, for a maximum depth of 20m along Oxford Street frontage (subject to discussions with TfNSW and Sydney Buses)
- Varied FSR's to modulate built form along Oxford St

A recent PP at 194-214 Oxford Street, showcased a resounding community sentiment to maintain the current development controls listed in the LEP and that developments exceeding the controls were not supported. Notwithstanding this sentiment, the NSW Government approved a new maximum height limit of 36m, allowing a tower form at the low rise edge of Bondi Junction, surrounded by 15m and 9.5m height limited and isolated from the cluster of towers to the east. Given the overwhelming community feedback on the 194 Oxford Street PP to maintain the existing height and FSR controls, it is unlikely that the community would support any development above the bus depot or any other changes to height in the West Oxford Street area. To reflect community sentiment, it is envisioned that the current LEP controls in West Oxford Street will remain unchanged.

The sites outlined in the West Oxford Street Design Charette also act as transitional sites from the large-scale towers of the commercial centre to the much smaller scale residential properties in the surrounds. Therefore, it is important to keep these areas as transitional so that the scale of building heights gradually steps down to the residential areas so that the amenity of these areas is not adversely impacted. An important point to note is that the Design Charette was inconsistent with one of the aims of the LEP to provide a transition from taller commercial centres to residential surrounds. The next section will explore this transitional principle in more detail, focussing on controls and recent development in edge areas.

7.0 Treatment of controls in edge areas

As alluded to above, Clause 1.2(d) of the Waverley LEP outlines the control “to provide an appropriate transition in building scale around the edge of the commercial centres to protect the amenity of surrounding residential areas”. This control reflects the principles outlined in the BJUDR (Figure below), which argues that there should be a transition in heights on the edges of Bondi Junction. In particular, the control is most pertinent for West Oxford Street, Bronte Road and Ebley Street. Each of these areas are facing development pressure in the form of DAs and PPs. In this context, there areas are analysed to determine whether the transition principle has been upheld and is still appropriate for the future.

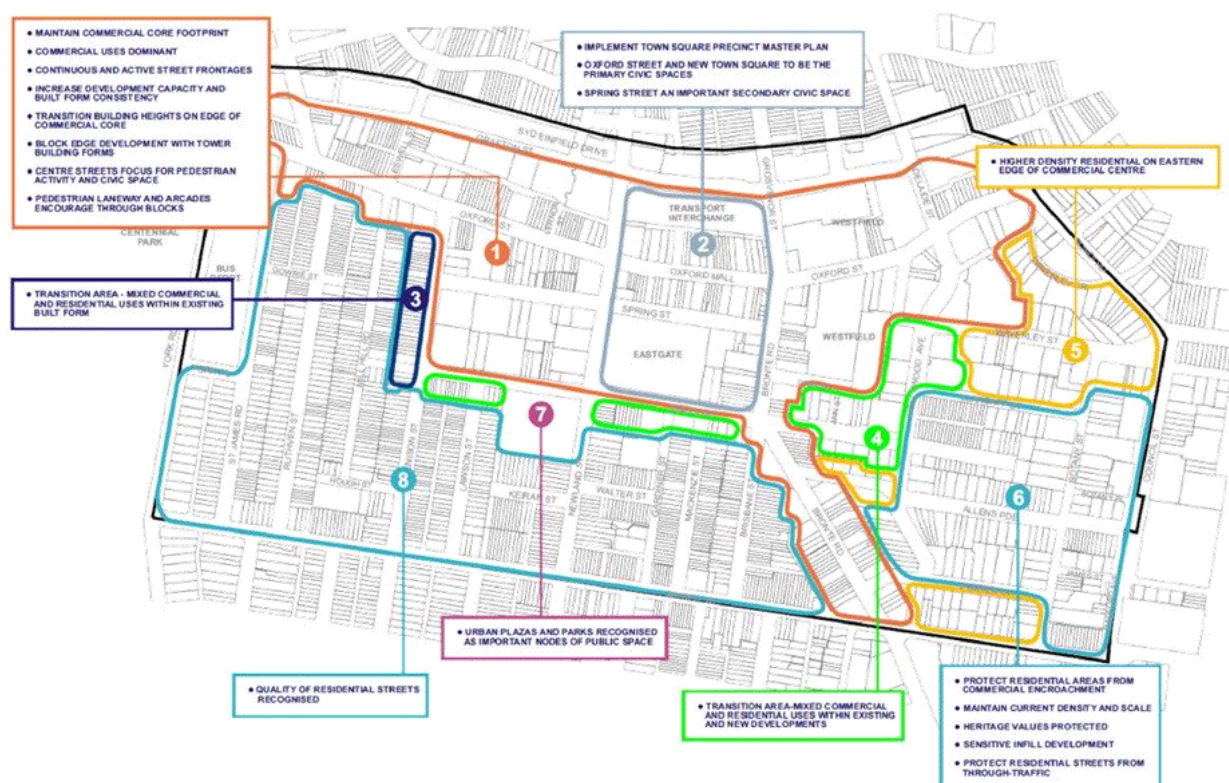


Figure 7 Area specific recommendations of the original Bondi Junction Urban Design Review

7.1.0 West Oxford Street

7.1.1 Findings/Analysis

The current LEP height controls for the West Oxford Street area show a transition from 38m to 12.5m to 9.5m in order to minimise impacts of the commercial centre on the surrounding residential area, as seen in Figure 8.

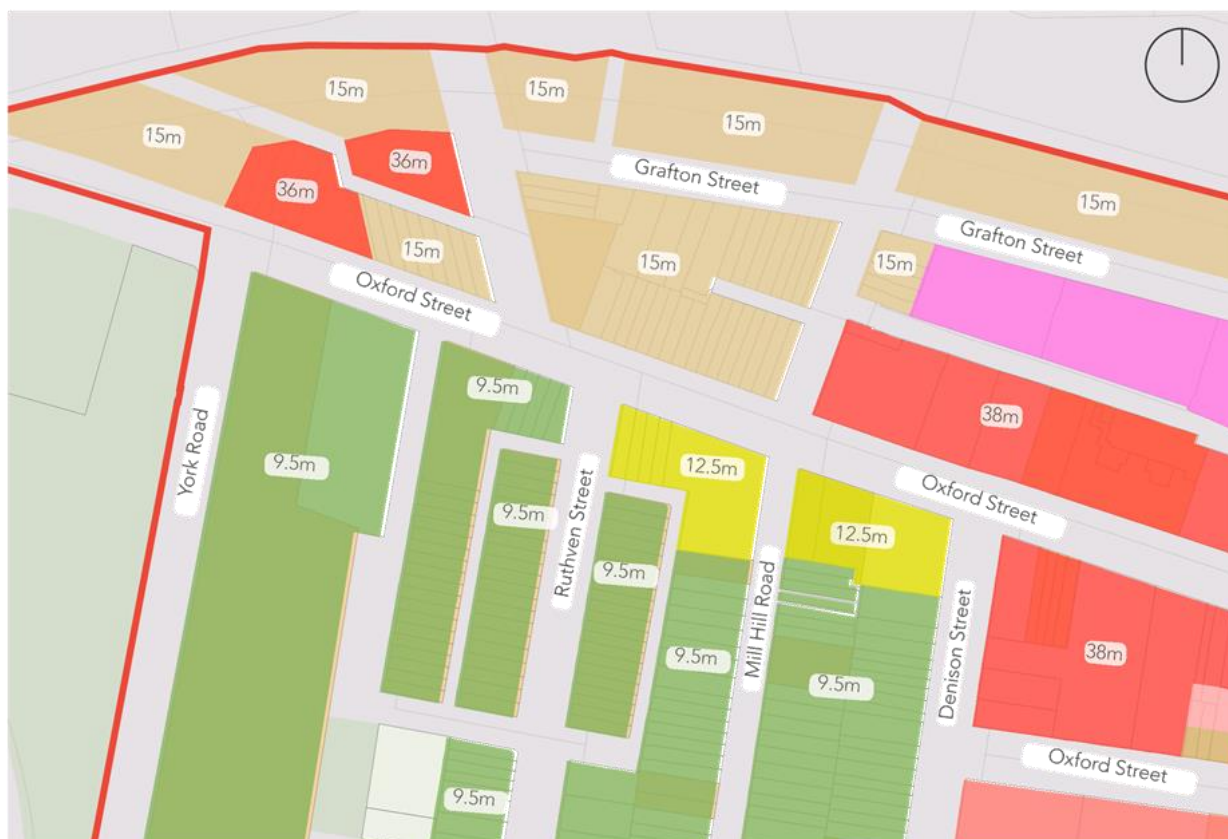


Figure 8 LEP height controls West Oxford Street Area

Many of the West Oxford Street buildings are two storeys in height and maintain a consistent streetscape and built form. West Oxford Street is one of the few remaining areas in Bondi Junction that has maintained this low-scale form. Much of the transitional nature of the West Oxford Street area is retained in the low-density residential character of the residential streets and two-three storey shop top housing buildings on Oxford Street as seen in Figure 9.

this height and bulk are exceedingly out of scale with the surrounding areas and betray the both the transitional objectives and low scale residential nature of the area. These increased controls allow for development that would significantly tower above the surrounding buildings and would resemble developments that occur in the heart of the commercial centre, not the edge residential areas. Any development to such a large size on the 194 Oxford Street sites would be considered an outlier development. The community echoed this sentiment during the exhibition of the PP as there was over 400 submissions opposing the development and only 10 submissions supporting it. As such, this PP and subsequent development should not be used as precedence to inform an increase in controls in the West Oxford Street area as it would be out of scale with the surrounding area and would be met with great community backlash. The recently adopted LSPS for Waverley contains a key action, based on overwhelming community feedback, to “enhance public domain throughout Bondi Junction, and curate a ‘village feel’ along West Oxford Street and Bronte Road”. Figure X below shows the renderings of the 194 Oxford Street PP building height that would be allowed under the new controls. It can clearly be seen that the building is significantly out of scale with the surrounding West Oxford Street area and substantially impacts on the amenity of the area as an anomaly on the two-storey view along West Oxford Street.

The transitional 12.5m heights from the centre’s 38m height is also currently being maintained as the Continental tyres site remains as a single storey building and the neighbouring hardware store stands only at two storeys. Both developments immediately adjacent to the 38m height limit of the centre maintain a modest height and as a result have minimal impact on the low-scale heritage residential area to the south. The compound of units at 39-43 Oxford Street on the corner of Mill Hill Rd and Oxford Street, is the only development in this 12.5m height transitional zone that is above two storeys and yet it remains within the limit at a total height of 11.7m.

The current LEP height limit of 12.5m that is set for the northern most lots between Denison St and Ruthven St is intended to be used as a transitional height to minimise development impacts on the surrounding residential dwellings. Given that the current buildings in this area are consistent with the controls, it is considered that these heights are fulfilling this objective. The sites within the 9.5m area are complying with these height limits as well as most dwellings in this area maintain a consistent two storey height with some even standing at single storey. Given the prevailing character of one and two storey residential dwellings in the West Oxford Street area, and the weight of community feedback received for this area to maintain the existing character, it is important that the LEP controls only allow for development that will respect the existing character and residential amenity of this area.

7.1.2 Recommendations

Maintain the current LEP controls for the West Oxford Street area and do not allow for increased development standards in order to respect the existing low-scale built-form and amenity of the area.



Figure 9 Consistent two storey shop top housing along Oxford Street

There is consistent height of buildings west of Denison Street with many retaining the 9.5m height in the form of terrace housing as seen in Figure 9. This built form is maintained with each street heading West and even exhibits greater levels of one storey buildings. Given that this area comprises rows of terraces, is covered by a Heritage Conservation Area and with numerous listed items, this area will remain largely unchanged. This underscores the need for transitional development so that towers do not adversely impact this residential area, especially its heritage status with issues such as overshadowing.



Figure 10 Terrace housing on Denison Street, Bondi Junction

As discussed in the previous section, West Oxford Street has been the subject of a controversial Planning Proposal that could set a poor precedent for development within the area. The 194 Oxford Street Planning Proposal increased the permissible height on the sites from 15m to 36m and increased the FSR from 1.5:1 to 3.5:1. Both

7.2.0 Bronte Road

7.2.1 Findings/Analysis

Similar to the West Oxford Street area, the Bronte Road corridor acts as a transitional zone between the heights of the Bondi Junction commercial centre and the surrounding residential area. Similarly, the Bronte Road corridor is flanked by conservation areas immediately to the east and west of the corridor and the corridor itself contains clusters of heritage listed items. However, unlike the West Oxford Street area, there is less consistency in built form and heights as the centre is characterised by a variety of different building heights and typologies.

The building typologies along Bronte Road range from two storey shop top housing, single storey light industrial uses, four storey mixed use shop-top housing, terraces and residential flat buildings. At either end of the Bronte Road corridor are developments that are considered outliers as they both tower over surrounding development, standing at 8 storeys on the northern end and 6 storeys on the southern end respectively. Like the 194 Oxford Street development, these outlier developments are in contravention to the transition aim of the LEP and are not considered a precedence for the rest of the Bronte Road corridor to follow. The Bronte Road corridor built form can be viewed in Figure 11 below.

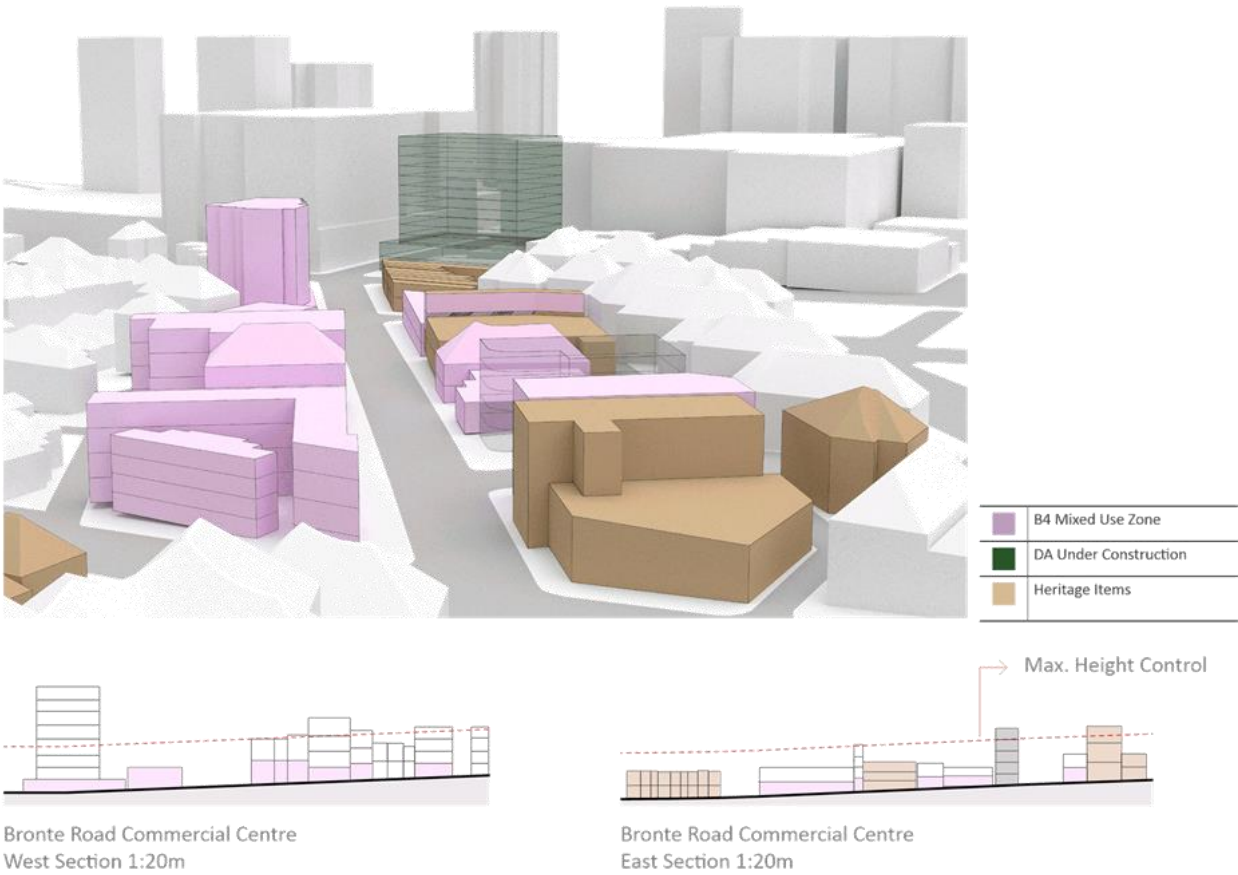


Figure 11 Bronte Road corridor built form

Much of the residential area to the west of Bronte Road consists of single storey housing and two storey terrace housing on fine grain lots; most of this area is also listed as a Heritage Conservation Area. It is therefore considered very important to minimise the impacts of development along Bronte Road on this area to not diminish the setting of the Heritage Conservation Area. Council’s current height and heritage controls are shown on Figure 12 below.



Figure 12 Bronte Road corridor LEP height and heritage mapping

To the east of the Bronte Road corridor is much larger lot and building sizes ranging from two-three storeys in height. Many of the developments on these lots consist of three storey residential flat buildings and two storey single dwelling houses. As seen above in Figure 12 this area is also listed as a heritage conservation area and so therefore any potential impacts from development on Bronte Road would have to be considered in this area. The larger lot sizes and taller heights of the buildings in this area does mean that development on the eastern side of Bronte Road would have less impact on the neighbouring HCA. In order to protect the significance of the two heritage conservation areas on either side of the Bronte Road corridor it is important that any new development be in line with the existing controls listed along this centre.

7.2.2 Recommendations

Maintain the existing LEP controls along the Bronte Road corridor.

7.3.0 Ebley Street

7.3.1 Findings/Analysis

Ebley Street acts as an edge area that transitions from the towers of the commercial centre to the residential areas to the south. In order to determine if the development controls applying to this fringe area are still appropriate, recent PPs and DAs along Ebley Street will be analysed to see how they did or didn't comply with the LEP development standards. The 96-122 Ebley Street Planning Proposal will be analysed, as will the Bondi Junction RSL development application and the Grand Hotel redevelopment. The locations of these are shown below in Figure 13.



Figure 13 Ebley Street recent Planning Proposals and Development Applications

The most recent Planning Proposal on Ebley Street was located at 96-122 Ebley Street, Bondi Junction. This PP initially proposed a change from 32m in height to 35m in height but the increased height was not supported citing issues of impacts on the amenity of the surrounding residential area. The finalised version that Council has supported has maintained the existing LEP height controls and has received an increase in FSR from 4:1 to 6:1 to incentivise redevelopment of the sites. As this site is on the fringe of the Bondi Junction commercial centre it is more difficult to attract commercial tenants as it is further away from amenities and services such as access to the Bondi Junction rail interchange. Given this difficulty to find a willing developer, the FSR was increased from 4:1 to 6:1 with a residential FSR of 1:1, this was done to help incentivise redevelopment of the site as residential development is a much easier and secure development for developers to undertake. This instance has shown

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that the existing controls in the area are suitable and that any change to FSR has simply been done to incentivise redevelopment which will help the sites to reach their commercial floor space potential. This PP suggests that the LEP heights are still appropriate and perhaps a minor increase in FSR could be considered, where any additional impacts are acceptable.

The Bondi Junction RSL redevelopment was approved in November 2019 for a 10 storey mixed use building containing a registered club, retail and 80 residential units. The development was approved with a FSR far below the maximum FSR, the maximum being a ratio of 6:1 and the development being approved for 4.52:1. Due to discussions with Council and a likely refusal, the height was reduced from 13 storeys to 10 storeys. This 10 storey height represented only a 3m height exceedance at its highest point which was a result of lift/overrun heights and as such was considered acceptable by the Land and Environment Court. Given that this was such a significant development over various sites, it is considered that this minor exceedance in height does not suggest that the controls were necessarily inappropriate for the area, especially as the FSR was considerably under the maximum ratio allowed on the site.

The Grand Hotel redevelopment finished construction in late 2019. The original DA proposed a height of up to 22m in a 15m height limit and a FSR of 2.34:1 in a max FSR limit of 2:1. Council refused these controls on the grounds of negative impacts on the surrounding area with specific issues of bulk and scale being referenced. The DA was later approved with a FSR exceedance of only 5% which was 2.05:1 and a height totalling 17m lift/overrun which was only 2m higher than the height limit. Given that both are only relatively small exceedances from the LEP development standards it is reasonable to suggest that the controls on this site are applicable, especially given that they were used to bring the original proposed height and FSR down to something more reasonable.

From analysing the recent developments and Planning Proposal it is reasonable to suggest that the current LEP height and FSR controls are still applicable and have in fact been used to achieve a more acceptable development with minimal impacts on the surrounding area. Whilst there was a need for an increase in FSR in the Ebley Street PP there was ample FSR left unused as part of the Bondi Junction RSL development and the Grand Hotel development was only minimally above the FSR. Similarly, whilst the Grand Hotel had a 13% exceedance in height and the RSL 9%, this exceedance was a result of lift overruns and the bulk of the building is relatively consistent with the development standards. The Planning Proposal maintaining the height also shows that this control was suitable.

7.3.2 Recommendations

Maintain the LEP controls on Ebley Street to ensure that development in these edge areas remains transitional to reduce the impact on surrounding areas.

8.0 Bondi Junction Town Square Review 2007 Recommendations

8.1.0 Land Use; Land use proposed for the commercial centre – B3 Commercial Core.

8.1.1 Findings/Analysis

This recommendation was supported and Oxford Street Mall was zoned B3 Commercial Core.

8.1.2 Recommendations

No further action required.

8.2.0 Floor Space Ratio; Rowe Street Development Sites 5:1, Bronka Arcade Development Sites FSR 7:1.



Figure 14 LEP Floor Space Ratio Map - Oxford Street Mall

8.2.1 Findings/Analysis

This recommendation was not implemented in the Waverley LEP but FSRs of similar sizes were added. Figure 14 shows the current LEP FSRs of Oxford Street Mall, these are not too far removed from the recommended FSRs.

8.2.2 Recommendations

Ensure that the FSRs for sites are compatible with the height of buildings in any changes to the LEP.

