



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 JULY 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.

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.

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There are no matters proposed to be dealt with in closed session.

12. Meeting Closure

OBITUARIES CM/3/20.07

Subject: Obituaries

Author: Ross McLeod, General Manager



The Mayor will ask Councillors for any obituaries.

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

CONFIRMATION AND ADOPTION OF MINUTES CM/5.1/20.07



WAVERLEY
COUNCIL

Subject: Confirmation of Minutes - Council Meeting - 30 June 2020

TRIM No: SF20/42

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Council Meeting held on 30 June 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 - 30 June 2020



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD BY VIDEO CONFERENCE ON TUESDAY, 30 JUNE 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 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 7.04 pm, those present were as listed above.

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

Apologies were received and accepted from Cr Copeland.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

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 B Scaffidi – CM/7.2/20.06(3) – Bronte Surf Club and Community Facilities Building Upgrade – Community Consultation Outcomes.

AT THIS STAGE IN THE PROCEEDINGS, DUE TO TECHNICAL DIFFICULTIES PLAYING VIDEO SUBMISSIONS 4.2-4.6 RELATING TO ITEM CM/7.2/20.06(3), SEPARATE PROCEDURAL MOTIONS TO ADJOURN THE MEETING FOR A SHORT BREAK AND TO AMEND THE STANDING ORDERS TO MOVE THE PLAYING OF THE SUBMISSIONS IMMEDIATELY PRIOR TO ITEM CM/7.2/20.06(3) WERE PASSED.

- 4.2 C Burns – CM/7.2/20.06(3) – Bronte Surf Club and Community Facilities Building Upgrade – Community Consultation Outcomes.
- 4.3 S Bruns – CM/7.2/20.06(3) – Bronte Surf Club and Community Facilities Building Upgrade – Community Consultation Outcomes.
- 4.4 J Hutton – CM/7.2/20.06(3) – Bronte Surf Club and Community Facilities Building Upgrade – Community Consultation Outcomes.

- 4.5 R Bruns – CM/7.2/20.06(3) – Bronte Surf Club and Community Facilities Building Upgrade – Community Consultation Outcomes.
- 4.6 T Chapman – CM/7.2/20.06(3) - Bronte Surf Club and Community Facilities Building Upgrade – Community Consultation Outcomes.

ITEMS BY EXCEPTION

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING MOTION WAS MOVED, SECONDED AND DECLARED CARRIED UNDER PART 13 OF THE CODE OF MEETING PRACTICE:

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That the recommendations for the following items be adopted as recommended in the business paper:

CM/5.1/20.06(3) Confirmation of Minutes - Council Meeting - 16 June 2020

CM/7.3/20.06(3) Bondi Festival 2020 - Postponement

CM/7.4/20.06(3) Petition - Boat Trailer Parking in Trafalgar Street, Bronte

CM/7.5/20.06(3) Early Education and Care - Relief Package and Transition Measures

5. Confirmation and Adoption of Minutes

CM/5.1/20.06(3) Confirmation of Minutes - Council Meeting - 16 June 2020 (SF20/42)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That the minutes of the Council Meeting held on 16 June 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

6. Mayoral Minutes

There were no mayoral minutes.

7. Reports

CM/7.1/20.06(3) Operational Plan 2020-21 including Budget, Pricing Policy, Fees and Charges 2020-21 and Long Term Financial Plan (A19/0364)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Receives and notes the community and internal submissions made in relation to the Operational Plan 2020–21, Pricing Policy and Schedule of Fees, as set out in Attachment 1 of this report.
2. Adopts, in accordance with the *Local Government Act 1993*, the Operational Plan 2020–21, including the Budget and Statement of Revenue Policy, as set out in Attachment 2 and 4 of this report.
3. Adopts, in accordance with the *Local Government Act 1993*, the Pricing Policy, Fees and Charges 2020-21 as set out in Attachment 3 of this report.
4. Adopts, in accordance with sections 497, 516, 518, 529(2)(d), 534, 535 and 548(3) of the *Local Government Act*, the Rating Structure for 2020–21 contained on page 64 of the Operational Plan 2020–21 at Attachment 2. setting the following rates and charges for every parcel of rateable land within the Waverley local government area for the period from 1 July 2020 to 30 June 2021:
 - (a) That an ordinary rate of zero point one one three eight six seven cents (0.113867) in the dollar subject to a minimum rate in accordance with section 548(3) of the Act, per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub categorised Ordinary in accordance with section 529(2)(b) of the Act
 - (b) That an ordinary rate of zero point four nine three six seven zero cents (0.493670) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Ordinary in accordance with section 529(2)(d) of the Act
 - (c) That an ordinary rate of zero point eight one five six three zero cents (0.815630) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Bondi Junction in accordance with section 529(2)(d) of the Act
5. Adopts, in accordance with section 496 of the *Local Government Act*, the Domestic Waste Management Service Charge set at \$576 per service per annum for the financial year 2020–21.
6. Adopts, in accordance with section 496A of the *Local Government Act*, the Stormwater Management Service Charge contained on page 67 of the draft Operational Plan 2020–21 for the financial year 2020–21 as tabled below:

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

7. Receives and notes the Long Term Financial Plan (LTFP 5.2) for an 11-year period from 2020–21 to

2030–2031 including the Income Statement, Balance Sheet, Statement of Cash Flow, Reserve Balances, Assumptions and Sensitivity Analysis, as set in Attachment 5 to this report.