8.2.0 Proposed Building Heights

Rowe Street Sites: A range of heights stepping from 10m on Oxford Street Mall, a mid height of 20m rising up to a maximum of 24m along Grosvenor Lane (see Figure 15 below).

Bronka Arcade Sites (see Figure 15 below):

- 20m maximum height on the proposed public Square
- 15m over Spring Street
- 28m to the West of the proposed Square
- 24m to the East of the proposed Square up to a maximum of 45m on the corner of Bronte Road



Figure 15 2004 Bondi Junction Town Square Masterplan Proposed building heights, from The Bondi Junction Town Square Peer Review Subission, 2008.



Figure 16 Current LEP heights of Oxford Street Mall

8.3.1 Findings/Analysis

The recommendations shown in Figure 16 were not carried through to the Waverley LEP, however the stepped building heights concept was carried through. Figure 16 shows the current building heights of Oxford Street Mall.

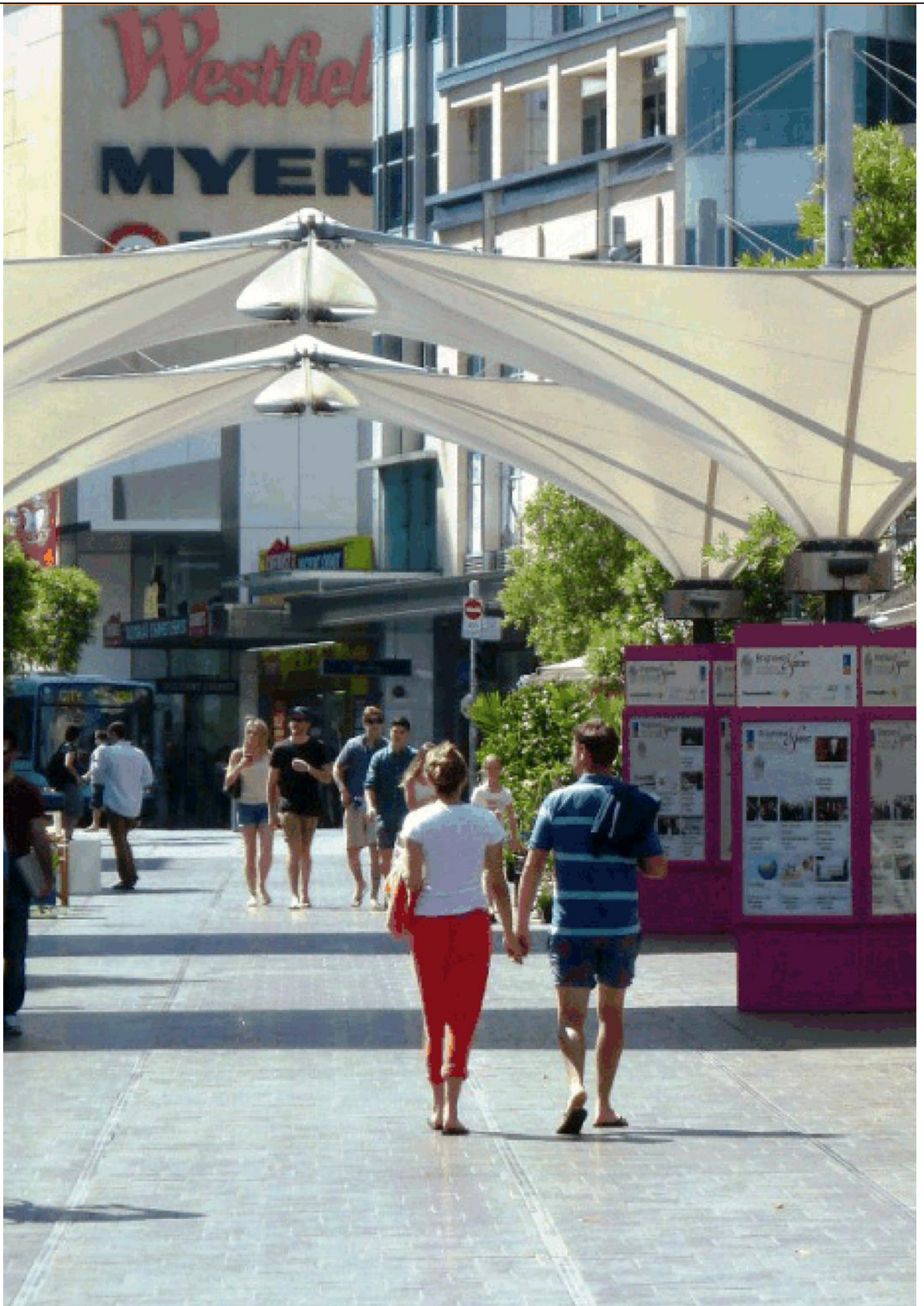
Whilst there are different heights to what was proposed the stepped height concept remains. The stepped height is derived from the winter sun angle and ensuring that the mall receives adequate sunlight year-round.

Little development has occurred around Oxford Street mall, since the WLEP 2012 compared to other parts of Bondi Junction. This likely reflects the price differential for residential vs commercial development and the highly fragmented nature of lot ownership. The challenge that these lot sizes represent is that individual redevelopment of each lot could create sub-optimal built form outcomes as each lot would have a single, narrow development. Ways to incentives new development in and around the mall should be explored to ensure that Bondi Junction maintains its employment status as a Strategic Centre. There could

be development incentives for lot amalgamation, creating a preferable built form outcome. Similarly, an residential incentive may be another way of encouraging commercial development, like the Ebley Street PP. Such changes would have to be considered carefully as introducing residential uses into the B3 zone could compromise the commercial integrity of that zone.

8.3.2 Recommendations

Investigate the viability of the stepped building heights in Oxford Street Mall and make recommendations pertaining to changing or leaving the controls as is as part of the Comprehensive LEP review.





REPORT
CM/7.8/20.04

Subject: Draft Cultural Plan - Exhibition

TRIM No: A19/0092

Author: Matthew Fallon, Manager, Cultural Programs

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

RECOMMENDATION:

That Council publicly exhibits the draft Cultural Plan attached to this report.

1. Executive Summary

In March 2019, Council commenced consultation with the community as an initial component of the development of a Cultural Plan. The Cultural Plan seeks to recognise the central role that culture plays in shaping and defining our community and guide Council's future planning for cultural infrastructure, events, programs and partnerships.

The Cultural Plan sets the long-term vision for culture in the local government area (LGA) and provides a roadmap for Council, the community and partners to work together towards creating an exciting and engaging arts and cultural life.

The preparation of a draft Cultural Plan has been completed and it is submitted to Council for review and endorsement to place on public exhibition. Following public exhibition, feedback received will be included in a further report for the consideration of Council with a view to adoption of the Plan.

2. Introduction/Background

A critical component of the development of the draft Cultural Plan has been the community engagement activities and related input. This included an online survey, which attracted 185 responses, and three focus groups with a total of 35 people attending. An intercept engagement process was also undertaken across the LGA with discussions taking place in Charing Cross, Bondi Junction, Bondi Beach, Bondi Road, Bronte, Tamarama, Rose Bay and Queens Park with a total of 75 additional community engagements.

A number of direct submissions from individuals and groups were also received. Officers attended a music industry group meeting that also formed part of the evidence base in the development of the Draft Cultural Plan.

Submissions related to Arts and Culture within the Waverley Community Strategic Plan and previous submissions relating to the Bondi Pavilion Restoration and Conservation project have also been considered in the preparation of the Draft Cultural Plan.

On 10 March 2020, a Councillor workshop was undertaken with feedback from that forum also incorporated into the Draft Cultural Plan.

3. Relevant Council Resolutions

Nil.

4. Discussion

The draft Cultural Plan has been developed with a view to setting the long-term vision for culture in the Waverley Local Government Area and provide a roadmap for Council, the community and partners to work together towards creating an exciting and engaging arts and cultural life.

The creation of the Draft Cultural Plan has borrowed from the Cultural Development Network Planning Framework which is underpinned by six principles informed by best practices in public policy:

- Based on values.
- Directed towards goals.
- Focused on outcomes.
- Informed by evidence.
- Underpinned by a theory of change.
- Respondent to evaluation.

Within the Draft Cultural Plan, a series of values, goals and objectives further convey the intentions of the Plan, with specific actions and measures articulating the steps that will be taken in order to achieve those outcomes.

In light of the current limitations on public gatherings, a six-week exhibition period for the Draft Cultural Plan is recommended. During this consultation period, groups and individuals who made submissions in support of the formulation of the Draft Cultural Plan will be asked to provide further feedback. In addition, various arts and cultural sector organisations will be asked to provide input alongside State and Federal agencies named within the Draft Cultural Plan.

5. Financial impact statement/Time frame/Consultation

Financial impact

The financial impact of undertaking this consultation is will be limited to the staff resources involved in facilitating the consultation.

The Draft Cultural Plan outlines a series of actions and measures that form the basis of the work that will be undertaken through the Plan's adoption. In the event that the Council adopts the Plan as presented, the actions and measures identified within the Plan either reflect commitments already costed and budgeted by Council, or are framed in such a way as to require approval before committing Council to further expenditure. In establishing the Cultural Plan in this manner, the Plan allows Council maximum flexibility in response to the rapidly changing operating environment and related financial and resource constraints.

Time frame

In light of the current limitations on public gatherings, it is suggested than exhibition/consultation be allowed to take place over six weeks to ensure that all stakeholders can be given an adequate opportunity to engage in the process. This would commence as soon as practicable following a decision of Council to proceed with exhibition/community consultation.

After consultation on the Draft has concluded, feedback would be analysed and the final Cultural Plan presented to Council for consideration.

Consultation

The preparation of the Draft Cultural Plan included an online survey, which attracted 185 responses, and three focus groups with a total of 35 people attending. An intercept engagement process was also undertaken across the LGA with discussions taking place in Charing Cross, Bondi Junction, Bondi Beach, Bondi Road, Bronte, Tamarama, Rose Bay and Queens Park with a total of 75 additional community engagements

On 10 March 2020, a Councillor workshop was undertaken with feedback from that forum also incorporated into the Draft Cultural Plan.

Officers are mindful of the level of public interest desirable in the successful delivery of the Cultural Plan and, as such, will undertake an extensive consultation exercise designed to close the loop with groups and individuals who have previously been engaged in the development of this draft plan. In addition, various arts and cultural sector organisations will be asked to provide input alongside any State or Federal agencies named within the Draft Cultural Plan. Council wishes to hear from engaged and motivated groups within the development of the plan but also needs to ensure there is robust evaluation of proposals and aspirations so that elements of 'sector capture' are avoided in policy development and resource allocation.

6. Conclusion

In order to progress the consideration of the Draft Cultural Plan, Council officers seek a decision of Council to undertake the exhibition and consultation program outlined in this report.

In light of the current limitations to public gatherings, a consultation plan extending for a period of six weeks is proposed to allow for a more complete consultation process to occur.

7. Attachments

1. Draft Cultural Plan [↓](#)



CONTENTS

1. Introduction

2. Context

- a. How this Plan was developed
- b. Defining culture in Waverley
- c. The value of arts, culture and creative industries in Waverley
- d. The role of Council, the community and partners
- e. Strategic context

3. What our community told us about culture in Waverley

4. Waverley's cultural landscape

- a. Snapshot of our people and cultural participation
 - i. Our ongoing stories
 - ii. Demographic snapshot
 - iii. Creative participation snapshot
 - iv. Creative industry snapshot
- b. Snapshot of our cultural places, spaces and programs
 - i. Waverley's places, villages and neighbourhoods
 - ii. Waverley's cultural facilities and spaces
 - iii. Festivals, events and programs

5. Goals, Objectives and Actions



ACKNOWLEDGEMENT OF COUNTRY

Waverley Council acknowledges the Bidjigal and Gadigal people who traditionally occupied the Sydney Coast and we pay our respects to Elders past, present and future.

Council would like to acknowledge all the Aboriginal and Torres Strait Islander Elders, community members, and service providers who support our work in reconciliation.



OUR COMMUNITY VISION

Waverley: connecting the city
and the sea.

A welcoming and cohesive community that
celebrates and enhances our spectacular
coastline, vibrant places, and rich cultural
heritage.



DRAFT Waverley Cultural Plan 2020 – 2025



MESSAGE FROM THE MAYOR

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acidigenit reritatem everi nonet
minciun ditinctur a di omnime et
facero eatus, torae nobis volor magnis
explisquo omnis e

Mayor of Waverley Council
Paula Masselos



INTRODUCTION

The Waverley Local Government Area (LGA) is on the land of the Gadigal (Cadi-gal) people and the Bidjigal (Biddigal) people, representing the oldest continuous living culture in the world.

Waverley Council recognises the central role that culture plays in shaping and defining our community. The Waverley Cultural Plan (the Cultural Plan) has been developed to guide Council's future planning for cultural infrastructure, events, programs and partnerships.

The Cultural Plan sets the long term vision for culture in the Waverley Local Government Area (Waverley) and provides a roadmap for Council, the community and partners to work together towards an exciting and engaging arts and cultural life for our area. Comprising 9km², Waverley is located in the heart of Sydney's Eastern Suburbs, about 7 kilometres east of the Sydney CBD. Along with our neighbours, Randwick and Woollahra council areas, Waverley takes in some of Sydney's most beautiful coastline, including the iconic Bondi Beach, and comprises a regional commercial and transport hub at Bondi Junction. Waverley has a population of around 74,000, making it one of the most densely populated LGAs in New South Wales.

The starting point for this Cultural Plan is our Community Strategic Plan 2018-2029 (CSP), which outlines the following community vision for the future of Waverley:

"Waverley: connecting the city and the sea. A welcoming and cohesive community that celebrates and enhances our spectacular coastline, vibrant places and rich cultural heritage."

The CSP identifies 'Arts and Culture' as a key theme to achieve this community vision, with the objective for Waverley to be "a community enriched by opportunities to celebrate and participate in art and culture" by 2029.

From the CSP process we understand that Waverley's Library service is highly valued for its programs and for providing community connections. In addition, as articulated via the CSP, Council will:

- encourage Indigenous arts and culture and incorporate it into the landscape
- provide spaces for the performing arts
- encourage arts and cultural activities, including cross-cultural activities.

The CSP includes a focus on facilitating opportunities that recognise Waverley's unique place in the Australian contemporary cultural landscape and in preserving and interpreting the unique cultural heritage of Waverley.

The community told us during consultation for the CSP that it is important to support arts and culture in Waverley.

Throughout our consultation with the community on the Cultural Plan, a number of themes emerged, which are expressed in this Plan as four key values.



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THE 4 KEY VALUES

①

Ambition

A culturally ambitious approach that reflects our unique place in the Australian cultural landscape and imagination.

②

Collaboration

Cultural outcomes driven by strong partnerships between and within Council, the community, and the creative sector.

③

Sustainable

Strategic leadership and resourcing that recognises the value of culture to Waverley and empowers our community and creative sector.

④

Evaluation

Continually reviewing how we deliver on the goals of this Plan and the impact that they have is critical to ensure that we provide our community and visitors with opportunities to experience a vibrant arts and cultural life.



OUR FIVE KEY GOALS

Guided by these key values, this Cultural Plan outlines a road map to achieve five interconnected goals that articulate the desired long-term future for arts and culture in Waverley, each supported by associated objectives and actions.

This strategic framework will drive the future work of Council, its partners and the wider Waverley community.

Goal 1

Our diverse and ongoing stories are shared and celebrated

Waverley's cultural landscape is underpinned by the diverse stories of our unique people and places. Opportunities for locals and visitors to learn, share and celebrate in our ongoing stories will foster a stronger sense of place and community inclusion and connection.

Goal 4

Showcasing and supporting our creative sector and community

Waverley is home to many creative and engaged individuals, groups, organisations and businesses. Showcasing and supporting this creative sector to thrive, collaborate and kickstart their initiatives will drive local cultural outcomes.

Goal 2

We have a vibrant network of spaces and places for cultural participation, production and experience

Waverley has a range of spaces and places that facilitate our cultural landscape, including community facilities, public places, beaches and parks. A dedicated network of spaces and places that is fit-for-purpose and accessible will support local cultural participation, production and presentation, and foster community connections.

Goal 5

Developing strong partnerships to facilitate growth for our cultural and creative sector

We will be a leading Council that puts our shared values at the heart of decision-making and underpins strong and productive cultural partnerships – locally, regionally, nationally and internationally. We want to develop cross-sector collaboration and increase awareness about the value of the arts and culture.

Goal 3

Cultural participation is flourishing and inclusive

Cultural participation has a range of benefits for individual and community wellbeing. Supporting diverse and inclusive opportunities that respond to the needs and interests of our community will allow cultural participation to flourish.



The objectives and actions that will be delivered throughout the duration of this Plan are detailed in section 5.



CONTEXT

2.1 How the Cultural Plan was developed

Cultural planning at the local government level is about identifying and leveraging a community's cultural resources, strengthening the management of those resources, and integrating them with the rest of Council's planning activities. Community engagement and endorsement is key to the success of cultural planning.

The Waverley Cultural Plan borrows from the Cultural Development Network Planning Framework (the Framework). This Framework recommends a planning process that is integrated with the rest of Council's planning activities. It is underpinned by the following six key principles informed by leading practices in public policy (outlined below).

- Based on values
- Directed towards goals
- Focused on outcomes
- Informed by evidence
- Underpinned by a theory of change
- Respondent to evaluation

Crucially, the Framework prioritises evidence-based planning that is responsive to evaluation and has measurable outcomes.

The methodology used to inform the development of the Cultural Plan includes:

- Analysis of the community profile of the Waverley LGA and implications for cultural planning
- Auditing and mapping existing cultural assets
- Strategic context analysis and review of State, regional and local cultural planning policies and strategies
- Community and stakeholder engagement
- Analysis of local and international best practice case studies and trends.

The Cultural Plan has been informed by community consultation and research.

2.2 Defining culture in Waverley

The definition of culture has long been debated and is used in a variety of ways. This Plan adopts a broad definition of culture that aligns with the NSW Government's planning for a creative Sydney and considers:

- Our sense of place, our values, our diversity, and our identity, and our digital and place-based communities
- The material products of creative and cultural processes including organic, formal, and informal processes
- Our engagement with, and participation in, creative and cultural process.

Culture is the way we live our lives – our knowledge, beliefs, behaviours, traditions, heritage and social character. It is about our ability to 'tell our story' – an essential and defining human characteristic.

Culture also encompasses the material ways in which we communicate our ideas and beliefs. This might include visual arts,

craft and design, theatre, dance, music, writing, media and digital arts, community art and cultural development.

Culture in Waverley is experienced in a range of places including via our cultural facilities, on the street, in parks, and even at the beach. Our surf culture and history are appreciated by the local community as well as visitors alike.

The way that we make decisions is informed by our sense of place and values, generated through creative, collaborative and cultural processes, and impacting the way that Waverley is governed.

Through the CSP process, the Waverley community identified arts and culture as an area of high priority. Highlighted was the importance of Council's continued support and provision of cultural facilities, programs and events and to be a "community enriched by opportunities to celebrate in art and culture."

"[Culture] is that complex whole which includes knowledge, beliefs, arts, morals, laws, customs, and any other capabilities and habits acquired by [a person] as a member of society."

– Edward B. Tyler

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2.3 The value of arts, culture and creative industries in Waverley

Beyond intrinsic value, arts and culture have a range of social, economic and health benefits for individuals and communities. In Waverley there is a recognition of the importance of planning for and investing in culture and creativity to bring our community together, activate public space and drive local economies and cultural tourism.

Research from the Australia Council for the Arts indicates that the majority of Australians recognise the positive impacts the arts have on our daily lives and in our communities, including on our health and wellbeing, on making our lives richer and more meaningful, and impacting our understanding of other people and cultures¹.

¹ Connecting Australians: Results of the National Arts Participation Survey, Australia Council for the Arts, 2016.

RESEARCH



HEALTH AND WELLBEING

Studies have found that people who participate in a creative or cultural activity are more likely to report good health compared to those who do not, and that participation in arts activities may increase cognitive abilities and may have a positive impact on specific health conditions such as dementia and depression.

A 2013 study in Scotland found that people who had participated in a creative or cultural activity were 38% more likely to report good health compared to those who did not; and for those who participated in dance, the figures rises to 62%



EDUCATION AND SKILLS

Participation in arts activities has been shown to improve educational outcomes. A 2019 study conducted in Houston (USA) showed that primary schools that integrate arts across the curriculum achieve higher average reading and mathematics scores compared to similar schools that did not.

In turn, we know that the 21st Century knowledge-based economy will increasingly require workers to have skills that are associated with artistic practices including creative thinking, self-discipline, collaboration and innovation.



COMMUNITY IDENTITY AND CONNECTION

Engagement in culture and creativity has been linked to an increased sense of community identity, cohesion and belonging, more inclusive communities and a reduction in social isolation.

Creative and cultural engagement may also increase participation in community life. A 2010 UK study found that students from low income families who engage in the arts at school are twice as likely to volunteer than those who don't engage in the arts and are 20% more likely to vote as young adults.



RESILIENT LOCAL ECONOMIES

Studies show that a vibrant cultural and creative ecosystem can help drive local economic prosperity and growth, including through attracting visitors, creating jobs, attracting and retaining businesses and revitalising places.



LIVEABILITY

Arts initiatives can transform public spaces that may have once been problematic or under-utilised into places that become meaningful and aesthetically pleasing to the communities that use them. Adopting art-based participation models can also be a powerful tool for engaging community debate on the use of public space. When a community becomes involved from the design to realisation phase of a project it can enhance their sense of belonging, encouraging them to become custodians of their social environment.

2.4 The role of Council, the community and partners

Local government is central to enabling people to participate in culture and creativity. In a climate of expanding global homogeneity, local production and participation in culture is increasingly important and councils serve an important role to deliver, fund, host, support and promote arts and culture in local communities.

Waverley Council has a proud history of supporting the cultural and creative life of its community, dating as far back as the famous deck-chair concerts held in the early 1900's. Today, Waverley Council provides a range of direct and indirect cultural and creative services, facilities and programs to the community.

While Council plays a crucial role in fostering culture and creativity, the best outcomes are achieved through collaboration and partnership with community, business, government and key industry partners.

2.5 Strategic context

- At the Federal and State government level, there is a focus on cultural infrastructure to support the production and showcasing of arts and culture; recognising, celebrating and supporting Indigenous arts and culture; supporting inclusive and diverse community participation; developing creative industries and fostering innovation; connecting to and learning from tangible and intangible cultural heritage; and creative approaches to place making activities and the night-time economy.

- Locally, the Cultural Plan aligns with other key Council plans including the CSP, the Waverley Library Strategic Plan, Public Art Master Plan, Sustainable Visitation Strategy, Reconciliation Action Plan, Disability Inclusion Action Plan, Bondi Junction Evening Culture and Entertainment Strategy, Economic Development Strategy, Creative Lighting Strategy and the Waverley Village Centres Strategy amongst others.

The Cultural Plan also responds to and provides direction for major ongoing projects from 2020 to 2025, including the Bondi Pavilion Restoration and Upgrade project, and the development of the Boot Factory Knowledge and Innovation Hub projects.





DRAFT Waverley Cultural Plan 2020 – 2025



3. WHAT OUR COMMUNITY TOLD US ABOUT CULTURE IN WAVERLEY

Listening to and engaging with our community members, artists and key stakeholders was integral to the development of this Cultural Plan. From discussions with community through various engagement activities, the following key themes emerged:

Leveraging our unique place in the Australian cultural landscape and imagination to deliver creative and cultural outcomes

The Waverley LGA has a significant place in the Australian cultural landscape and imagination, and Bondi Beach has become a national symbol of Australian life and a destination experience for Australian beach and surfing culture. Our community members highlighted the opportunities that come with this reputation as it means we have “something to build on.” Another theme raised by the community is the opportunity for Waverley to continue to attract visitors from across Sydney and the world, which is an opportunity to deliver ambitious cultural and creative initiatives as well as a challenge to maintain a sense of community as pressure on our local spaces, places and services increases.

Developing an integrated and collaborative commitment to, and vision for, arts and culture in Waverley

The community wants the Cultural Plan to champion the value of arts and culture, community participation and the creative sector and to outline a clear commitment to and vision for arts and culture that is integrated across Council’s planning. Participants emphasised a need for ongoing community involvement and collaboration in decision making. They also see opportunities for increased collaboration with other councils and cultural institutions.

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Our beaches and natural environment shape and inspire Waverley's cultural identity

Waverley takes in some of Sydney's most beautiful coastline, and our famous beaches, cliffs and parks play an important role in shaping our cultural identity and inspiring creativity. Our community told us that going to the beach is one of the rituals of everyday life that shapes our local culture, and that our coastline is a hotspot for creative and cultural participation and community connection with a large number of activities, events and festivals taking place here.

Recognising and learning from Aboriginal culture

The Waverley LGA has significant Aboriginal heritage sites and ongoing Aboriginal cultural presence. Our community indicated that they

would like Aboriginal culture, traditions, knowledge and stories to be acknowledged and more visible in their local area, including through events and activities, signage and interpretation, and public artworks incorporated into the landscape.

Sharing our intertwined and ongoing stories

Our community said they would like to see more opportunities to share and reflect on Waverley's unique cultural heritage and our ongoing local stories, including Aboriginal culture, beach and surf lifesaving culture, and the waves of immigration that continue to shape our culturally diverse community. The residents in the community appreciate living in a diverse community and want this diversity to be welcomed, celebrated and reflected in local cultural and creative opportunities and activities.

Desire for more opportunities to participate in arts and culture in Waverley – for all residents

There is a strong desire in our community for more opportunities to engage with arts and culture in Waverley. About half of survey respondents (51%) are of the view that there are not enough cultural and creative events and programs in Waverley. In our discussions with the community, a range of ideas to improve cultural and creative participation were suggested, including a focus on:

- inclusive and affordable opportunities for
 - children and families
 - young people
 - people with disability
- activities for working adults at night and on the weekends.

There was also a desire for more equitable distribution of activities and facilities across Waverley's suburbs and more programs in the winter season.

Supporting and empowering our creative sector and community to collaborate and drive arts and creative outcomes

Waverley is home to many established and emerging artists and creatives. Our community has highlighted the need to support creatives to live and work in the area as the cost of living across Sydney continues to rise. Ideas to do so include the provision of affordable housing and workspaces, opportunities for networking, and collaboration and programs including grants, prizes and artist residencies. It was suggested that Council-facilitated community ideas forums could explore this space.

Better promotion of what's already happening in the area

Improving promotion and marketing of existing cultural and creative facilities and activities was a theme throughout the consultation. Strategic promotion and branding via online channels was seen to be a priority to engage with young people, local community and (potential) visitors to Waverley. Signage in public spaces was also identified as a key opportunity. Suggestions included developing a website and social media presence specifically for the Bondi Pavilion as the centre is upgraded over the coming years.

Resourcing and activating cultural infrastructure

The existing community and cultural spaces in Waverley, including the much-loved Bondi Pavilion, Waverley Library and Waverley Woollahra Art School are highly valued by our community. The importance of these spaces in supporting local talent, creative participation and social connections was a consistent discussion point throughout the community engagement.

Our community identified the opportunity for existing spaces to be better utilised, highlighting a need for cultural infrastructure to receive sufficient operating budget to ensure appropriate maintenance, promotion, staffing and programming. Some respondents identified venue hire requirements, processes and cost as barriers to further community use and access.

A high proportion of participants maintain that there are not enough cultural facilities and spaces in Waverley. They would like to have access to more spaces for creative production (e.g. affordable studios and rehearsal spaces), creative showcasing (e.g. gallery, performance) and for temporary pop-up spaces in vacant buildings and the public domain. The Boot Factory redevelopment was seen as an opportunity to deliver these types of spaces.

Culture and creativity in the public domain

The community would like increased activation of streets, footpaths and urban plazas to support local cultural opportunities and community connections. They would like to participate in the development of

- appealing and inviting urban design produced in collaboration with local creatives and the community
- comfortable staying places for people to sit and meet
- opportunities for busking and live music in public places
- event-ready spaces.

This was identified as a priority for Bondi Junction in particular.

Opportunities for the night time economy and live music

Participants saw opportunity to further develop Waverley's night time economy and to support live music. Ideas included providing and promoting smaller live music venues and facilities that encourage live music. This was identified as a particular opportunity for Bondi Junction and the Bondi Pavilion.

Creative participation, production and management at the Bondi Pavilion

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Throughout, there was a strong emphasis on challenges and opportunities to further support community and cultural uses at Bondi Pavilion, including a need for:

- Vision and planning informed by community engagement
- Enhanced operational resourcing and staffing
- Dynamic marketing and promotion
- Improved maintenance
- Expanded programming;
- Reducing regulations and hire costs to encourage cultural and creative uses.

It's worth noting that there were varying perspectives on appropriate management models for the Pavilion.

For a more in depth understanding of community and stakeholder perspectives on Bondi Pavilion, see findings from *Community and Cultural Use Impact Assessment (2019)* and engagement reports at www.waverley.nsw.gov.au.

Supporting our unique local villages

While Bondi is known as a hotspot for cultural and creative spaces, programs and events, community engagement participants identified opportunities to enliven our other centres and suburbs through an increased creative and cultural presence, with a strong focus on further activating Bondi Junction and Charing Cross. Local businesses were identified as prospective partners that could play an important role in facilitating creative and community connections.



4. WAVERLEY'S CULTURAL LANDSCAPE

4.1. Our people and cultural participation

Waverley is home to a highly engaged and creative community, with a high proportion of cultural and creative workers and industries, and high levels of participation in and appreciation of culture and creativity.

As such, the community has indicated they would like to be more involved in the planning of our cultural programs across Waverley.

When creating this Cultural Plan, we have included leveraging the strengths and responding to the diverse needs of the unique places and people that underpin our rich cultural ecosystem. In doing so, remaining mindful that cultural planning is an on-going exercise and responds to the changing needs of the community.

Our ongoing stories

The Waverley LGA is on the land of the Gadigal (Cadi-gal) people and the Bidjigal (Biddigal) people. Waverley has a unique cultural heritage and our ongoing local stories, including Indigenous culture, beach and surf lifesaving culture and the waves of immigration continue to shape our culturally diverse community.

Through our CSP, residents indicated they want more focus on Indigenous arts and culture. Our community also told us that they appreciate living in a diverse community and want this diversity and difference to be welcomed, celebrated and reflected in local cultural and creative opportunities and activities.

Our community today

The main demographics in the Waverley LGA are working-aged adults aged 25 to 49 years, indicating a need for cultural spaces, programs and events that are available at night, and on weekends to cater to the working population.

While Waverley LGA has a lower proportion of households with children compared to Greater Sydney, in recent years there has been a significant increase of 21% in the primary school aged children (5 to 11 years) and an increase of 11% in the secondary school aged children (12 to 17 years), indicating a need for activities for children and young people that are available after school, on weekends and during school holidays.

Waverley's residents are from many different cultural backgrounds, which suggests there could be more cross-cultural activity to bring the community together.

Council's cultural facilities, programming and events need to be accessible and welcoming to support participation by people of all abilities.

With a high proportion of residents in Waverley living in medium or high density, there is a need for spaces outside the home for the community to engage with culture and participate in cultural expression.

While the average household income in the Waverley LGA is significantly higher than Greater Sydney, 11% of households are low income households earning less than \$650 a week, indicating that there is a need for cultural spaces, programs and events that are affordable to residents from a range of socio-economic levels.

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WAVERLEY – OUR LOCAL GOVERNMENT AREA



OUR LOCAL GOVERNMENT AREA:

9.2km²

OUR SUBURBS:

Bondi Beach, Bondi Junction, North Bondi, Bronte, Dover Heights, Queens Park, Rose Bay, Tamarama, Vaucluse and Waverley



OVERSEAS BORN RESIDENTS TOP COUNTRIES:

United Kingdom, South Africa, New Zealand, Brazil and Ireland

OUR DWELLINGS AND BUSINESSES:



30,496 dwellings



34,000 registered businesses

MEDIAN AGE

35 years

- 16 per cent of our residents are 0–14 years old
- 8.9 per cent are 15–24 years old
- 33.4 per cent are 25–39 years old
- 28.7 per cent are 40–64 years old
- 12.7 per cent are more than 65 years old

POPULATION



TOTAL POPULATION

72,106

PROJECTED POPULATION 2031

80,100

DENSELY POPULATED AREA

OVERSEAS BORN RESIDENTS

38.4%

ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE

274



LANGUAGES

68.8 per cent of us speak English at home while 25.7 per cent speak a language other than English

Russian is spoken by 2.2 per cent of our residents, 2.1 per cent speak Spanish, 1.9 per cent Portuguese, 1.8 per cent French and 1.7 per cent Italian



JEWISH COMMUNITY

Waverley's Jewish community of

10,076

residents makes up 15.1 percent of our total population

EDUCATION

17 **NUMBER OF SCHOOLS**
(including both primary and secondary)

39.5 per cent of our residents aged over 15 years have a Bachelor or higher degree compared to 24.1 per cent for Greater Sydney

20 per cent of young people aged 15–24 years attended an educational institution including high school and/or a higher education facility, such as TAFE or university

DISABILITY

3% of the population reported needing help in their day-to-day lives due to health and disability

HOUSING

AVERAGE HOUSEHOLD SIZE



2.3
people

RENTING HOUSEHOLDS

43%

MEDIAN WEEKLY RENT

\$620

SINGLE PERSON HOUSEHOLDS

27.7%

COUPLES WITH CHILDREN

23.8%

ECONOMY



\$4.36 billion
gross regional product

More than
27,546
jobs in Waverley

MEDIAN TOTAL INCOME/WEEK

for Waverley households in 2016 was

\$2,300 compared to **\$1,683** for Greater Sydney

HIGH EMPLOYMENT SECTORS

Retail trade, Healthcare and Social Assistance, Accommodation and Food Services, Education and Training, and Professional Scientific and Technical Services

79.9% of Waverley properties are connected to the internet

Sources: ABS Census 2016, Economy.Id, Australian Business Registry Data

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Creative participation snapshot

High levels of visitation bring both opportunities and challenges for cultural planning in Waverley. There is a need to sustainably balance the local cultural needs of residents while enhancing and leveraging Waverley's position as a cultural destination.

Creative industry snapshot

There is a high proportion of arts and recreation workers in the Waverley LGA (2.7%) compared to Greater Sydney (1.8%). There are opportunities to investigate further support for and collaboration with established and emerging creative and cultural workers and industries in Waverley.

4.2 Our cultural places, spaces and programs

Waverley takes in some of Sydney's most beautiful coastline, and our famous beaches, cliffs and parks play an important role in shaping our cultural identity and inspiring creativity.

Effective planning for culture in Waverley will mean leveraging the strengths and responding to the diverse needs of the unique places and people that underpin our rich cultural ecosystem.

4.2.1 Waverley's places, villages and neighbourhoods

Waverley is one of the most densely populated LGAs in Australia. Residents are attracted to the diversity and value it as a friendly place to live.

Bondi Beach has long been a symbol of the Australian lifestyle and a destination for those seeking to experience our beach culture. The precinct is an important gathering point for residents and visitors and has a long history as the stage for cultural events and activities. The natural environment, coastal walks, beaches and parks, the stunning natural landscape features such as Bronte and Tamarama beaches, and cliff walks are some of our area's greatest assets.

The Bondi Pavilion, historic local surf lifesaving clubs and Waverley Cemetery are highly valued by residents and attract local and international visitors. Council's challenge is to preserve, respect and protect the heritage of its natural and built coastal environment so that it remains safe, accessible and enjoyable for everyone. There is opportunity for further celebration of these unique aspects of our local area, building

on a strong public art program which includes a significant number and variety of public artworks of both a permanent and temporary nature (such as the Bondi Sea Wall).

Our villages and neighbourhood centres create a web of individual but connected focal points for our community. Each local place has its own character, community profile and identity. This strong identification with place is meaningful to residents and provides opportunities for arts and cultural activities to celebrate their specific local character. Our largest centre, Bondi Junction, plays a significant role in the local and Sydney metropolitan economy. There is an acknowledged demand in our community for more activity and things to do in the evening. In particular, there is a demand for activities that attract families and young children, moving away from the traditional focus on alcohol-based evening culture and entertainment options. Activating a night economy is a crucial component of ensuring Bondi Junction is a safe, productive and well-loved place.



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4.2.2 Waverley's cultural facilities and spaces

There are 18 separate accessible community and cultural facilities in the Waverley LGA, 10 of which are Council owned. Key cultural and creative facilities include:

- **Waverley Library:** is a bustling and lively community space that is open 67 hours per week and is highly valued by over 500,000 visitors each year. The Library has a strong reputation for providing community events and learning opportunities as well as traditional library services including the Local Studies collection, and aspires to position itself as a leading cultural and learning institution in the region.
- **Waverley Library Galleries:** occupy the inside foyer area and upstairs foyer area of Waverley Library. Call outs for submissions, which make up the majority of the gallery exhibitions, occur annually and are panel assessed. The Waverley Youth Art Prize and the Waverley Council Design and Heritage Awards are also held here.
- **Waverley Artist Studios at Waverley Woollahra School of Arts:** are offered in year-long residencies with artists delivering exhibitions, workshops, public programs and developing new contemporary art. Waverley Artist Studios are highly competitive and held in high regard. The studios are allocated through a peer review system implemented in conjunction with an Expression of Interest and Council approval.
- **Bondi Pavilion Theatre:** is a 230-seat venue, hosting a variety of theatre and music, film screenings, talks, festivals and events throughout the year. The theatre is available to the



local community and is used for Council produced events such as the Jazz at the Pav annual performance program. The theatre is used by Flickerfest International Short Film Festival, Sydney Comedy Festival, Sydney Fringe Festival, Bondi Festival, the Bondi Theatre Company, Bondi Cinema Club and Sydney Jewish Writers Festival among many others.

- **Bondi Pavilion Gallery:** has free admission for the public and hosts approximately 22 exhibitions throughout the year including Council driven projects and community exhibitions. Some recent highlights include 'We the People who live for the Beautiful' and 'Under Twenty Seven' by Ella Dreyfus. Over 41,000 people attended the gallery in the 2019 calendar year.
- **Bondi Pavilion Music Studios:** are available for regular hires, casual hires and Council produced programs. The studios support the delivery of annual music programming including Seniors Singers and the Wave Youth Music Program.
- **Bondi Pavilion Pottery Studios:** run workshops and classes throughout the year, offering more than 10 weekly classes for patrons with a disability, school children, adults and seniors.

- **Mill Hill Community Centre:** is the venue for the Waverley Community and Seniors Centre. It offers a range of programming across wellness, information and events, and arts and craft activities.
- **Bondi Beach Sea Wall:** has been in operation since the late 1970s and has featured a mix of street and contemporary art with strong social and political messages throughout the decades.
- **Boot Factory:** is a former shoemaking factory at the rear of Norman Lee Place and was completed in 1892 by William Sidaway and Son. The Boot Factory is the subject of a Development Application to allow for the creation of a knowledge and innovation hub within the existing fabric of the building and connection of the building to the adjoining Mill Hill Community Centre.

It is important to highlight that the Bondi Pavilion Restoration and Conservation Project, which is scheduled for completion in 2022, will make significant improvements to the Bondi Pavilion Theatre, Gallery, Music rehearsal and control rooms, and Pottery Studio. The project will introduce a Community Radio Station, an additional community hireable space and the Bondi Story Room as a means of highlighting and celebrating the social history of Waverley.

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4.2.3 Arts and cultural programs

Through programming and events, Waverley Council aims to “build community and connection, supporting creativity and striving for excellence,” by delivering and supporting programs in the visual arts; music, theatre and performance spheres; makers and technology; talks and ideas and cross-artform programming to support community connections, learning, and creative and cultural expression. Council also supports social inclusion, through the provision of programs that encourage and support cultural participation by diverse audiences including people with disability, young people, and older people.

The School Holiday Program caters for an array of interests, and ages, providing free and paid activities. These activities are facilitated by a combination of Waverley Council specialist staff, artists, industry professionals and partner organisations. The programs are usually run from the Waverley Library, Bondi Pavilion, and the Margaret Whitlam Recreation Centre.



Bondi Pavilion Makers and Design programs are conducted at various venues in the Bondi Pavilion throughout the year and include the popular pottery program, and various other craft based workshops and learning opportunities.

Activities for older people in our community include the monthly Council produced Seniors Concerts and weekly Seniors Singers Group, which attracts 30-40 regular members to the group each week.

The Bondi Wave Youth Music Course targets younger musicians in our area. The bands graduating from these programs perform at Carols by the Sea or in a standing room only performance in the Bondi Pavilion Theatre.



4.2.4 Cultural festivals and events

ARTS

- **Sculpture by the Sea:** is the internationally renowned outdoor art exhibition located along the coastal walk between Bondi and Tamarama beach, attracting approximately half a million visitors annually.
- **Bondi Festival:** is a new family and fringe festival held in mid-July replacing the popular Bondi Feast and Bondi Winter Magic Festivals. The event is co-produced with the Bondi and Districts Chamber of Commerce as a winter destination marketing campaign. The program includes theatre, comedy, cabaret, circus, pop-up food stalls, ice rink and ferris wheel, and is projected to attract over 70,000 visitors annually to Bondi in winter.
- **Flickerfest:** is Australia's Leading Short Film Festival and is held in the Bondi Pavilion amphitheatre and theatre. It attracts around 5,000 people annually.
- **Open Air Cinema:** provides movie goers with the opportunity to experience an outdoor cinema by the beach. Annually, this event attracts approximately 17,000 people over the summer months.

COMMUNITY

- **Festival of the Winds:** is a kite flying festival that includes kite flying demonstrations, multicultural music, food and entertainment. Held on Bondi Beach, Bondi Park and Bondi Pavilion, it typically attracts up to 80,000 people.
- **Ocean Lovers Festival:** aims to increase awareness of environmental issues. The festival takes place in multiple locations in Bondi, including the Bondi Pavilion.
- **Bondi Latin American Festival:** is an opportunity to share and celebrate Latin culture. This festival is delivered by Bondi Association of Arts and Music and is supported by Council.
- **Global Table:** is held annually and is a community celebration of cultural diversity and food. Food stalls representing 12 countries and cultures sit alongside a free day-long program of dancing, music and children's activities.
- **Bondi Blitz:** is a youth music event held as a part of Youth Week in the Dolphin Court, Bondi Park. Delivered by Waverley Youth Action Services, it attracts approximately 1,000 young people.
- **International Women's Day:** delivered by Waverley Council, is an 'in conversation' event featuring prominent guests discussing their lives and careers in response to an annual theme.
- **Carols by the Sea:** is a Christmas celebration featuring performances from local community groups and professional musicians. The popular event offers an opportunity for the community to come together to sing carols.
- **Dudley Page New Years Eve:** is a ticketed family friendly event held at Dudley Page Reserve in Dover Heights. The event takes advantage of the spectacular views across Sydney Harbour and presents an entertainment program.

SPORTING

- **City2Surf:** with the inaugural event held in 1970, it has developed into one of the world's largest fun runs, attracting over 80,000 people annually. Starting in the city and ending at Bondi Beach, the event has raised tens of millions of dollars for charity. Council also runs a Marquee Program for organisations to provide post run hospitality.
- **Bondi to Bronte Ocean Swim:** attracts over 2000 participants annually and is delivered by Bronte SLSC.
- **Bowla-Rama:** is an international skateboard competition at Bondi Skate Park, attracting approximately 3,500 attendees.

CIVIC

Waverley hosts a number of civic and seasonal events including:

- **The dawn service on ANZAC Day:** is held at the war memorial outside North Bondi RSL, attracting approximately 10,000 people paying their respects.
- **Citizenship Ceremonies:** Waverley Council hosts monthly citizenship ceremonies for residents who have been approved to become Australian citizens.
- **Russia Victory Day:** Is celebrated annually on 9 May to commemorate victory in WWII.

4.2.5 Grants, Partnerships, Sponsorships and Awards

Council awards a number of small grants annually to individuals, community groups and small businesses that contribute to Waverley's cultural landscape. Community and cultural grants are awarded to proposals that deliver identifiable cultural, social and recreational benefits to the Waverley community.

Council also provides community services grants to support services for the local community. In the past, these have been awarded to various cultural initiatives including the Beaches Outreach project, the Bondi Toy Library, Sculpture by the Sea, the Waverley Bondi Beach Band and the Waverley Randwick Philharmonic Society.

Each year, Council presents the following awards and prizes to community members for outstanding contributions to art and culture in Waverley.

- **Mark and Evette Moran Nib Literary Award:** established in 2002, it recognises and celebrates excellence in research, literary merit, readability and value to the community.



- **Waverley Art Prize:** established in 1985, is open to painting, drawing print and mixed media, and is delivered in partnership with Waverley Woollahra Art School
- **Waverley Youth Art Prize:** established in 1987, encourages creativity in young artists, aged from 9 to 18 years of age from within the eastern suburbs area. It is an open prize and all entrants work is displayed so they get to experience the joy of being an exhibiting artist and seeing an audience appreciate their work.



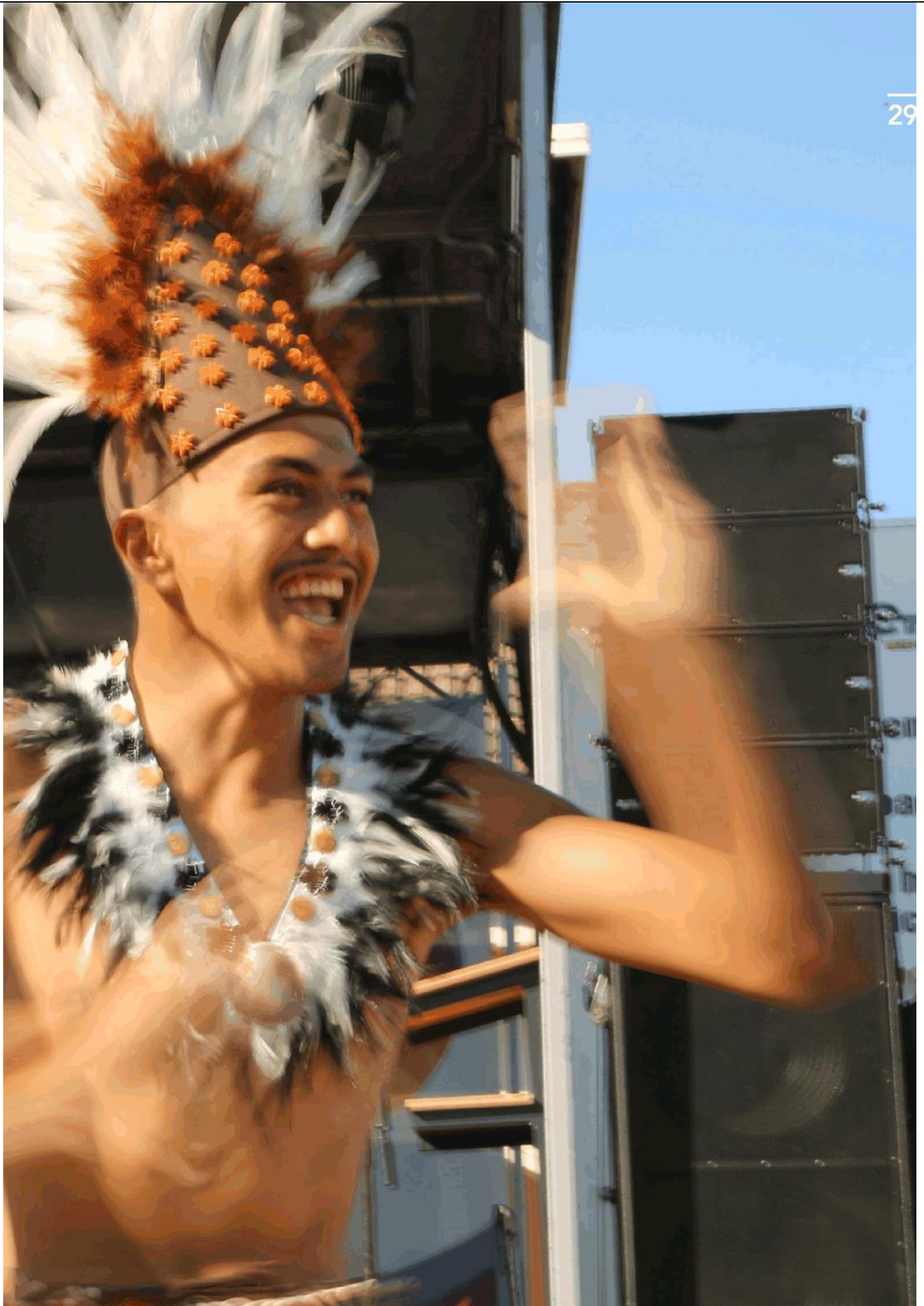
5. GOALS, OBJECTIVES AND ACTIONS

The five goals and associated objectives and actions outlined in this Cultural Plan provide a road map to guide future decision making around arts and culture in Waverley for Council, partners and the wider community. This strategic framework has been developed based on community engagement, research and other local data.

Each action outlines Council's role as well as the role of possible partners in delivery. As such, Council's role may be to 'review' relevant next steps to achieve an action, or to 'support' external partners in the delivery of an action, rather than realising the action in isolation. In addition, each action has been allocated a timeframe for delivery that gives an indication of priority.

Definitions to assist with reading section 5 of this Plan:

- **Goals:** Long term future outcomes for arts and culture in Waverley.
- **Objectives:** Measurable changes we want to see to achieve our goals. (e.g. 'Increased community connection').
- **Why is this important:** Evidence base including findings from community engagement and/or other research data.
- **Priority needs:** Key considerations to support the completion of action/s including capabilities, resources, assets and opportunities.
- **Actions:** Specific steps that will be taken in order to achieve the objectives.
- **Council's role:** Function Council will undertake to achieve an action.
- **Partnerships:** Waverley Council will need to work collaboratively with a broad range of stakeholders to the Plan.
- **Timeframe:** Timeframe within which the action/s will be completed.



GOAL 1: OUR DIVERSE AND ONGOING STORIES ARE SHARED AND CELEBRATED

Waverley's cultural landscape is underpinned by the diverse stories of our unique people and places. Opportunities for locals and visitors to learn, share and celebrate in our ongoing stories will foster a stronger sense of place and community inclusion and connection.

OBJECTIVES

- 1.1 Increased recognition, visibility, celebration and sharing of Aboriginal stories, arts, culture and language.
- 1.2 Increased opportunities for locals and visitors to engage with Waverley's diverse stories, history and heritage.
- 1.3 Increased awareness of Waverley's unique place in the Australian contemporary cultural landscape.
- 1.4 Increased opportunities for community connection through arts and culture, including cross-cultural and intergenerational experiences.

WHY IS THIS IMPORTANT?

- The Waverley LGA has significant Aboriginal heritage sites and ongoing Aboriginal cultural presence. Our community would like Aboriginal culture, traditions, knowledge and stories acknowledged and more visible, including through events and activities, signage and interpretation, and public artworks incorporated into the landscape (1.1, 1.2).
- Our community would like there to be more opportunities to share and reflect on Waverley's unique cultural heritage and our ongoing local stories, including Aboriginal culture, beach and surf lifesaving culture and the waves of immigration that continue to shape our culturally diverse community.
- Waverley's diverse community should be welcomed, celebrated and reflected through local cultural and creative opportunities and activities.
- The Waverley area has a significant place in the Australian cultural landscape and imagination, with community engagement participants highlighting Bondi Beach in particular as being an iconic symbol and destination for Australian beach and surfing culture. Community engagement participants highlighted the opportunities that come with this reputation as it means we have "something to build on." (1.3, 1.4).

PRIORITY NEEDS

- Increased local opportunities to learn from and share Aboriginal arts and culture, including working with local Aboriginal elders and community to:
 - Increase visibility of Aboriginal arts and culture in the public domain and social infrastructure, including through public art, signage and performance.
 - Increase Aboriginal language, culture and storytelling programs and activities.
- Opportunities for increased cultural and/or heritage interpretation in public domain, open space and along the coastline.
- Continued provision of and support for programs and activities with a focus on local story telling and sharing, including intergenerational and intercultural, to support strong community connections.

GOAL 1: OUR DIVERSE AND ONGOING STORIES ARE SHARED AND CELEBRATED**31**

Objectives / Actions	Council's role	Partnerships	Timeframe	How will we measure success?
Objective 1.1: Increased recognition, visibility, celebration and sharing of Aboriginal stories, arts, culture and language				
Investigate opportunities to incorporate Aboriginal cultural heritage/ interpretation of significance into our public spaces	Implement	First Nation Local Descendants Land Council, ERLGATSIC	2020–2021	Options scoped in partnership with community in accordance with Reconciliation Action Plan deliverables
Deliver actions identified in Waverley Council Reconciliation Action Plan	Implement	Indigenous Community and stakeholders	2020–2021	RAP actions delivered
Objective 1.2: Increased opportunities for locals and visitors to engage with Waverley's diverse stories, history and heritage				
Incorporate Bondi Story Room within Bondi Pavilion to share diverse stories of Bondi, with an opportunity to include First Nations, beach and surf history, music and ongoing waves of immigration to the area	Implement	Local community, Waverley Library Local History, Knowledge holders	2022–2025	Measured dwell time within exhibition meets / exceeds industry benchmarks
Identify opportunities to increase / improve local cultural and heritage signage in outdoor spaces to increase visitor engagement with local culture and history	Implement	Knowledge holders, Waverley Library	2021–2025	Completion of directions identified in Open Space and Recreation Strategy and ensuring the design of parks tells the story of place and local culture
Continue implementation of Public Art Master Plan, commissioning new work in the Waverley area with consideration to context including place making, artistic excellence, sustainability and local culture and heritage	Implement	Local and National Artists, Local Community	On-going	At least 1 public artwork commissioned every 2 years
Objective 1.3: Increased awareness of Waverley's unique place in the Australian contemporary cultural landscape				
Ensure digital platforms are effectively utilised to build digital engagement and encourage new audiences	Review	Digital innovators and digital agencies	2020–2025	Investigate emerging digital tools and techniques for digital presentation and engagement on an annual basis
Ensure Council art and culture promotional strategies aim to increase access and participation from diverse communities	Implement	Media / Social Media / website	2021	Disability Inclusion Access Plan communications goals and RAP actions achieved
Create an awareness program that raises the profile of Waverley's cultural offering	Implement	Communications channels. Media partners, influencers	2022–2025	Baseline level of awareness of Cultural offering determined and improved in subsequent years
Objective 1.4: Increased opportunities for community connection through arts and culture, including cross-cultural and intergenerational experiences				
Leverage identified Committees with relevant cultural agenda items to build transparency and increase participation in arts and cultural opportunities	Implement	Local Cultural Leaders	2020–2025	Committee members provided with relevant messaging and awareness of participation opportunities for the wider community
Develop engagement plans for all cultural venues that support the aim of increasing access, diversity and participation levels	Implement	Users and potential users of cultural facilities	2023–2025	Engagement Plans prepared for Council consideration

GOAL 2: WE HAVE A VIBRANT NETWORK OF SPACES AND PLACES FOR CULTURAL PARTICIPATION, PRODUCTION AND EXPERIENCE

Waverley has a range of spaces and places that facilitate our cultural landscape, including community facilities, public places, beaches and parks. A dedicated network of spaces and places that is fit-for-purpose and accessible will support local cultural participation, production and presentation, and foster community connections.

OBJECTIVES

- 2.1 A network of affordable, fit-for-purpose, cultural and arts facilities that support cultural participation, production and presentation.
- 2.2 Increased cultural participation through the provision of new and improved spaces.
- 2.3 Our public domain, beaches and parks are platforms for creativity and cultural expression.

WHY IS THIS IMPORTANT?

- Community engagement participants highly valued existing community and cultural spaces in Waverley, including the Bondi Pavilion, Waverley Library and Waverley Woollahra Art School. People highlighted the importance of these spaces in supporting local talent, creative participation, and social connections (2.1, 2.2).
- Community engagement participants are of the view that there is opportunity for existing spaces to be better utilised, highlighting a need for cultural infrastructure to receive sufficient operating budget to ensure appropriate maintenance, promotion, staffing and programming. Participants indicated that regulations, processes and cost are barriers to community access (2.1, 2.2).
- The majority of survey respondents indicated that there are not enough cultural facilities and spaces in Waverley. Participants expressed a desire for more spaces for creative production (e.g. affordable studios and rehearsal spaces), creative showcasing (e.g. gallery, performance) and for temporary pop-up spaces in vacant buildings and in the public domain. The Boot Factory redevelopment was identified as an opportunity to increase the amount of cultural space in Waverley (2.1, 2.2, 2.3).
- Engagement respondents highlighted opportunities for increased activation of streets, footpaths and urban plazas to support local cultural opportunities and community connections. People would like to see more appealing and inviting urban design in collaboration with local creatives and community; comfortable staying places for people to sit and meet;

opportunities for busking and live music in public places; and event-ready spaces. Bondi Junction in particular was identified as a priority location (2.3).

- There was a strong focus on challenges and opportunities to further support community and cultural uses at Bondi Pavilion, including a need for:
 - Vision and planning informed by community engagement;
 - Enhanced operational resourcing and staffing;
 - Dynamic marketing and promotion;
 - Expanded programming;
 - Improved maintenance;
 - Reduced regulations and costs to encourage cultural and creative uses (2.1, 2.2, 2.3).

PRIORITY NEEDS

- Resources, people and budget to make Bondi Pavilion the cultural hub for the area with branding, programming, marketing, and advertising.
- Explore the potential for live music to be enhanced in the local area.
- Reduce the barriers to applying to use spaces owned or managed by Waverley Council by simplifying processes.
- Consider greater opportunities for partnerships between community organisations and Council.
- Identify Council owned spaces and assets and convert those which are underutilised.

GOAL 2: WE HAVE A VIBRANT NETWORK OF SPACES AND PLACES FOR CULTURAL PARTICIPATION, PRODUCTION AND EXPERIENCE

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Objectives / Actions	Council's role	Partnerships	Timeframe	How will we measure success?
Objective 2.1: A network of affordable, fit-for-purpose, cultural and arts facilities that support cultural participation, production and presentation				
Review creative programs run in Council owned venues to assess demand trends, programming mix and operational models to increase opportunities for increased participation, creative learning and skill development	Review	Similar facilities	2020 –2022	Review completed and recommendations aiming for increase in cultural use of Council owned facilities formulated
Review the operating/management models of all existing Council-owned cultural venues and develop a plan for increasing the scope of use for cultural purposes, where applicable. Review to consider hiring policies, insurances and liquor licencing, suitability for live music rehearsal and performance and modifications or improvements to facilities	Review	Benchmark from similar facilities, Existing and potential venue hirers and users Local creative community	2020 –2022 Bondi Pavilion 2022 –2025 other facilities	Review completed and recommendations formulated
Implement revised grants and funding framework to facilitate local cultural and creative enterprises	Implement	Local artists and arts organisations,	2021	Qualitative assessment of Small Grant funded projects conducted through review of grant acquittals
Objective 2.2: Increased cultural participation through the provision of new and improved spaces				
Utilise Boot Factory program to encourage production of new media artforms	Implement/ Support	Local creative community	2022–2025	Options for Boot Factory programming developed with digital culture and new media artforms in mind
Investigate opportunities to utilise existing Council community assets for co-working and expanded arts activities	Implement	Local creative and business community, Waverley Library	2021	Opportunities identified and recommendations formulated
Determine an operating model for the Boot Factory and Bondi Pavilion to determine their future use	Decision	Local creative and business community Boot Factory Steering Group	2021	Operating model options developed and considered by Council
Objective 2.3: Our public domain, beaches and parks are platforms for creativity and cultural expression				
Investigate opportunities for an activation program in Bondi Junction designed to promote creative uses of space to benefit the creative community and local economy	Implement	Local businesses Creative community	2021–2025	Investigation completed and program developed for consideration by Council
Review the current Busking Policy to support a greater variety of busking and buskers in more locations across Waverley	Review	Musicians / Local Businesses	2020	Review completed and recommendations formulated, and incorporated into new policy
Increase opportunities for street art and temporary murals on walls in partnership with the community and business, and in accord with revisions to the Waverley Public Art Policy	Implement/ Support	Landlords and business owners	2021–2025	Public art policy reviewed, update and considered by Council
Provide opportunities for artists and designers to create artwork or heritage interpretations for temporary protective structures and hoardings at construction sites	Implement	Council constructions and maintenance projects	2021–2025	Policy and guidelines for artists and developers prepared for the consideration of the Public Art Committee and Council
Dedicate specific funding priorities in the Small Grants Program for activating the public realm with temporary creative initiatives that contribute to the character of neighbourhoods and support precinct vitality.	Implement	Council grants program Neighbourhoods	2021–2025	Options prepared for consideration by Council in 2021-22 budget
Create a prioritised list of culturally relevant projects which could be funded through developer contributions	Implement	Local community / Developers	2021	List created and considered for approval by Council

GOAL 3: CULTURAL PARTICIPATION IS FLOURISHING AND INCLUSIVE

Cultural participation has a range of benefits for individual and community wellbeing. Supporting diverse and inclusive opportunities that respond to the needs and interests of our community will allow cultural participation to flourish.

OBJECTIVES

- 3.1 Ensure cultural participation is accessible for everyone in our community – all ages, cultures, genders, incomes and abilities
- 3.2 Encourage diverse cultural offering and experience, including day and night and out-of-season activities
- 3.3 Increased awareness of the cultural offering available and how the community can participate.

WHY IS THIS IMPORTANT?

- Across community engagement activities, a strong desire for more opportunities to engage with arts and culture in Waverley was expressed. Less than half (45%) of survey respondents think there are enough opportunities to participate in arts and culture, and the majority (51%) believe there are not enough cultural and creative events and programs in Waverley (3.1, 3.2, 3.3)
- Participants suggested a range of ideas to improve cultural participation, including a focus on inclusive and affordable opportunities for children and families, young people, people with disability and activities for working adults at night and on the weekends. There was a desire for more equitable distribution of activities and facilities across Waverley's suburbs and more programs in the winter season (3.1, 3.3)
- Empowering the community to put on their own community-led events and opportunities – and supporting local organisations to provide their experiences (3.3)

PRIORITY NEEDS

Empowering the community and creative/cultural sector to take ownership of participation in the arts is essential – this is because Council cannot run/manage/fund/curate and “own” the entirety of the responsibility for arts, culture and creativity.

GOAL 3: CULTURAL PARTICIPATION IS FLOURISHING AND INCLUSIVE

Objectives / Actions	Council's role	Partnerships	Timeframe	How will we measure success?
Objective 3.1: Ensure cultural participation is accessible for everyone in our community – all ages, cultures, genders, incomes and abilities				
Utilise digital platforms to ensure wider access to programs and activities	Implement	Local service providers	2020–2025	Investigate program of webstreamed events, learning experiences, performances and talks for annual delivery
Stipulate conditions for grants to major festivals and events to ensure they include appropriate, targeted activities and opportunities for families, children and young people, and diverse communities	Implement	Festival Producers	2024	All significant grant funded festivals include at least 1 activity suitable for families, children, young people or diverse communities
Utilise insights gained from evaluations to improve program creation, promotion and participation	Implement	All project partners	2020–2025	Establish and implement new evaluation framework to provide evidence base to better inform decision making
Objective 3.2: Encourage diverse cultural offering and experience, including day and night and out-of-season activities				
Investigate opportunities to support the night-time economy and activation through culture and creativity, in particular at Bondi Junction and Bondi Beach in alignment with Council's Sustainable Visitation Strategy and the Bondi Junction Night Time Economy Strategy	Implement / Support	Bondi Junction and Bondi Beach residents and businesses	2021–2022	Goals established in Evening, Culture and Entertainment Strategy and Sustainable Visitation Strategy achieved through the Bondi Festival
Support new evening cultural activities that help business attract customers	Implement/ Support	Bondi Junction businesses	2021–2025	One activity conducted annually with review undertaken at its conclusion
Partner with local businesses working within the cultural sector to enhance existing festivals and events and increase audiences	Support	Existing events and festivals	2021–2022	Bondi Festival event used to explore model for establishing partnerships with local businesses in event delivery
Continue to work collaboratively with neighbouring councils including the City of Sydney, Woollahra Council and Randwick Council to promote creative and cultural offerings in the region that can draw diverse audiences for daytime and night time experiences, and align planning priorities	Collaborate	Neighbouring Councils	2020–2025	Minimum of 1 annual meeting with neighbouring Council Cultural Teams undertaken
Objective 3.3: Increased awareness of the cultural offering available and how the community can participate				
Collaborate with State and Federal bodies including Create NSW, Australia Council for the Arts, Destination NSW and Tourism Australia to leverage the cultural offering of Waverley to an intra-state, national and international audiences	Collaborate	State and Federal Departments and agencies	2020–2025	Minimum of 1 collaboration explored with state and federal agencies annually

GOAL 4: SHOWCASING AND SUPPORTING OUR CREATIVE SECTOR AND COMMUNITY

Waverley is home to many creative and engaged individuals, groups, organisations and businesses. Showcasing and supporting this creative sector to thrive, collaborate and kickstart their initiatives will drive local cultural outcomes.

OBJECTIVES

- 4.1 Support collaboration and networking between local creatives and organisations
- 4.2 Promote and showcase local artists, makers and creators
- 4.3 Harness the knowledge, skills and ideas of local creative community
- 4.4 Support our creative community to kickstart their own ideas, projects and initiatives
- 4.5 Support for young and emerging artists

WHY IS THIS IMPORTANT?

- Waverley is home to many established and emerging artists and creatives. Community engagement participants highlighted a need to support creatives (artists, writers, performers) to live and work in the area as the cost of living across Sydney continues to rise. Ideas to do so include the provision of affordable housing and workspaces; opportunities for networking and collaboration and programs including grants, prizes and artist residencies. (4.1, 4.4)
- There are many people, groups and businesses in the Waverley community with skills and great ideas to further develop our area's cultural offering. Participants identified opportunities for Council to further support community, artists and cultural groups to deliver their ideas, including through grants, capacity building, partnerships and by reviewing planning regulations and barriers to community initiatives. (4.1, 4.2, 4.4, 4.5)

PRIORITY NEEDS

- Building capacity of our creative and cultural sector to increase their skills to build sustainable businesses and environments for them to continue to create, produce, make and present.
- Creating opportunities for our creative and cultural sector to come together, to collaborate and connect.
- Support creatives and cultural practitioners, particularly emerging artists, to live and work in our area and share their creativity with the wider community.

GOAL 4: SHOWCASING AND SUPPORTING OUR CREATIVE SECTOR AND COMMUNITY**37**

Objectives / Actions	Council's role	Partnerships	Timeframe	How will we measure success?
Objective 4.1: Support collaboration and networking between local creatives and organisations				
Facilitate a networking forum that is aligned to building cultural capacity with local creatives and nearby institutions such as NIDA, UNSW Art and Design and AFTRS.	Implement/ Support / Collaborate	Local Creative Community Nearby institutions	2021–2025	Identified institutions invited to annual networking events
Host a professional development workshops for local creatives to improve their skills in seeking funding for creative and cultural activities through local, state and federal funding channels	Implement / Support	Local Creative Community	2021–2025	Annual professional development opportunity provided
Objective 4.2: Promote and showcase local artists, makers and creators				
Devise an awareness campaign using media, advertising, signage and digital media channels	Implement	Various	2021–2022	Media campaign and on-going digital presence aligned to re-launch of the Bondi Pavilion and launch of the Boot Factory program developed and delivered
Generate positive media stories using external and internal communication channels	Implement	Media Agencies	2020–2025	At least 12 press releases prepared annually on significant cultural activities within the Waverley Council area
Investigate opportunities to enhance the use of Council's current publications and digital platforms to raise the profile of local creative practitioners	Implement	Local creative community	2021–2025	Options investigated to devise a social media campaign to highlight key creatives in the community
Objective 4.3: Harness the knowledge, skills and ideas of local creative community				
Investigate opportunities for the local creative community to provide input into future cultural planning opportunities	Implement	Local creative community	2020–2021	Options for Cultural Committee, Indigenous Advisory Committee and art form or issue specific task force groups to presented to Council for consideration
Objective 4.4: Support our creative community to kickstart their own ideas, projects and initiatives				
Provide a platform for local creative and cultural enterprises to gain access to audiences	Implement	Local Creatives	2022–2025	Boot Factory program developed to include annual cultural enterprise forum
Provide greater opportunities for the creative community to partner with Council to create and deliver events and activities that support their own ideas and aspirations	Implement	Local creative community	2021–2022	Partnership policy or guidelines developed to shape collaborative opportunities between Council and the creative community
Objective 4.5: Support for young and emerging artists				
Encourage young and emerging creatives to develop skills applicable to the creative sector	Implement	Young, local creatives	2021–2025	Appropriate volunteering or work experience opportunities provided within Council's Community, Cultural and Events programs
Identify local schools that could be encouraged to participate in a community-run cultural programs	Implement	Schools	2021–2022	Opportunities identified and coordinated through school for students to be involved in community run-cultural programs
Encourage and support mentoring between established and emerging artists	Support	Emerging and Established artists	2022–2025	4 mentoring activities facilitated annually

GOAL 5: DEVELOPING STRONG PARTNERSHIPS TO FACILITATE GROWTH FOR OUR CULTURAL AND CREATIVE SECTOR

We will be a leading Council that puts our shared values at the heart of decision-making and underpins strong and productive cultural partnerships – locally, regionally, nationally and internationally. We want to develop cross-sector collaboration and increase awareness about the value of the arts and culture.

OBJECTIVES

- 5.1 Foster strong and productive cultural partnerships, locally, regionally, across Sydney, nationally and internationally
- 5.2 Increase awareness of the value of the arts within Council and the broader community
- 5.3 Broker cross-sector collaboration (community, business, education and developers) to deliver cultural development initiatives.

WHY IS THIS IMPORTANT?

- Community engagement participants informed us that they want the Waverley Cultural Plan to recognise the value of arts and culture, community participation and the creative sector, and to outline a clear commitment to, and vision for arts and culture that is integrated across Council's planning. (5.1, 5.2, 5.3)
- Participants emphasised a need for ongoing inclusive community involvement and collaboration in decision making. They also see opportunities for increased collaboration with other councils and cultural institutions. (5.1, 5.2, 5.3)

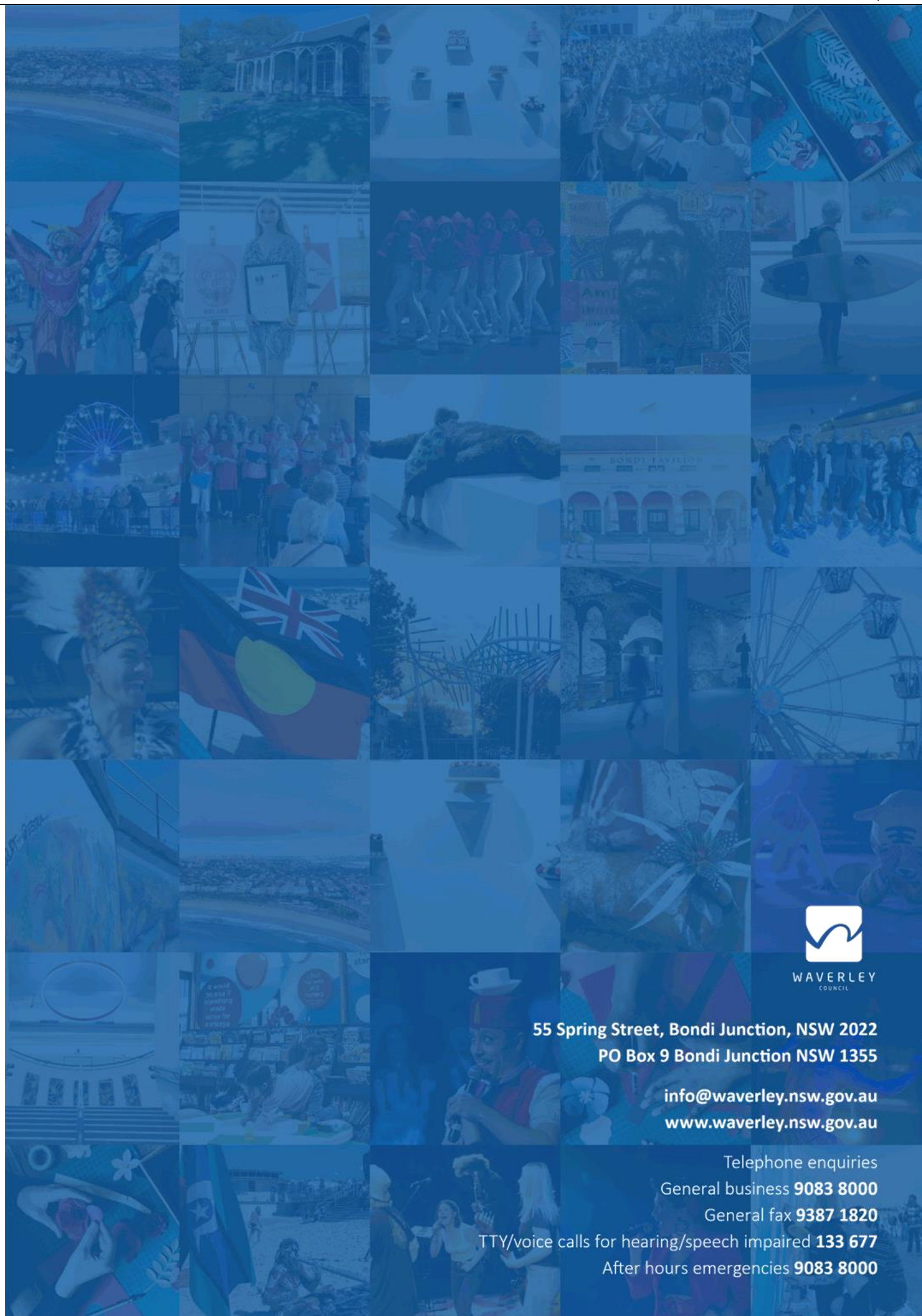
PRIORITY NEEDS

- To provide more opportunities for our creative sector to collaborate and to build their capacity.
- To ensure that Council strengthens the management of its art and cultural resources, and integrates them with the rest of Council's planning activities.
- For Council to foster leadership within the Waverley area through partnerships.

GOAL 5: DEVELOPING STRONG PARTNERSHIPS TO FACILITATE GROWTH FOR OUR CULTURAL AND CREATIVE SECTOR

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Objectives / Actions	Council's role	Partnerships	Timeframe	How will we measure success?
Objective 5.1 Foster strong and productive cultural partnerships, locally, regionally, across Sydney, nationally and internationally				
Investigate the establishment of a Cultural Committee, to help inform and guide the collaborative cultural processes and projects across Council	Implement	Local Creatives	2020–2021	Options for Cultural Committee developed and submitted to Council for consideration
Continue to review best practice management of cultural partnerships, venues and programming	Review	Leading Local Government Areas Cultural Institutions	2021–2025	Cultural Plans and policies reviewed from 3 LGAs annually
Investigate opportunities for the involvement of the community in imagining, theming, promoting and delivering local cultural and creative programming, festivals and events.	Implement	Local Creatives	2022–2025	2 opportunities identified annually
Objective 5.2 Increase awareness of the value of the arts within Council and the broader community				
Tap into established Sydney and international networks to share cultural events and products by our local creators, makers and cultural producers and practitioners.	Implement	Cultural Sector Partnerships	2022–2025	Key sector practitioners across the creative sector invited to key events.
Ensure Council's governance is aligned to the needs and aspirations of the community and decision-making is driven by the arts and cultural values	Implement	Council	2020–2021	Draft terms of reference developed for Council consideration in establishment of the Cultural Committee
Objective 5.3 Broker cross-sector collaboration (community, business, education, developers) to deliver cultural development initiatives				
Promote inter-agency collaboration with relevant state government departments on key cultural-sector issues, and promote complementary programs that tackle specific sector needs with the combined value of all agencies	Collaborate	State and Federal Government	2021–2025	Attendance and participation by Council Officers at sector based working groups, forums and discussions
Seek to ensure local planning controls provide support for quality, relevant and appropriate creative workspaces and presentation facilities in new developments	Advocate	Council / Developers	2021	Document outlining requirements for creative workspaces developed and tested against appropriate controls
Work within the existing planning framework to increase the participation of the creative sector in the development process (ie. through VPAs)	Advocate	Developers	2023–2025	At least 1 opportunity for the creative community to become engaged in considerations related to voluntary planning agreements process or developer contributions
Consider the engagement of local artists and communities in the design of planning policy and public places	Implement	Local artists and community	2021 -2023	Frameworks and options for community engagement developed and piloted
Advocate to NSW and Federal government stakeholders for clearer regulatory pathways for small and low-risk creative enterprise by: 1. Advocating for appropriate changes to relevant policy frameworks, such as State Environmental Planning Policies. 2. Advocating for consistent, state wide approaches to regulating the use of existing buildings by creative enterprise.	Advocate	State and Federal Government	2021–2025	Submissions prepared in response to Government priorities on cultural issues impacting the Waverley Local Government Area



REPORT
CM/7.9/20.04

Subject: Varna Park Upgrade Works - Community Consultation and Concept Design

TRIM No: A19/0671

Author: Bianca Simpson, Service Manager, Open Space and Recreation

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

RECOMMENDATION:

That Council:

1. Receives and notes the outcomes from the two stages of community consultation undertaken for Varna Park.
2. Endorses the attached concept design plan to be detailed and documented for construction.
3. Notes that the final design may change based on recommendations and requirements identified by technical consultants such as arborists and accredited play safety auditors. A final design will be presented to Council for endorsement if significant changes are proposed, or emailed to Councillors prior to tender if only minor changes are proposed, in accordance with Council's new standard Councillor consultation approach.

1. Executive Summary

This report summarises feedback received from two rounds of community consultation for Varna Park Improvement Project. The first round was undertaken between 15 October–8 November 2019 and a second round undertaken between 6 December 2019–27 January 2020. The report details the activities undertaken with the community during these periods, provides a summary of the outcomes of the consultation activities, presents the resulting concept plan and outlines the next actions for the project.

2. Introduction/Background

Varna Park is a neighbourhood park located in Waverley on the boundary of the Randwick local government area. The park draws visitation from neighbouring suburbs of Waverley and Bronte. The park provides a number of facilities including a playground, seating, water bubbler, picnic shelter, signs and a dog off-leash area. An upgrade to the playground was last completed in 2012.

In 2019, Council received \$280,000 of funding from the NSW Government through the Stronger Communities Fund to improve Varna Park. Council will use part of this funding to make necessary improvements, replacing aged assets and to provide rubber softfall and edging to the existing playground which is hard wearing and less maintenance intensive than the existing organic mulch. A complete list of improvement works identified on this basis includes:

- A new picnic shelter to replace the existing picnic shelter which has reached the end of its useful life.
- A new drinking fountain to replace the old drinking fountain.

- New rubber softfall pads below play equipment to improve safety.
- New edging to the softfall mulch around the playground.
- New bin enclosures with dog bag dispensers.
- Removal of old seats which have reached the end of their useful life.
- Removal and pruning of any un-healthy trees in the park as determined by Councils arborists.

After accounting for the above listed works, approximately \$180,000 of remaining funds will be allocated to further enhance the use and enjoyment of the park. As a condition of this funding, a Council resolution was passed requiring Council officers to undertake community consultation to determine how the remaining funding should be allocated and receive feedback on the suggested improvement works listed above.

Consultation methodology

Council officers conducted two rounds of community consultation for this project as detailed below.

Stage one consultation was held from 15 October to 8 November 2019. This consultation allowed Council officers to gather feedback on the Council recommended improvements listed above and provided an opportunity for the community to contribute their own ideas for the park.

The first round of community consultation included an online idea's board and survey which were hosted on Council's engagement website (Have Your Say). People could also contribute by sending an email to the open space team.

- 34 ideas were generated online.
- 157 online votes were recorded.
- 34 comments were left on the ideas board.
- 8 people contributed to the survey by providing further feedback.
- 1 person sent an email with their ideas for the park.

Ideas generated were voted on by the community. The table below illustrates the number of votes each idea received during the first consultation period. Votes came from the ideas board, the further feedback survey and emails.

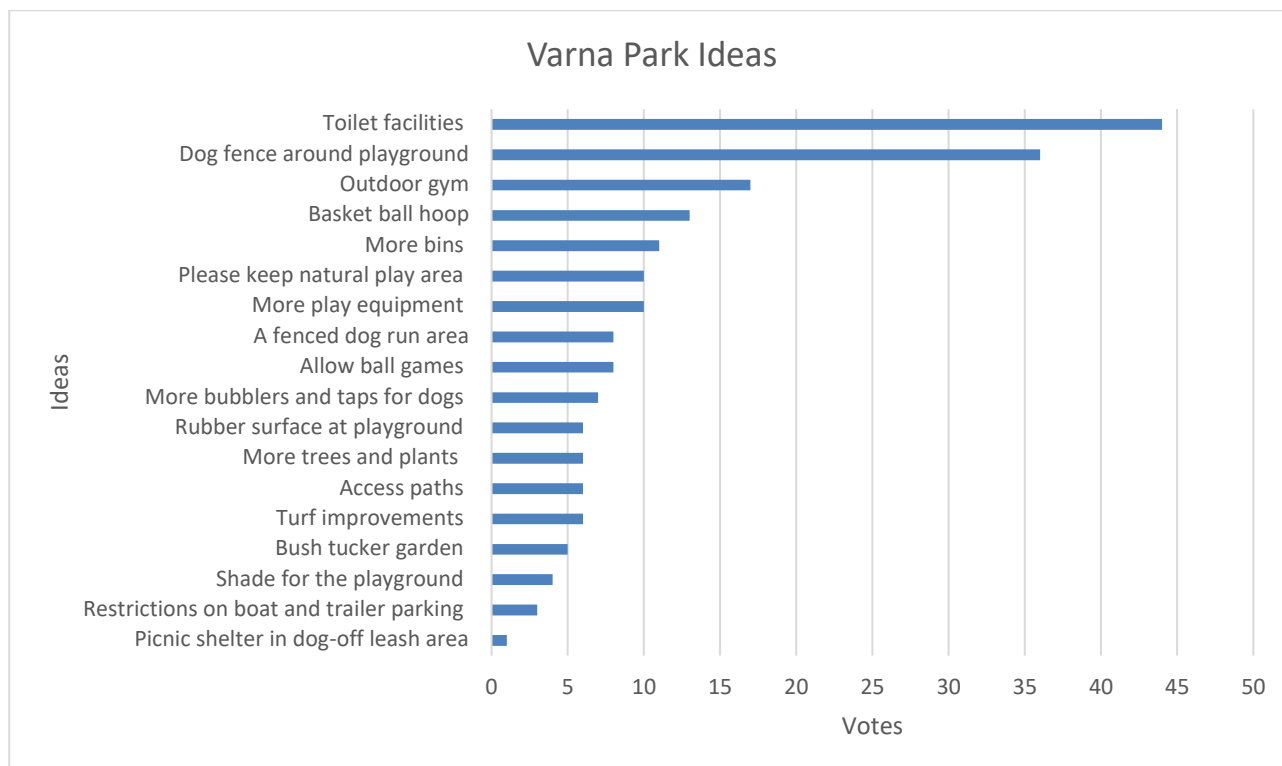


Figure 1. Consultation – Round One ideas.

The ideas generated during this first round of consultation were assessed based on the following criteria:

- Community support for the nominated idea.
- Available budget.
- Practicality of implementing and the benefits it would provide the community.

Following an assessment of the stage one results, a concept plan was drafted and made publicly available for feedback during the second round of consultation undertaken from 6 December 2019 to 27 January 2020 to ensure the design meets the community's needs. The second round of community consultation included another online survey hosted on Council's engagement website. The survey was designed to ascertain what aspects of the design participants liked or disliked and allowed participants to provide any additional comments, 59 people contributed to the online survey.

The figure below represents a summary of ideas that were supported and opposed in round 2.

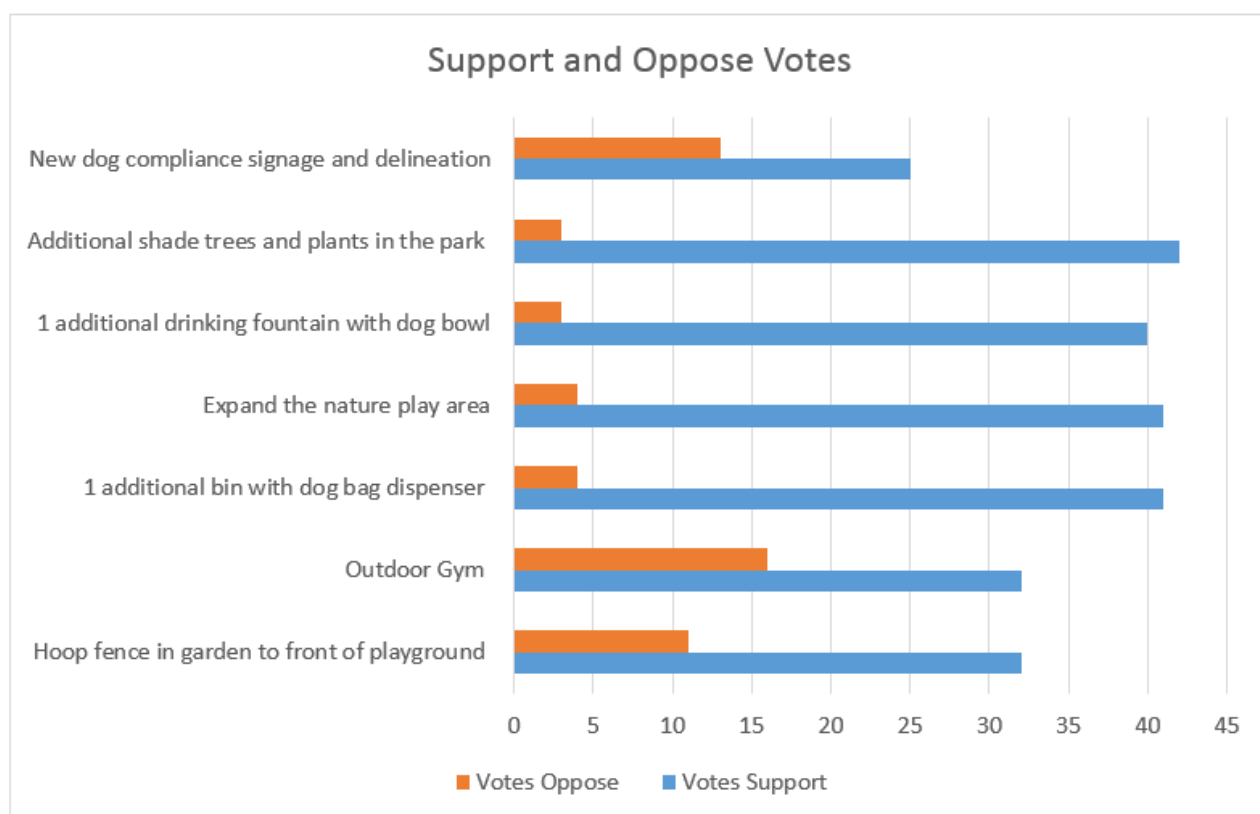


Figure 2. Consultation – Round Two response.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 21 May 2019	CM/8.1/19.05	That Council: <ol style="list-style-type: none"> Investigates options for the installation of outdoor exercise equipment in Varna Park, including costs, suitable types of equipment and potential locations for the equipment. Officers report back to Council.

4. Discussion

Consultation feedback summary

The most popular ideas generated from the ideas board and feedback received from the additional comments tool and surveys from both rounds of consultation are summarised into common themes. Each theme is accompanied by recommendations for park improvements dependent on the following criteria:

1. Support for nominated idea.
2. The available budget.
3. The practicality of implementing, including ongoing management and maintenance costs.
4. The value and benefits it would provide the community.

Toilet facilities

Round One

Installing toilet facilities at Varna Park received the most votes from participants with 44 votes in total. These people identified the shortage of public toilets in the area and the benefits of toilets for children using the park, including children using the playground and those using the park as part of school activities.

Clovelly Public School said they would like a toilet facility at the park. The School said they use the park regularly for sports classes and activities as they have limited green space within their grounds. They also said the playground is a popular play space for their students after school. They said toilet facilities would greatly improve the park as they could use the park for longer periods of time and more easily.

There were also comments made against installing public toilet facilities at the park. A total of eight comments were made from the community who were not supportive of this idea. These people expressed concern that toilets would attract anti-social behaviour and that a toilet block would not be in keeping with the parks 'local feel'.

Outcomes following Round One

- Council investigated the costs associated with installing toilet facilities at the park. It is estimated that installing a basic toilet facility fit for purpose could cost in excess of \$300,000. The cost of installing toilets at the park exceeds the funds available and is therefore not feasible as part of this project.
- High ongoing maintenance costs including cleaning, security, and operational management is also not within budget for this project.
- Council's Draft Open Space and Recreation Strategy does not identify Varna Park as a high priority location for additional toilet facilities in the local government area (LGA).
- It is therefore recommended that toilet facilities are not included as part of this project.

Round Two

Of the engaged participants in Round Two, five of 59 people expressed their disappointment toilet facilities were not included in the proposed concept plan. This included a spokesperson for Bronte Public School, the school having advocated for toilets in the park on multiple occasions.

Recommendations

- A toilet facility is not recommended as part of this project as there are insufficient funds available to build the toilet facilities and for on-going maintenance and services.

Fence around playground

Round One

A fence around the playground was voted the second most popular idea during round one community consultation with a total of 36 people voting for this idea. These people all wanted fencing to improve safety and address the issue of dogs wandering through the play space. There were competing ideas within this group, 10 of 36 people requested a high fence that fully enclosed the playground, while nine of 36 people requested low fencing, and the remaining 17 people did not specify the type of fencing they preferred.

Outcomes following Round One

- Council investigated the costs associated with installing both types of fencing:
 - A fully enclosed 1200 mm high fence around the playground is estimated to cost approximately \$70,000.
 - A 700 mm high hooped fence in garden bed around the front of the playground is estimated to cost approximately \$34,000.
- Council recommends installing a 700 mm high hoop fence in garden bed around the front of the playground with entry gate. This type of fencing has been successful in other locations to manage dogs running through the playground and will have less visual impact than a standard playground palisade fence.
- Council does not recommend a high 1200 mm fence as it reduces park permeability, encourages unsupervised play and is cost prohibitive.

Round Two

Of the engaged participants in Round Two, 32 of 59 people supported the low hoop fence to the front of the playground and 11 of 59 people opposed it. Most people who opposed the fence said they would prefer to see a high fully enclosed fence around the playground and expressed concern the low hoop fence would not be effective enough in keeping dogs out of the playground. Others who opposed the low hoop fence did not want to see a fence around the playground and preferred the current free movement between the playground and open lawn area and others thought the fence would be a trip hazard.

Recommendations

- As there was majority support for the low hoop fence to the front of the playground, Council recommends proceeding with the proposed concept design.

Exercise equipment*Round One*

Exercise equipment was voted the third most popular idea with a total of 17 votes and 9 positive comments. Those who expressed their support were excited about installing an outdoor gym with a range of exercise equipment pieces. Positive comments were made such as a fitness station would 'encourage young people to get fit' and that it would be 'a fantastic enhancement to the park'.

Two people expressed concern about the style of the fitness stations and requested the design of the fitness stations needs to be carried out in a 'sensitive and aesthetic manner'.

Outcomes following Round One

- Council investigated the costs associated with installing an outdoor gym at the park. It is estimated that installing fitness equipment and associated facilities could cost approximately \$100,000.
- Waverley's Play Space Strategy identifies a shortage of recreation spaces for older children, tweens and teenagers in the area. Fitness equipment could cater to a range of ages including children in these age brackets.
- Fitness/gym-type activities are the second most popular activities in NSW for adults according to new data from the Department of Sport and Recreation. The provision of exercise equipment would appear to be a recreation opportunity that would benefit a wide range of users.

Round Two

Of the engaged participants in Round two, 32 of 59 people supported the outdoor gym and 16 of 59 people opposed it. The people who supported the outdoor exercise equipment said they were looking forward to using the equipment and that it would be a great benefit to people of all ages. On the other hand, those who opposed the outdoor exercise equipment believed Varna Park was not an appropriate location for an outdoor gym, others said they do not think it will be used frequently and some believed that an outdoor gym would only appeal to a small number of people.

Recommendations

- As there was majority support for the outdoor gym, Council recommends proceeding with the proposed concept design.
- Council Officers will ensure exercise equipment is selected that caters to a wide range of people of varying ages, abilities and fitness levels.

Basketball hoop

A basketball hoop was voted the third most popular idea in round one with 13 votes. These people said a concrete hardstand and hoop would be a great addition to the park.

Outcomes following Round One

- Council investigated the costs associated with installing a basketball hoop and hardstand. It is estimated that installing the hoop and concrete hardstand and supporting improvements such as turf levelling around the court would cost approximately \$19,000.
- Waverley's Draft Open Space Recreation Strategy identifies an increasing trend towards more casual 'drop-in' style active recreation and activities within the LGA. It also recognises a shortfall of 'drop-in' casual sports facilities such as basketball half courts. Installing a basketball hoop and hard stand at Varna Park would be in line with the strategy by supporting this increasingly popular style of active recreation.
- Council officers also need to find a balance between the types of facilities being implemented at the park, will provide the most value and benefit to the community.

Round Two

Although a basketball hoop received many votes in round one, it was not included in the recommended concept design as Council officers aimed to find a balance between the types of park improvements that were recommended. Additional active recreation is already recommended by means of the outdoor gym which received more votes in round one than the basketball hoop. Only four people expressed their disappointment a basketball hoop was not included in the design in Round 2.

Recommendations

- To achieve a balance of facilities in the park it is recommended that council does not install a basketball hoop.

More bins

Round One

More bins in the park was voted the fourth most popular idea with 11 votes. These people requested additional bins should be installed in the park including near the playground and in the dog off-leash area.

They said there is currently a lack of bins in the park and additional bins might improve the issue of dog owners not picking up after their dogs.

Outcomes following Round One

- Council was already planning to install two new bin enclosures as part of the proposed improvement. One of these bins will replace the bin at the Wallace Street and the other will replace the bin opposite the intersection of Leichardt and Barclay Street.
- Council investigated the operational impact of installing more bins in the park on Council's waste management services. It is recommended that one additional bin would be adequate to facilitate the park.
- Council also investigated the cost of installing one more additional bin in the park. This will cost approximately \$5,000.
- All new bins will have dog bag dispenser attachments with bags for dog owners to encourage them to pick up after their dogs.

Round Two

Of the engaged participants in round two, 41 of 59 people supported installing one additional bin with dog bag dispenser and four people opposed the idea.

Recommendations

- As there was majority support for installing the additional bin, Council recommends proceeding with the proposed concept design.

More play equipment

Round One

Requests for more play equipment was the fourth most popular idea with 10 votes. There was also an idea requesting council to 'please keep natural play area' at the playground. This idea received 10 votes. People made suggestions for a wide range of different types of play equipment, such as: nature play elements, a slide, climbing wall, monkey bars and more swings. These people all suggested that including more challenging play equipment would be a great improvement to the playground.

Outcomes following Round One

- Varna Park playground was upgraded in 2012 and is identified as a long-term priority in Waverley's Play Space Strategy while Council undertakes more urgent upgrades to play spaces across the LGA as part of priority works outlined in the Play Strategy. It is not recommended to implement a large upgrade of the playground.
- Council has investigated expanding the playground and providing a new nature play area to the East of the playground. Expanding the playground in this direction will take advantage of the existing tree which could be used for imaginative play and climbing. A soft mulch surface would ensure this area is safe and meets Australian Standards.
- Council also recommends reusing the timber from the trees being removed in the park for new nature play items such as stepping logs, balancing beams and a teepee.
- Council has investigated the cost of expanding the playground with additional nature play. This will cost approximately \$15,000.

Round Two

Of the engaged participants in Round Two, 41 of 59 people supported expanding the nature play area and four of 45 people opposed it. The people who supported expanding the nature play also requested more challenging play equipment to cater for a wider range of ages. Suggestions for equipment that would appeal to older children was requested, along with large climbing structures, timber lizard balancing logs, zip line and a large basket swing. The people who opposed expanding the nature play said they thought the playground was large enough already and the remaining park should be kept available for teenagers and adults.

Recommendations

- As there was majority support for expanding the nature play area, Council recommends proceeding with the proposed concept design.

More trees and plants

Round One

Requests for more trees and plants in the reserve was popular within the community, with six people voting for this idea. Four people also voted for more shade in the playground. These people recognised the benefits of planting more plants and trees in the park to improve biodiversity and as a way to help shade park users in warmer weather.

Outcomes following Round One

- Council has investigated the costs of planting more plants and trees in the park. It is estimated to cost \$6,000.
- Council recommends planting new trees around the playground and the new outdoor gym to help shade from the hot western sun.
- Infill planting and new garden beds around the playground and outdoor gym will benefit the local biodiversity and will enhance the look and feel of the park.

Round Two

Of the engaged participants in Round Two, 42 of 59 people supported planting more trees and plants in the park and three of 59 people opposed it. In general, most people were positive about additional garden and trees in the park. Some people requested more planting in the park than what is proposed. Those that were opposed said they were concerned it would create less open space for play and that the current amount of garden bed was adequate.

Recommendations

- As there was majority support for planting more trees and garden beds in the park, Council recommends proceeding with the proposed concept design.

More bubblers for dogs

Round One

Requests for an additional drinking fountain with dog drinking bowl was popular within the community and received seven votes. These people asked for a bubbler located at both ends of the park. Clovelly Public School also said they would like more drinking fountains in the park to facilitate sports classes and school activities held at the park.

Outcomes following Round One

- To eliminate the conflict of dogs using the drinking fountain near the playground, Council recommends installing an additional drinking fountain with a dog drinking bowl in the designated dog off leash area.
- It is expected to cost approximately \$8,000 to install the drinking fountain and associated services.

Round Two

Of the engaged participants in Round two 40 of 59 people supported installing an additional drinking fountain with dog drinking bowl and 3 of 59 people opposed it. The people who opposed the idea did not think it was a necessary improvement to the park.

Recommendations

- As there was majority support for installing an addition drinking fountain with dog drinking bowl, Council recommends proceeding with the proposed concept design.

Dogs off-leash issues/fenced dog run area*Round One*

A large number of people said there are compliance issues at the park with dogs off-leash outside the designated area. These people expressed concerns about dogs being in the playground and said that dogs were disturbing their enjoyment of the park.

An idea for a fenced dog run area was posted on the ideas board by a member of the community, and received eight votes. These people said a fenced area for dogs would eliminate issues of dogs off-leash outside of the designated area.

Outcomes following Round One

- It is not recommended to install a fenced dog run area as this would require installing high fencing in the reserve limiting free open area for all to enjoy. These areas are often intensely used causing severe damage to turf conditions and require high levels of maintenance and up-keep costs to ensure the area is kept clean.
- Council recommends installing additional park compliance signs within the park at the edge of the dog off-leash area clearly delineating the area.
- Council has investigated the cost of installing additional signs and garden bed markers, and it is expected to cost approximately \$5,000.

Round Two

Of the engaged participants in Round Two, 25 of 59 people supported installing additional dog compliance signage and garden bed delineating the dog off-leash area and 13 of 59 people opposed it. The people who were in support said clearly delineating the area would help manage any dog off-leash compliance issues. While those who opposed the idea said signs are not effective enough in managing this issue, some requested for fenced dog run area and one person suggested the dog off leash area should be expanded.

Recommendations

- As there was majority support for installing additional compliance signage and garden beds delineating the dog off leash area, Council recommends proceeding with the proposed concept design.

Further feedback

The Round Two survey also provided the opportunity for participants to contribute any further feedback they had on the proposed plan and park. Below is a list of issues people would like to see addressed at Varna Park:

- The poor condition of turf in the park was a common issue raised by participants, with seven people referring to this issue. These people said the turf was dry, uneven and most of it was in a deteriorated dusty state.
- Boat parking along Leichhardt Street was another point of concern for participants, with people requesting a limit on the number of boats allowed to park along the street at any one time.
- Pram access into the park and through the park was another point of interest, with people requesting a path around or through the park.

Recommendations

- This feedback will be taken on notice. The current project budget is not able to accommodate all suggestions. Further works to turf and installation of a path can be pursued through operational budgets or in future capital works project budgets.

5. Financial impact statement/Time frame/Consultation

As there was general support for the proposed improvement works identified by Council, it is recommended that these improvements will be implemented. It is expected that these works will cost approximately \$100,000.

As detailed in the discussion section of this report, there was a range of great ideas generated by the community during the consultation period. Council recommends implementing the most popular ideas that best meet the criteria. These ideas include:

- Install a hoop fence in garden bed around the front of the playground (\$41,000).
- Install an outdoor gym (\$100,000).
- Install an additional bin within the reserve (\$5,000).
- Expand the nature play area with additional play elements (\$15,000).
- Install an additional drinking fountain with bog bowl in the dog off-leash area (\$8,000).
- Plant additional shade trees and plants in the park (\$6,000).
- Install additional signage in the park and garden bed delineating the dog off leash area (\$5,000).

These improvements to the reserve are expected to cost the remaining \$180,000 of available funds. Therefore, the total budget of the project is the \$100,000 of works recommended by Council plus the \$180,000 of improvement works suggested by the community resulting in a total budget of \$280,000. Refer to Attachment 2, which illustrates these works.

6. Conclusion

On approval of the plan, the following steps will be undertaken:

- The community will be provided with this report and proposed concept plan.
- The concept design will be developed in preparation for construction.
- The community will be notified of any updates to the construction program as works progress at intervals of three to six months.

The construction of Varna Park is expected to take place in late 2020 or early 2021.

7. Attachments

1. Varna Park Playground Engagement Summary [↓](#)
2. Varna Park improvements - Concept package - December 2019 [↓](#)

Appendix 1: Varna Park Playground Engagement Methods

Method	Overview	Date	Response
Have your say website	Council's 'Have your say' website currently hosts the Varna Park Improvements project page. It is a place for community members to access project information, progress updates and participate in the online idea's boards and survey.	Thursday 17 October: the project page was published online.	Total visits during round 1 consultation: 589
		Friday 6 December: the project page was updated.	Total visits during round 2 consultation: 352
Flyer drop to residents within a 500m radius of the park	Approximately 2000 flyers were delivered to residents within a 500m radius of the park at the start of both rounds of consultation. The flyers included information about the project, a link to the project page and encouraged people to participate in the community consultation.	Round 1 delivery: Monday 21 October	Round 1: 2000 flyers
		Round 2 delivery: Friday 13 December	Round 2: 2000 flyers
Social media posts on Facebook	A Facebook post was posted on Council's Facebook page containing project information, consultation dates, how people could get involved and a direct link to the project page.	Wednesday 23 October	Reach: 2703
Engagement Newsletter	Waverley Council's monthly engagement newsletter was sent out at the start of both consultation periods. The newsletter alerted people to the new project and invited them to share their ideas and participate in the consultation.	Round 1: Thursday 17 October	Reach: Over 1800
		Round 2: Friday 20 December Friday 24 January	Reach: Over 1800
Stakeholder emails	The Open Space Team sent an email to stakeholders (Bronte Bowling Club, Bronte Greenwood Child Care, Clovelly Public School and St Catherine's School) at the start of round 1 community consultation informing them of the new project and inviting them to contribute to the consultation. The Open Space Team sent another email update to stakeholders listed above and to all engaged community members from round 1 who opted to be kept informed. This update notified them of the outcomes of round 1 consultation and invited them to	Round 1: Thursday 17 October	Round 1: 4 key stakeholders
		Round 2: Friday 6 December	Round 2: 52 key stakeholders

	contribute to the 2 nd round of consultation.		
Online Ideas Board (Round 1 only)	Found on Council's Have your say website, an online ideas board was set-up allowing community members to contribute their own ideas for how the funding should be spent in the park and vote on their favourite ideas.	Thursday 17 October – Friday 8 November	34 Ideas were contributed 157 Votes 58 Comments were shared
Online Survey Round 1	Found on Council's Have your say website, the round 1 consultation survey provided an opportunity for people to express any further feedback regarding the park or the planned improvement works.	Thursday 17 October – Friday 8 November	8 submissions
Online Survey Round 2	Found on Council's Have your say website, the round 2 survey was designed to ascertain if participants were satisfied or unsatisfied with the proposed concept plan and what aspects were liked and disliked. The survey also allow participants to provide any additional comments.	Friday 6 December – Monday 27 January	59 submissions
Email submissions from residents	Residents were also invited to contact Council's Open Space Team for further information and to provide direct feedback. The Open Space Team received 1 direct email from a resident regarding ideas for Varna Park.	Tuesday 22 October	1 Email from resident during round 1
Phone consultation	Phone consultation with Clovelly Public School's Principle was conducted to make sure the School was engaged with the consultation and that the school was given the opportunity to provide suggestions.	Tuesday 12 November	
Clovelly Public School Newsletter	Clovelly Public School included a message in their school newsletter about the project and a link to Council's <i>have your say website</i> encouraging the school community to get involved in the consultation and share their ideas.	Wednesday 23 October	



LEGEND

- PRIMARY WALKING ROUTE
- SECONDARY WALKING ROUTE
- EXISTING SEAT TO BE RETAINED
- EXISTING SEAT TO BE REMOVED
- EXISTING SEAT TO BE RELOCATED
- EXISTING DRINKING FOUNTAIN TO BE REMOVED AND REPLACED
- EXISTING BIN TO BE REPLACED WITH NEW BIN ENCLOSURE AND DOG BAG DISPENSER
- EXISTING TIMBER BOLLARDS TO BE REMOVED AND REPLACED
- TIMBER EDGING AROUND PLAYGROUND TO BE REMOVED AND REPLACED
- TREES TO BE REMOVED DUE TO POOR HEALTH
- STEEL GATE TO BE REMOVED AND REPLACED WITH BOLLARD
- EXISTING PICNIC SHELTER TO BE REMOVED AND REPLACED

VARNA PARK IMPROVEMENTS

DRAFT CONCEPT DESIGN

EXISTING FUNCTIONAL PLAN AND ASSET CONDITION CONCEPT DESIGN

Date: 03.12.19

Drawn by: BP

Scale: NTS



WAVERLEY
COUNCIL



EXISTING PICNIC SHELTER TO BE DEMOLISHED AND REPLACED



STEEL GATE TO BE REMOVED AND REPLACED WITH BOLLARD



EXISTING SEAT NEAR LEICHHARDT STREET TO BE REMOVED AND REPLACED



DRINKING FOUNTAIN TO BE REMOVED AND REPLACED



EXISTING SEAT NEAR PLAYGROUND TO BE REMOVED



TIMBER EDGING TO BE REMOVED & REPLACED


















TIMBER BOLLARDS TO BE REMOVED & REPLACED



EXISTING BIN TO BE REPLACED WITH NEW BIN ENCLOSURE AND DOG BAG DISPENSER



LEGEND

- | | | |
|---|---|--|
|  PRIMARY WALKING ROUTE |  NEW BIN WITH DOG BAG DISPENSERS |  NEW OUTDOOR GYM |
|  SECONDARY WALKING ROUTE |  NEW BOLLARDS |  NEW PLANTING |
|  EXISTING SEAT TO BE RETAINED |  NEW RUBBER SOFT FALL PADS IN PLAYGROUND |  NEW SHADE TREES |
|  RELOCATED SEAT |  NEW EDGING AROUND PLAYGROUND |  TREES TO BE REMOVED DUE TO POOR HEALTH |
|  NEW DRINKING FOUNTAIN |  NEW HOOP FENCE AROUND PLAYGROUND | |
|  NEW PICNIC SHELTER WITH TABLE | | |

**VARNA PARK
IMPROVEMENTS**
DRAFT CONCEPT DESIGN

**PROPOSED FUNCTIONAL PLAN AND
UPGRADES
CONCEPT DESIGN**

Date: 03.12.19
Drawn by: BP
Scale: NTS





LEGEND

- ① HOOP FENCE AROUND PLAYGROUND WITH GATE

② RUBBER SOFTFALL SURFACE UNDER PLAY EQUIPMENT (NEUTRAL COLOUR)

③ RELOCATED SEAT

④ NEW PICNIC SHELTER WITH PICNIC TABLE AND SEATS. SHELTER TO BE MADE WITH TIMBER POSTS AND OPEN STRUCTURE TO ACCOMMODATE.

⑤ NEW DRINKING FOUNTAIN
- ⑥ NEW NATURE PLAY AREA INCLUDING ITEMS SUCH AS BALANCING LOGS, STEPPERS AND TEE-PEE MADE FROM RE-USED SITE LOGS FROM TREES TO BE REMOVED.

⑦ NEW GARDEN BED

⑧ NEW TREES TO SHADE FROM WESTERN SUN

⑨ NEW BOLLARDS

⑩ OUTDOOR GYM WITH A RANGE OF EXERCISE EQUIPMENT & NEUTRAL COLOUR RUBBER SOFTFALL SURFACE. EQUIPMENT TO INCLUDE ITEMS SUCH AS AN EXERCISE BIKE, CROSS TRAINER, PUSH UP BARS, TWIST & STEP UP STATION AND LOW IMPACT UPPER BODY TRAINER.
- ⑪ DOG SIGN SHOWING DOGS TO BE ON LEASH BEYOND THIS POINT.

**VARNA PARK
IMPROVEMENTS**
DRAFT CONCEPT DESIGN

**PROPOSED CONCEPT PLAN: PLAY AND
FITNESS AREA
CONCEPT DESIGN**

Date: 03.12.19
Drawn by: BP
Scale: NTS



ASSET REPLACEMENTS & UPGRADES



NEW PICNIC SHELTER WITH TABLE



NEW BIN ENCLOSURES WITH DOG BAG DISPENSERS



NEW DRINKING FOUNTAIN NEAR PLAYGROUND



NEW RUBBER SOFT FALL PADS IN PLAYGROUND



NEW BOLLARDS



NEW EDGING AROUND PLAYGROUND



NEW SEAT



ADDITIONAL SIGNS WITH DOG ON LEASH AREA INFORMATION

PROPOSED IDEAS



NEW HOOP FENCE WITH PLANTING AROUND PLAYGROUND



NEW DRINKING FOUNTAIN WITH DOG BOWL IN DOG OFF LEASH AREA.



NEW NATURE PLAY AREA WITH BALANCING LOGS, STEPPERS AND TEE-PEE



NEW OUTDOOR GYM

PROPOSED FITNESS EQUIPMENT FOR OUTDOOR GYM



EXERCISE BIKE



CROSS TRAINER



PUSH UP BARS



TWIST & STEP UP STATION



LOW IMPACT UPPER BODY TRAINER

VARNA PARK IMPROVEMENTS

DRAFT CONCEPT DESIGN

IMAGES OF ASSETS REPLACEMENTS, PROPOSED IDEAS & FITNESS EQUIPMENT CONCEPT DESIGN

Date: 03.12.19

Drawn by: BP

Scale: NTS



WAVERLEY
COUNCIL

REPORT

CM/7.10/20.04



Subject: Stronger Communities Fund - Progress Report

TRIM No: A19/0224

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

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

RECOMMENDATION:

That Council receives and notes this progress report on the Stronger Communities Fund.

1. Executive Summary

Council received funding from the Stronger Communities Fund – Tied Grants program in February 2019 for several projects to a value of \$2 million. The Stronger Communities Fund Funding Agreement requires Council to table progress reports at least quarterly to an ordinary Council meeting. The progress report is to include the expenditure and outcomes achieved against the Delivery Plan. This reporting is to continue until the conclusion of the project.

2. Introduction/Background

The Stronger Communities Fund was originally established by the NSW Government to provide newly established Councils with funding for the delivery of projects that improve community infrastructure and services.

The first round of the Stronger Communities Fund provided up to \$5 million for each new council to kick-start delivery of priority community initiatives.

The second round of the Stronger Communities Fund was established in 2017 and provides funding for specific projects, identified by the NSW Government, within new councils and councils previously subject to merger proposals.

The Office of Local Government has the function of providing funding to councils. It is the State agency to which the Council has to report regarding the expenditure of funds provided under the grants. Council received funding for several projects identified by the NSW Government in the second round of funding. This report provides an update on the progress of these grant funded projects.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 March 2019	CM/8.9/19.03	That: 1. Council officers consult stakeholders, Ward Councillors and Cr Burrill on an interim upgrade of the existing or new play equipment and the priority of which equipment should be upgraded to generally make the playground safer, and that these works take place as soon as

		<p>possible.</p> <ol style="list-style-type: none"> 2. Additionally, officers report back to Council with a future concept plan. 3. A representative of the recent 'Mothers of Bondi' petition, Ms Talia Golan or her alternate, be included within the stakeholder group. 4. Council notes that the NSW Government has recently given Council \$300,000 under the Stronger Communities Fund to fund priority upgrade works as an interim measure in the Bondi Beach playground. 5. Council notes that a full upgrade of the playground to a regional playground is due to commence in 2021–22, following the completion of the Bondi Pavilion Conservation Upgrade project. 6. Council notes the recent online petition by the 'Mothers of Bondi' addressing urgent safety issues and upgrades to existing equipment.
Council 19 March 2019	CM/8.13/19.03	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes and acknowledges that: <ol style="list-style-type: none"> (a) The NSW Government has provided Council a \$100,000 grant to make further improvements to Clarke Reserve in Vaucluse. (b) This money is in addition to the \$150,000 already allocated by Council bringing the total investment of \$250,000. (c) The upgrade of the Reserve is due to commence in the second half of 2019. 2. 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. 3. 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.

4. Discussion

Guidelines have been developed to assist councils to understand their obligations in relation to the tied grant round of the Stronger Communities Fund, including requirements for governance and reporting.

Councils are to fund projects, identified by the NSW Government, that deliver new or improved infrastructure or services to the Community.

Projects must meet the following criteria:

- Demonstrate social and/or economic benefits to the community.
- Give consideration to the processes and procedures outlined in the capital expenditure review guidelines issued by the Office of Local Government.

The following is a list of the seven Council projects and their respective progress reports.

Table 1. Projects.

Project – Stronger Communities Fund	Allocation (\$'000)
1. North Bondi Surf Life Saving Club – Upgrade	500
2. Bronte Surf Club and Community Facilities Building Upgrade	345
3. Clarke Reserve, Vaucluse – Upgrade to playground and fencing	100
4. Marlborough Reserve, Bronte – Upgrade to playground	400
5. Varna Park, Waverley – Upgrade to playground	280
6. Waverley Park, Waverley – Upgrade of cricket facilities	75
7. Bondi Beach playground – Design work for upgrade	300
Total amount of grant funding sought:	\$2,000,000

North Bondi Surf Life Saving Club – Upgrade – Rescue Storage Facility

Council has committed \$500,000 to the project. An additional \$500,000 will be funded by the North Bondi Surf Life Saving Club and another \$500,000 is to be sourced from Federal funds by the North Bondi Surf Life Saving Club and \$500,000 from NSW Government.

Next steps

Construction has started with a six-month construction period.

Budget

The budget for the project is \$500,000 in the 2019–2020 financial year out of a total of \$2 million. To date the budget is on track

Bronte Surf Club and Community Facilities Building Upgrade

Stakeholder and community consultation was undertaken in September 2019, with the project progressing to the options analysis stage, where four high-level design options were completed in conjunction with the Bronte Surf Life Saving Club. The consultation outcomes, the options, including the preferred option were reported to Council via a workshop on 22 January 2020, with the presentation material circulated to all Councillors on 24 January 2020. The preferred option was then formally endorsed by the Strategic Planning and Development Committee on 3 March 2020

Next steps

The preferred option is currently being developed to a concept design stage suitable for community consultation. Once developed, Officers will report back to Council seeking endorsement to progress to

community consultation on the concept design. Following consultation, Officers will proceed to the DA Documentation stage, implementing community feedback as required.

Budget

Council has committed \$968,322.90 (including GST) to date.

Clarke Reserve, Vaucluse – Upgrade to playground and fencing

Based on the consultation outcomes and Council's endorsement of the landscape plans, detailed design and documentation was completed and a contractor engaged for construction. Works have now progressed on site with practical completion on the 25th of March 2020. Minor defects will be rectified, and site fencing is due to be removed in early-mid April.

Next steps

Construction defects to be rectified and site fencing to be removed prior to completion of the project.

Budget

Budget is on track.

Marlborough Reserve, Bronte – Upgrade to playground

Following public consultation held in May 2019, the draft concept plans for Marlborough Reserve were updated in light of community feedback. The updated concept plans were made available for a second round of public consultation from 26 September to 25 October 2019. Feedback was received through an online survey and a 'Have Your Say Day'. A total of 27 responses were received during the second round of consultation: 24 online surveys and three written submissions received via email.

This round of consultation was designed to ascertain if participants were satisfied or unsatisfied with the updated concept plans and what aspects of the design were liked or disliked. The survey also allowed participants to provide further feedback.

Key findings from the second survey found that most respondents were satisfied with the updated concept design 60.9%, 47.4% were neutral and 21.7% were dissatisfied.

The design concept has been further developed in consideration of the feedback received during the second round of consultation. The key findings from the consultation are as follows:

- Officers will continue to work with a level 5 qualified Arborist during the design documentation and construction stages of the project to ensure the health of existing trees within the reserve is maintained.
- Construction methods that are sensitive to existing trees will be used.
- Inclusion of additional nature play elements have been located within the proposed playground footprint.
- Inclusion of an additional bin with dog bag dispenser at the bottom Southern end of the reserve.

Council officers proceeded to detail the plans on this basis. Unfortunately, the large *Ficus elastica* which was a significant feature of the park and focus of the playground, was damaged by a storm and has been removed. The plans are being updated to provide replacement planting.

A shortage of staff resources will delay the project from being documented ready for construction.

Next steps

Detailed design and documentation to take place ready to construct the upgrade.

Budget

The anticipated cost of the proposed works is within the allocated budget.

Varna Park, Waverley – Upgrade to playground

This project is the subject of a separate report on the agenda. Varna Park is a very popular park in Waverley, providing a playground, dog off-leash area and large open space with established trees. This project will see an upgrade to the park facilities providing improved amenity and addressing safety concerns around the playground edging and conflict between children and dogs. Council officers identified works in the park requiring repair and replacement as well as some existing trees which are in poor health. As this project provides opportunities for both upgrade facilities and possibly new works Council has consulted with the community seeking ideas for how the remaining funds may be spent. The community was engaged through a range of engagement methods during the consultation period. Council received some great ideas generated by the community during the consultation period, and recommends implementing the most popular ideas that best meet the project criteria.

These improvements to the reserve are expected to cost the remaining \$180,000 of available funds. Council has received a separate report on the details of the consultation and design.

Next steps

Following Council endorsement of the design the following steps will take place:

- The community will be provided with the findings from the consultation and proposed concept plan.
- Project design and implementation will occur.
- The community will be notified of any updates at 3-6 monthly intervals to the construction program as works progress.

Budget

Designs will be developed in line with the budget.

Waverley Park, Waverley – Upgrade of cricket facilities

\$55,000 has been provided to Eastern Suburbs Cricket Club for the purchasing of portable outdoor nets and associated equipment. The club have acknowledged receipt of the funding and will provide receipts for purchases made for acquittal purposes.

In agreement with the club, a remaining \$20,000 was allocated to a feasibility study into the proposed Indoor Cricket Net Facility at Waverley Park. The feasibility study is complete and concludes that Margaret Whitlam Recreation Centre is structurally feasible of supporting a new indoor cricket facility. A preliminary concept was presented to Councillor workshop on 10 September 2019.

While an initial application for construction funding from the over-subscribed Greater Sydney Sports Facility was unsuccessful, a funding strategy will be developed with the Club.

Design work on the concept is being advanced within Council's budget allocation.

Bondi Beach playground – Design work for upgrade

Bondi Beach is due for replacement however existing and planned construction works within Bondi Park and to Bondi Pavilion has pushed out the program for the upgrade of the playground. Council's Play Space Strategy has identified the playground to be a Play Space which should service the region, meaning it should be designed for a range of ages and abilities.

This funding will assist Council in refurbishing the existing play space to ensure it is safe, meets the short-term needs of park visitors and extend the lifespan of the facility until a full re-devolvement can commence.

To date:

- Council officers have met with a representative Mothers of Bondi on-site seeking feedback on the existing playground and ideas for improvements agreeing to review opportunities to improve toddler play through the provision of a new piece of equipment and undertake short-term repairs to existing equipment prior to Christmas.
- A surveyor has been commissioned and provided a full feature survey of the playground to assist short-term refurbishment design work.
- An audited of the existing equipment and furniture has been completed to prioritise repairs and replacement works.
- The double swing has been repaired
- Council's maintenance team has repaired and replaced timber seats and the picnic setting.
- Play equipment has been repaired including the preschool-aged multi-play unit, double swing, seesaw, waterplay tap and spinner.
- Rubber softfall patching repairs have been completed.
- Council's maintenance team will be installing a new accessible bubbler at the playground entrance.
- Contractors are onsite undertaking repairs to the existing picnic shelter with works to be completed in two weeks by the beginning of April, weather permitting.
- Documentation has been prepared to seek quotations for the replacement of the fence and install 'air-lock' style gates.
- Officers are investigating options to adapt the larger multi-play unit to replace the bannister rail slide with a traditional slide to enable an age and skill appropriate progression of slides in the playground.

On the completion of the above-mentioned works, there will be remaining funds to expend. When consulting with interested stakeholders and in auditing the existing playground equipment, a gap has been identified in play experiences catering for younger children and toddlers. It had been agreed that new play equipment would be installed to accommodate this age range.

In reviewing options available for the new toddler play equipment and spatial requirements, Council officers have further investigated short-term options to refurbish the playground to improve safety and amenity, extend the lifespan of the play space, improve the play experiences and improve inclusiveness at the play space based on findings and recommendations of the Draft Inclusive Play Study.

Based on the above stakeholder feedback and site analysis, a Bondi Playground Refurbishment Concept Plan has been developed. Proposed additional improvements include:

- Provide a toddler play pod with more play experiences and equipment catering for toddler age groups by the provision of a new play area with multipurpose play equipment including slide, climbing and puzzle equipment. This equipment can be accommodated in the existing grassed area adjoining the playground entrance.
- Provide a shade sail over the new toddler play pod area.
- Expand cognitive, sensory and nature play experience at the play space

- Provide seating, bike parking and bins at main entrance.
- Provide playground signage to welcome visitors and provide information.
- Upgrade landscape areas to improve amenity and aesthetics including appropriately placed amenity shade trees and refurbish existing garden beds.

Council officers have met with a representative of Mothers of Bondi on site seeking feedback on the Bondi Playground Refurbishment Concept Plan and received positive feedback and support.

Councillors have been provided a copy of the Bondi Playground Refurbishment Concept Plan via email on the 5th March 2020 and Council officers held a site meeting with interested Councillors on 18 March 2020 attended by Cr Burrill. Councillors feedback has been incorporated into the concept plan and will be further developed during detailed design including:

- Relocation of access gate to other side of barbecues.
- Reduction of any additional hard surfaces where possible.
- Inclusion of more cognitive play panels on new multi-play unit (puzzles, noughts and crosses and the like).
- Ensuring new multi-play unit is both age appropriate while offers challenges for skills development complimentary to existing play pieces in the playground.

As previously reported, new play equipment will take a minimum of three months for supply only, following a one-month request for quotation process, and will not be able to be installed until late winter period.

Next steps

Council officers will continue to prepare detailed documentation to be ready to seek quotations to engage contractors for construction.

Budget

Refurbishment works will be designed to suit the budget.

5. Financial impact statement/Time frame/Consultation

Initially, the Stronger Communities Fund allocation had to be spent or committed by 31 December 2019 and fully acquitted by 30 June 2020. Any uncommitted funds by 31 December 2019 had to be returned to the OLG by 31 March 2020. Council was successful in seeking an extension of time for the Bondi Playground, Varna Park and Marlborough Park projects. Funding for these projects should be committed by the end of financial year. Council officers are re-prioritising work to accommodate deadlines as staff resources are short due to a necessary hold on employment.

Councils are accountable for the expenditure of Stronger Communities Fund in accordance with guidelines which require the following:

- Councils must provide six-monthly reports each year by 31 August 2019 and 28 February 2020 to the Office of Local Government on delivery progress and expenditure within the Stronger Councils Fund reporting.
- A final report is to be submitted on the completion of each of the projects, including photos and description of the benefits and outcomes achieved.
- Acknowledge the NSW Government's contribution in any written material in relation to the project and in any permanent signage in relation to any projects funded.

6. Conclusion

Projects receiving funding from the Stronger Communities fund are in progress.

7. Attachments

Nil.

**REPORT
CM/7.11/20.04**

Subject: Quotation Evaluation - Concrete Footpath and Restoration Works

TRIM No: A18/0335

Author: Nikolaos Zervos, Manager, Asset Systems and Planning

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

RECOMMENDATION:

That Council:

1. Enters into contract with Civeco Pty Ltd for the provision of concrete restoration works at a total contract price of \$317,854 (including GST).
2. Authorises the General Manager do all things necessary to enter into the contract.

1. Executive Summary

The purpose of this report is to seek Council's approval for the appointment of Civeco Pty Ltd as the preferred supplier for the provision of concrete restoration works in the Waverley local government area as recommended by the Request for Quotation Evaluation Panel Committee.

A request for quotation (RFQ) for the provision of concrete restoration was were first called in November 2019 from Council's Civil Landscaping and Open Space Construction Panel, and there were no suitable offers available. The second RFQ was sought from five contractors on the same panel and only one quote was received. The concrete restoration works estimated contract value is over \$250,000.

Council's Purchasing Procedure requires a minimum of three written quotes for this level of spending when using Council's panel. Council recently reviewed the General Manager's delegation with respect to entering into contract with fewer than the required number of quotations by the procedure. The General Manager can now only approve expenditure without the required number of quotations for purchases of less than \$250,000.

This report seeks Council's approval to enter into contract with Civeco Pty Ltd for the provision of concrete restoration works.

2. Introduction/Background

There are many uncompleted concrete restorations in the Waverley local government area (LGA) following public utility and private works.

These sites have been identified, and a RFQ was issued through Vendor Panel to five contractors on Council's Civil, Landscaping and Open Space Construction Panel. This RFQ closed 20 November 2019. This request was unsuccessful in attracting a suitable offer.

The RFQ was reassessed and reissued with a closing date of 20 March 2020 through Vendor Panel to contractors on the same panel.

One quotation was received from Civeco Pty Ltd. The quote has been reviewed by the Evaluation Panel and it is considered acceptable. The contractor has a good reputation, is currently completing works for Council and has proposed a work program to complete the works in the required time.

It is proposed that Council engages this contractor to deliver these works.

3. Relevant Council Resolutions

Nil.

4. Discussion

Council carried out two separate RFQ processes in November 2019 and March 2020, each time seeking submissions from five appropriately qualified and experienced service providers on the Civil, Landscaping and Open Space Construction Panel.

The first request received no suitable submissions and one suitable submission was received on the second attempt.

The scope is for the provision of concrete restoration works in the LGA. A Quotation Evaluation Committee (QEC) was established to evaluate the quotations. The QEC consisted of:

- Nikolaos Zervos – Manager, Asset Systems and Planning.
- Ross Picard – Assets Engineer.
- Sam Samadian – Public Domain Coordinator.

Quotations closed at 5 pm on 20 March 2020, and a total of one quotation was received from the following respondent:

- Civeco Pty Ltd.

Following evaluation of the quotation (see Attachment 1), the QEC recommends that the services offered by Civeco Pty Ltd provides value outcomes to Council. Overall, Civeco Pty Ltd demonstrated a high level of project appreciation and the methodology presented by Civeco Pty Ltd was deemed suitable. It is therefore recommended that Council accept Civeco as the preferred supplier to carry out concrete restoration works in the LGA.

The number of written quotations received via the request for quotation process did not meet the minimum required under Council's Purchasing Procedure for projects with costs of \$50,000 and above. Therefore, it is recommended that Council approves the recommendation of the committee to award a contract to Civeco Pty Ltd.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

The budget for this review can be accommodated in the current 2019–2020 financial year operational Infrastructure Services restorations budget. The contract price is \$317,845 (including GST). There are sufficient funds to cover the price quoted by the recommended supplier. Council will be recovering all expenditure through road opening permits and utility negotiations.

Time frame

The project will commence in late April 2020 and is expected to be completed by late June 2020.

The requirement to seek approval from Council for less than the required quotes has added an approximate four-week delay to the program.

Consultation

Consultation has taken place with relevant internal stakeholders of these Councils assets.

6. Conclusion

It is recommended that Civeco Pty Ltd be awarded the contract to undertake concrete footpath and restoration works.

7. Attachments

1. Record of quotation decision and quote evaluation [↓](#)



RECORD OF QUOTATION DECISION

BUSINESS UNIT	Infrastructure Services
RFQ NUMBER	VP174867
TRIM NO.	A20/0026
PROJECT NAME	Concrete Footpath and restoration work March 2020
APPROVED OR NON-APPROVED SUPPLIER <i>(If approved supplier include LGP/SSROC/PA/ Waverley's Panel Number)</i>	Waverley Council List

SELECTED QUOTATION / PREFERRED SUPPLIER	
SUPPLIER NAME	Civeco Pty Ltd
TOTAL / WHOLE OF LIFE COST	\$317,845 (Inc. GST)
WRITTEN QUOTE OBTAINED	YES
TRIM DOCUMENT NO	A20/0026
SECOND QUOTATION <i>(Where applicable as per the purchasing threshold)</i>	
SUPPLIER	
TOTAL / WHOLE OF LIFE COST	\$ (Inc. GST)
WRITTEN QUOTE OBTAINED	YES / NO
TRIM DOCUMENT NO	
THIRD QUOTATION <i>(Where applicable as per the purchasing threshold)</i>	
SUPPLIER	
TOTAL / WHOLE OF LIFE COST	\$ (Inc. GST)
WRITTEN QUOTE OBTAINED	YES / NO
TRIM DOCUMENT NO	

REASON(S) FOR THE DECISION – NB IF PURCHASING QUOTATION LIMITS WERE NOT ADHERED TO WRITTEN REASONS FOR VARIATION MUST BE PROVIDED BELOW.

This was the second RFQ sent out for this work, previous RFQ closed 20 Nov 19, and was unsuccessful.

Five contractors on Panel requested to quote, only one quote received. Kelbon, Mack Civil, Hibernian Contracting and Regal Innovations did not respond. Estimated cost of \$170,000 was low because an unintentionally low rate was used to estimate cost. Quote received was also higher than average rate of similar works provided on panel. Higher rate is considered acceptable in circumstances, of contractor availability, ability to do work to specification, good reputation for completing similar works and time constraints.

SWMS's and Environmental Management Plans need to be updated. They will be updated.

Contractor including a number of departures.

1. No allowance for concrete pump. None is expected to be needed.
2. Hours of work nominated acceptable.
3. 90% credit return, for works nominated inspected and planned and then cancelled a 90% reduction fixed price contract rate to be made. This is to provide for inspection, planning and preparation not needed. Any sites cancelled before inspection will be credited at 100%. There are several of these. Jobs can be added to schedule as required and will be at appropriate unit rate used in quote.



WAVERLEY
COUNCIL

RECORD OF QUOTATION DECISION

AUTHORISED by MANAGER / Exe MANAGER
(based on financial delegation)

Emily Scott
Director, Community, Assets & Operations

SIGNATURE:

DATE:

6 April 2020

WAVERLEY COUNCIL
RFT Evaluation Analysis
Concrete Footpath and Restoration Works
March 2020 VP 174867

Criteria and weightings may be changed as required (please delete this note when finished)

Tenderer/Quoter 1:

Civeco Pty Ltd

Mandatory Criteria (example only; edit as required)
Tender Lodged before Close
Returnable schedules Vol 4 & 5
Evidence of Public Liability
Evidence of Workers Compensation
ELIGIBILITY

Compliance (YES/NO)
Yes
Yes
Yes
Yes
Yes

Non-price assessment (example only; edit as required)	Weighting %	Max points
Methodology / Program (Schedule 5a and 5b)	20%	
Capability / Personnel (Schedule 4)	20%	
Demonstrated relevant experience (Schedule 4)	10%	
Work Health & Safety (Schedule 6)	10%	
Weighted Non-price Score:	60%	0.00

Ross	Nik	Sam	Ave. Weighted Score
85	80	80	16
75	75	70	15
85	80	80	8
65	70	65	7
			46

Price assessment	Weighting %	Max points
Price Lump Sum excl. GST (Pc)		
Price Score (Ps)		
Normalised Score (Pn)		
Weighted Price Score (Pw):	40%	0.00

\$	288,950.00
	100
	100%
	40

Overall assessment	Weighting %	Max points
Overall Score:	100%	0.00
Overall Ranking:		

86
VFM

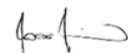
Price assessment formula:
 Pc = Lump sum tender
 Pav = average of all lump sums (as above)
 Ps = price score = $200 - (100/1 \times Pc/Pav)$
 Pn = normalised price score = $Ps / \text{Highest Ps} \times 100/1$
 Pw = weighted price score = $Pn \times \text{percentage weighting}/100$

Tender Panel:

Name:

Signature:

Date:



Ross Picard

25/03/20

Nikolaos Zervos

25/03/20

Sam Samadian

24/03/20

NOTICE OF MOTION CM/8.1/20.04



Subject: RESCISSION MOTION - CM/11.1/20.03 - CONFIDENTIAL REPORT - Bondi Pavilion Restoration and Conservation Project - Temporary Relocation of Facilities during Construction Phase

TRIM No: A15/0272

Submitted by: Councillor Goltsman
Councillor Nemesh
Councillor Burrill

MOTION:

That:

1. Council treats the attachment to this motion 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)(g) of the *Local Government Act 1993*. The attachment contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Resolution CM/11.1/20.03 – CONFIDENTIAL REPORT – Bondi Pavilion Restoration and Conservation Project – Temporary Relocation of Facilities during Construction, passed at the Council meeting on 17 March 2020, be rescinded.

Background

This matter was last considered by Council at its meeting on 17 March 2020. Subsequent to the meeting, before 10 am the next day, Crs Goltsman, Nemesh and Burrill submitted a notice of motion to rescind the decision.

The confidential report is attached.

BELOW IS A MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 17 MARCH 2020:

CM/11.1/20.03 **CONFIDENTIAL REPORT - Bondi Pavilion Restoration and Conservation Project - Temporary Relocation of Facilities during Construction Phase (A15/0272)**

MOTION

Mover: Cr Masselos
Seconder: Cr Wy Kanak

That Council:

1. 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)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

2. Notes the various options contained in this report for the continued provision of food and beverage services to local residents and visitors during the closure of the Bondi Pavilion.
3. Endorses Option C as detailed in this report for the provision of retail food and beverage offerings in Area 1 as indicated in Figure 1 in this report.
4. Delegates to the General Manager the authority to consider and approve any suitable structure proposals that come forward from interested parties for food and beverage offerings provided that, in the opinion of the General Manager, they add amenity to, and are consistent with, the food truck precinct concept, site dimensions and site constraints.
5. Endorses the creation of up to eight temporary mobile vendor licences to allow food trucks or other approved operators to operate on the Bondi Pavilion forecourt, and authorises the General Manager to finalise all necessary documentation.
6. Notes the proposed installation of a temporary tourist information booth to be installed on the Bondi Pavilion forecourt for the duration of the building closure as indicated in Area 1 in Figure 1 in this report.
7. Notes the proposed installation of temporary lifeguard amenities in Area 2 as indicated in Figure 1 in this report.
8. Notes the proposed installation of temporary public amenities in Area 3 as indicated in Figure 1 in this report.
9. Notes the proposed installation of a temporary Lifeguard Observation Tower and first aid room in Area 4 as indicated in Figure 1 in this report.

AMENDMENT 1

Mover: Cr Goltsman

Seconder: Cr Nemesh

That the Motion be adopted subject to clause 3 being amended to read as follows:

‘Endorses Option C as detailed in this report for the provision of retail tenancies in Area 1 as indicated in Figure 1 in this report.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Goltsman and Nemesh.

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

AMENDMENT 2

Mover: Cr Goltsman

Seconder: Cr Nemesh

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

‘Conducts an expression of interest process to all existing tenants of the Pavilion, advising them of the space allocation in the southern section of the forecourt and invites them to submit a proposal of how they would provide a structure to continue their business.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division**For the Amendment:** Crs Goltsman and Nemesh.**Against the Amendment:** Crs Copeland, Lewis, Masselos, O'Neill and Wy Kanak.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 10 SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council:

1. 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)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Notes the various options contained in this report for the continued provision of food and beverage services to local residents and visitors during the closure of the Bondi Pavilion.
3. Endorses Option C as detailed in this report for the provision of retail food and beverage offerings in Area 1 as indicated in Figure 1 in this report.
4. Delegates to the General Manager the authority to consider and approve any suitable structure proposals that come forward from interested parties for food and beverage offerings provided that, in the opinion of the General Manager, they add amenity to, and are consistent with, the food truck precinct concept, site dimensions and site constraints.
5. Endorses the creation of up to eight temporary mobile vendor licences to allow food trucks or other approved operators to operate on the Bondi Pavilion forecourt, and authorises the General Manager to finalise all necessary documentation.
6. Notes the proposed installation of a temporary tourist information booth to be installed on the Bondi Pavilion forecourt for the duration of the building closure as indicated in Area 1 in Figure 1 in this report.
7. Notes the proposed installation of temporary lifeguard amenities in Area 2 as indicated in Figure 1 in this report.
8. Notes the proposed installation of temporary public amenities in Area 3 as indicated in Figure 1 in this report.
9. Notes the proposed installation of a temporary Lifeguard Observation Tower and first aid room in Area 4 as indicated in Figure 1 in this report.
10. Should the northern section of the forecourt become available, advises existing tenants that this option is also available.

AMENDMENT 3

Mover: Cr Goltsman

Seconder: Cr Nemesh

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

'A report comes back to Council on the proposals and recommendations.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Goltsman and Nemesh.

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

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

Cr Burrill was not present for the consideration and vote on this item.

Subsequent to the meeting, before 10 am the next day, a notice of motion to rescind this decision was lodged with the General Manager. The rescission motion will be considered at the April Council meeting.

Attachments

1. CM/11.1/20.03 - CONFIDENTIAL REPORT - Bondi Pavilion Restoration and Conservation Project - Temporary Relocation of Facilities during Construction Phase - 17 March 2020 (confidential)

NOTICE OF MOTION CM/8.2/20.04



Subject: Air Fresheners in Public and Staff Toilets

TRIM No: A20/0098

Submitted by: Councillor Kay
Councillor Burrill

MOTION:

That Council:

1. Urgently investigates the undue health impacts of automatic air fresheners used in public and staff toilets in the Waverley local government area.
2. Notes the importance of short-term mitigation measures that may be taken by Council officers, including, but not limited to, warning signage outside the toilets.
3. Receives a report by April 2020 that includes recommended actions, alternatives to existing air fresheners, and any short-term mitigation measures implemented so far.

This item was deferred from the Council Meeting on 18 February 2020.

Background

Concerns have been raised that exposure to automatic air fresheners, currently being used in some public toilets in the Waverley local government area and in Council buildings, can cause an asthmatic attack, anaphylactic shock, and reduction in lung functions for some people with asthma.

Statistics indicate that 20% of people with asthma have allergies to elements in common use by automatic air fresheners.

Although there may be limited legislation that applies to this matter, it would be reasonable for the investigation to include a review of the relevant legislation under which Council operates.

The investigation should distinguish Council actions for Council-owned and/or operated buildings, commercial areas, and community areas, and buildings managed by third parties (e.g. Westfield).

General Manager's comment

Council operates automatic air fresheners in a small proportion of its facilities. The air fresheners assist in providing a more pleasant environment for users of the facilities. Were they not in place, it would likely lead to an increased number of community complaints relating to bad odours.

Council is in the process of awarding a new cleaning and hygiene services contract, which provides an opportunity to move to an alternative type of air freshener. It should be noted that moving to products advertised as oil-based, organic or all natural may not completely remove the health risk for people who have pre-existing conditions such as asthma or allergies.

It is felt that displaying warning signs on toilet doors across Council facilities may unduly alarm the wider community.

Emily Scott
Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.3/20.04



Subject: Safe Climate Declaration - A New Approach to Climate Action

TRIM No: A09/1017

Submitted by: Councillor Masselos

MOTION:

That Council:

1. Notes the recent Climate Emergency Summit conducted in Melbourne on 14–15 February 2020.
2. Recognises, as per the November 2019 Council resolution, that climate change now constitutes a global emergency.
3. Recognises the 2019–20 Australian bushfires as being linked to climate change.
4. Understands that climate change and its solutions will have profound implications for Australia, its people and its lands.
5. Recognises that Indigenous knowledge and leadership have a significant and important role to play in helping address climate change.
6. Becomes a signatory to the Safe Climate Declaration.

Background

The Safe Climate Declaration is as follows:

A call for Australia – The Safe Climate Declaration initiated at the National Climate Emergency Summit 2020

This Declaration calls for a new approach to climate action in Australia, a response to match the scale of the threat as climate-warming impacts escalate across Australia and around the world.

Climate impact

Australia's 2019-20 megafires are a harbinger of life and death on a hotter Earth. The climate is already dangerous — in Australia and the Antarctic, in Asia and the Pacific — right around the world. The Earth is unacceptably too hot now.

The impacts of climate disruption are more severe than previously projected. At 1.5°C warming relative to pre-industrial levels, now likely only a decade away, the Great Barrier Reef will be lost, sea levels will be heading for a rise of many metres, and tipping points will be at hand for Greenland, and for the Amazon and other carbon stores.

The current Paris Agreement emission reduction commitments, if implemented, are a path to 3.5°C warming by 2100, possibly earlier. This could increase to 4–5°C when long-term climate-system feedbacks are considered. National security analysts warn that 3°C may result in ‘outright social chaos’, and 4°C is considered incompatible with the maintenance of human civilisation.

Leading scientists warn of a ‘Hot House Earth’ scenario, a planetary threshold that may exist at a temperature rise as low as 2°C, in which further warming becomes self-sustaining. The challenge now is to return to a safe climate by cooling the Earth whilst avoiding tipping points which may initiate further warming.

This requires an emergency response, where climate is a primary concern of leadership at all levels.

Failure of leadership

Influential global leaders including political, corporate, media and financial leaders have deliberately refused to accept the overwhelming scientific consensus on climate change and its risks, using predatory delay to prolong an unsustainable economic system. Driven by perverse short-term incentives and lacking the imagination to understand the implications, they have placed humanity in extreme jeopardy. Many of Australia’s leaders are particularly culpable, having done everything possible over the last three decades to prevent the development of serious climate change policy, internationally and domestically, and to protect the fossil fuel industry. Notwithstanding the fact that Australia is the world’s fourth largest carbon polluter, exports included, and one of the countries most exposed to climate change. The first duty of a government is to protect the people, their well-being and livelihoods. Instead, Australian governments have left the community largely unprepared for the disasters now unfolding, and for the extensive changes required to maintain a cohesive society as climate change impacts escalate.

Strengthening democracy

In framing solutions to the climate emergency, a stronger democracy is needed, not weaker. The rights of citizens need to be protected to ensure that people are treated with respect, and treated fairly. Climate change and its solutions will have profound implications for Australia – its peoples and its lands and waters. It is therefore critical to achieve and secure truly meaningful processes that empower indigenous voices, leadership and knowledge.

Addressing the climate threat

Australians collectively have a duty of care to protect people, nature and civilisation, both locally and globally. Calls to contribute to solutions to the climate threat need to be fair, taking account of people’s capacity.

Climate change is a global problem requiring unprecedented levels of global cooperation. It obviously cannot be solved by Australian acting alone, but Australia must be fully committed to such cooperation. Priorities for action include:

- Cutting greenhouse gas emissions rapidly to zero. All fossil fuel expansion to be stopped immediately; policies which encourage fossil fuel use halted and subsidies removed; and the existing industry wound down rapidly with adjustment programmes for frontline communities. Strategies to minimise methane emissions need to be implemented urgently.
- Drawing down atmospheric carbon concentrations to a safe level from the current 413 ppm level through actions that include redesigning agricultural and forestry practices and implementing extensive soil, estuarine and ocean carbon sequestration.

- Working to prevent tipping points and damage while the zero emission and drawdown goals are being achieved.
- Integrating adaptation and resilience measures into the economic restructuring needed to restore a safe climate and repair ecosystems.

Early action is essential. The prevalent idea of a gradual transition to net zero emissions by 2050 is not tenable. A far faster transition is required, using measures appropriate to an existential threat.

Climate change must be accepted as an overriding threat to national and human security, with the response being the highest priority at national and global levels.

Call to action for Australia

It is in Australia's self-interest to demand far greater global action on climate change, and to lead by acting itself. It makes no sense to build our economy on fossil fuel resources, practices and technologies which are unsustainable, particularly when Australia has some of the best clean energy resources and opportunities in the world.

This requires leadership which understands the challenge and the opportunities, and is totally committed to accelerating the emergency transition to a safe climate economy. This will not happen with leaders who do not even accept climate change as a priority.

The signatories to this Declaration call on all Australians to join with them in building leadership that embraces the need for such emergency action.

In particular, we will:

- Emphasise the importance of a non-partisan approach that embraces people of all political parties and sectors of society who are committed to science-based policies that make climate a first priority of government and of the community.
- Emphasise the value of a non-partisan government of national unity on climate.
- Hold current political leaders to account if they fail to protect the Australian people.
- Take action to empower Indigenous voices and leadership.
- Take action to strengthen democracy and citizen rights.
- Give priority to engaging with the business community to build understanding of the real nature of the risks and the pace of change required.
- Work to mobilise and connect all sectors of civil society to make a powerful contribution.
- Work to reinvigorate public administration and governance skilled and willing to drive the political and economic transition.
- Advocate tirelessly in public to build understanding and community capacity to drive change.
- Support the formation of a specialist taskforce to set out a road map for Australia's emergency transition to restore a safe climate.

If you wish to become a signatory to this Declaration go to: <climateemergencysummit.org/declaration>.

General Manager's comment

For Council to sign the Safe Climate Declaration, a specific Councillor motion such as this would be required. The Climate and Biodiversity Declaration of Council from December 2019, although similar, would not enable Council to sign this Declaration, due to their different wording and content.

Peter Monks

Director, Planning, Environment and Regulatory

NOTICE OF MOTION CM/8.4/20.04



Subject: 250 Resistance Gweagal Bidjigal Peoples' Sovereign Elders
Group Support

TRIM No: A02/0424

Submitted by: Councillor Wy Kanak

MOTION:

That Council:

1. Council notes the following extract from the colonial historical document known as Lieutenant James Cook's 'Secret Orders' from the English King George III and the British Admiralty:

'You are likewise to observe the Genius, Temper, Disposition and Number of the Natives, if there be any and endeavour by all proper means to cultivate a Friendship and Alliance with them, making them presents of such Trifles as they may Value inviting them to Traffick, and Shewing them every kind of Civility and Regard; taking Care however not to suffer yourself to be surprized by them, but to be always upon your guard against any Accidents.

You are also with the Consent of the Natives to take Possession of Convenient Situations in the Country in the Name of the King of Great Britain: Or: if you find the Country uninhabited take Possession for his Majesty by setting up Proper Marks and Incriptions, as first discoverers and possessors.'

See <foundingdocs.gov.au/item-did-34.html>.

2. Notes the 'Hints from the President of the Royal Society, James Douglas, 14th Earl of Morton'. These hints related to how the people of the lands that Cook and his crew encountered should be treated:

'To check the petulance of the Sailors, and restrain the wanton use of Fire Arms.

To have it still in view that shedding the blood of those people is a crime of the highest nature:—They are human creatures, the work of the same omnipotent Author, equally under his care with the most polished European; perhaps being less offensive, more entitled to his favor.

They are the natural, and in the strictest sense of the word, the legal possessors of the several Regions they inhabit.

No European Nation has a right to occupy any part of their country, or settle among them without their voluntary consent. Conquest over such people can give no just title; because they could never be the Aggressors.'

See <nla.gov.au/digital-classroom/senior/Cook/Indigenous-Response/Mortons-Hints>.

3. Officers liaise with the Gweagal Bidjigal Sovereign Elders and 250 Resistance Groups to gather information for the report being prepared in response to Council's resolution on Unceded Aboriginal

Sovereignty passed in February 2018.

4. While observing COVID-19-related directives, offers the Gweagal Bidjigal Sovereign Elders and 250 Resistance Groups supportive assistance in connection with the Eastern Region Local Government Aboriginal Torres Strait Islander Committee Councils for their activities between 26 April–6 May 2020.

Background

Paraphrased information from a First Nations Elders Group:

Gweagal-Bidjigal Resistance #Resist250 are a First Nations Group in the Eastern Suburbs associated with the Gweagal-Bidjigal Sovereign Tribal Elders Council marking 250 years of Aboriginal Resistance since Lieutenant Cook landed at Kamay, Botany Bay, on 29 April 1770 claiming to have made a geographical 'discovery.' Eighteen years later, the first fleet sent by the British Government arrived and colonized the island continent now called 'Australia'.

Cook's arrival two-and-a-half centuries ago signalled the beginning of an ecological crisis and the Frontier Wars. The fleets that followed brought illegitimate, colonial, and increasingly violent capitalist rule.

Gweagal-Bidjigal Resistance [#Resist250](#) in 2020 remembers that, in 1988, over 30,000 First Nations People and supporters converged in La Perouse to protest the colonial government's celebration of the bicentennial since the first fleet's arrival. This year, 2020, demands a similar response: the Australian Government is spending millions of dollars on a replica of the HMS Endeavour, which will rewrite history and circumnavigate the continent to celebrate 250 years since Cook's arrival in the Endeavour in April 1770.

Drawing inspiration from the 1988 convergence, the Gweagal-Bidjigal community are again inviting First Nations People and Allies from all across the continent to converge on Their Land, from 26 April to 6 May 2020. This occasion will mark 250 years of Aboriginal Resistance since Cook landed at Kamay (Botany Bay), and to send the message that symbols of violence and tyranny are not welcome. The revisionist circumnavigation must be stopped.

Gweagal-Bidjigal Sovereign Tribal Elders Council is an Aboriginal Community Elders Organisation advocating for a 'Sovereign' and 'Sovereignty Never Ceded' local (Eastern Suburbs) point of view.

As outlined Council's resolution in February 2018 (CM/8.8/18.02), this motion seeks Council support to progress current discussions relevant to that resolution's exploration of what is understood to be a modern contemporary approach to Aboriginal sovereignty.

General Manager's comment

Council is unsure of the extent to which planned activities will take place given the current COVID-19 related restrictions.

While this matter is outside the scope of Council's operational activities, should Council decide support this motion, staff will make contact with the Gweagal Bidjigal Sovereign Elders and 250 Resistance Groups to seek the information set out and to offer such assistance than can be provided. With respect to clause 4, it is noted that there is no provision for any budget to support this event in the current year's program.

Ross McLeod
General Manager

NOTICE OF MOTION CM/8.5/20.04



Subject: Fracking in the Northern Territory - Support for Indigenous Community Opposition

TRIM No: A09/1017

Submitted by: Councillor Wy Kanak
Councillor Keenan

MOTION:

That Council:

1. Writes to Origin Energy:
 - (a) Noting our Power Purchase Agreement with Origin through SSROC, 20% of which is currently sourced from the Moree Solar Farm.
 - (b) Noting Council's Climate Emergency Declaration and in-principle support for net-zero emissions by 2030.
 - (c) Expressing our support for the traditional owners and communities in the Northern Territory, who have expressed their strong opposition to fracking due its threats to the climate, and to their lands, waters and rights.
 - (d) Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on the climate, communities, environment and water, and commit to further investment in environmentally and socially sustainable renewable energy projects.
2. Forwards a copy of the correspondence referred to above to all NSW Regional Organisations of Councils (ROCs).

Background

On 2 October 2018, Origin announced a contract to supply solar power from their 56 MW Moree Solar Farm to 20 Sydney local councils, including Waverley. This is via a group Power Purchase Agreement (PPA) led by the Southern Sydney Regional Organisation of Councils (SSROC).

Origin Energy pride themselves on their 'good energy' brand and claim to take climate change seriously. However, Origin has plans to start shale gas fracking in the Northern Territory. Fracking the NT would not only be one of the largest potential sources of carbon pollution in the world, but it poses huge threats to the lands, waters and rights of Aboriginal people to make decisions about what happens on their country. See <goodenergy.net.au>

In February this year, The Australia Institute and thirty of Australia's leading scientists – including many of Australia's leading climate scientists – called for a permanent ban on unconventional gas development in the Northern Territory due to its potential impact on global warming.

See <[tai.org.au/sites/default/files/P637%20NT%20offset%20paper%20\[WEB\].pdf](http://tai.org.au/sites/default/files/P637%20NT%20offset%20paper%20[WEB].pdf)>.

The Northern Territory is one of the areas that will suffer most from global warming if global emissions are not decisively reduced. CSIRO projections show that, if emissions continue to rise, Darwin could experience up to 275 days per year above 35 degrees by 2070. Combined with Darwin's high humidity, this could make the region virtually uninhabitable. Increasing extreme heat is just one of many potentially devastating impacts of climate change.

Despite this, a moratorium on unconventional gas extraction in the NT was lifted by Chief Minister Michael Gunner in April 2018.

A more suitable and positive alternative to shale gas fracking which could be proposed to Origin is to consider suggestions made for Australia to become the world's renewable energy powerhouse, and explore renewable energy grid development.

As an Origin customer and consistent with its Climate Emergency declaration, Waverley Council has an opportunity to support Traditional Owners and communities in the Northern Territory, and to write to Origin Energy about the matter.

General Manager's comment

Should Council wish to support this motion, the letter proposed will be written.

Expanding the extraction of additional fossil fuels makes it more difficult to reach a net zero carbon target. Approximately 35% of the electricity purchased by Council is from Origin Energy, not 20% as stated in the motion.

Peter Monks
Director, Planning, Environment and Regulatory

URGENT BUSINESS
CM/10/20.04**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/11/20.04**WAVERLEY**
COUNCIL

Subject: Moving into Closed Session

Author: Ross McLeod, General Manager

There are no confidential reports for consideration.

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.