8. Confirms that:

- (a) An internal transfer of up to \$6.44 million from the Property Investment Strategy Reserve to fund the 2020–21 expenditure program is provided for in the budget.
- (b) Based on updated revenue projections the intention is for a transfer of \$2.9 million.
- (c) This transfer is intended to be repaid within LTFP period (from 2020–21 to 2030–2031).

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 8 SUCH THAT THE CLAUSE NOW READS AS FOLLOWS:

‘Resolves that:

- (a) (pg 33-34 of agenda) Based on updated revenue projections, an internal transfer of only \$2.9 million from the Property Investment Strategy Reserve to fund the 2020-21 expenditure program is now provided for in the revised budget.
- (b) (pg 37 of agenda) This transfer will be repaid within the LTFP, noting that an estimated repayment schedule is proposed by the report over a period of 6 years from 2021/22’.

AMENDMENT (WITHDRAWN)

Mover: Cr Nemesh
Seconder: Cr Goltsman

That the following clause be added to the Motion:

‘Council does not increase rates by 2.6%’.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

Division

For the Motion: Crs Keenan, Lewis, Masselos, O’Neill, Wakefield and Wy Kanak.

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

DECISION:

That Council:

1. Receives and notes the community and internal submissions made in relation to the Operational Plan 2020–21, Pricing Policy and Schedule of Fees, as set out in Attachment 1 of this report.
2. Adopts, in accordance with the *Local Government Act 1993*, the Operational Plan 2020–21, including the Budget and Statement of Revenue Policy, as set out in Attachment 2 and 4 of this report.
3. Adopts, in accordance with the *Local Government Act 1993*, the Pricing Policy, Fees and Charges 2020-21 as set out in Attachment 3 of this report.
4. Adopts, in accordance with sections 497, 516, 518, 529(2)(d), 534, 535 and 548(3) of the *Local Government Act*, the Rating Structure for 2020–21 contained on page 64 of the Operational Plan 2020–21 at Attachment 2. setting the following rates and charges for every parcel of rateable land within the Waverley local government area for the period from 1 July 2020 to 30 June 2021:

- (a) That an ordinary rate of zero point one one three eight six seven cents (0.113867) in the dollar subject to a minimum rate in accordance with section 548(3) of the Act, per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub categorised Ordinary in accordance with section 529(2)(b) of the Act
 - (b) That an ordinary rate of zero point four nine three six seven zero cents (0.493670) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Ordinary in accordance with section 529(2)(d) of the Act
 - (c) That an ordinary rate of zero point eight one five six three zero cents (0.815630) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Bondi Junction in accordance with section 529(2)(d) of the Act
5. Adopts, in accordance with section 496 of the *Local Government Act*, the Domestic Waste Management Service Charge set at \$576 per service per annum for the financial year 2020–21.
6. Adopts, in accordance with section 496A of the *Local Government Act*, the Stormwater Management Service Charge contained on page 67 of the draft Operational Plan 2020–21 for the financial year 2020–21 as tabled below:

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

7. Receives and notes the Long Term Financial Plan (LTFP 5.2) for an 11-year period from 2020–21 to 2030–2031 including the Income Statement, Balance Sheet, Statement of Cash Flow, Reserve Balances, Assumptions and Sensitivity Analysis, as set in Attachment 5 to this report.
8. Resolves that:
- (a) (pg 33-34 of agenda) Based on updated revenue projections, an internal transfer of only \$2.9 million from the Property Investment Strategy Reserve to fund the 2020-21 expenditure program is now provided for in the revised budget.
 - (b) (pg 37 of agenda) This transfer will be repaid within the LTFP, noting that an estimated repayment schedule is proposed by the report over a period of 6 years from 2021/22.

CM/7.2/20.06(3) Bronte Surf Club and Community Facilities Building Upgrade - Community Consultation Outcomes (A20/0329)

MOTION

Mover: Cr Masselos
 Seconder: Cr Keenan

That Council:

1. Receives and notes the Bronte Surf Club and Community Facilities Consultation Report 2020 attached

to this report.

2. Notes that every submission received during the consultation period has been circulated to Councillors and is available on the Bronte Surf Club and Community Facilities Upgrade project page on Council's website.
3. Notes the Council's role as Crown Land Manager for Bronte Park and Beach in terms of the *Crown Land Management Act 2016*.
4. Notes that the Bronte Park and Beach Plan of Management (2017) sets planning controls for development with Bronte Park, including specific controls for the Bronte Surf Club and Community Facilities Building, with some limited scope for alternative designs that achieve superior design outcomes.
5. Instructs the General Manager to direct the Public Private Partnership Project Control Group to commence a design review process of the current concept design and report back to Council with two proposals that respond to issues raised through the community consultation process. One of these proposals should be based on the specific controls incorporated within the Bronte Park and Beach Plan of Management (2017), the other proposal should seek to modify the concept design that went to public consultation, based on the design criteria arising out of the public consultation process as approved by Council in clause six below.
6. Endorses the following design review principles to guide and be considered in the design review process for Bronte Surf Club and Community Facilities Building Upgrade project as they relate to the concept design that went to public consultation, and the POM compliant design as appropriate:
 - (a) Reduction of overall footprint of the building(s).
 - (b) Consider relocation of the Public amenities and Council facilities to within existing building curtilage.
 - (c) Manage noise impacts through function room design, balcony size and acoustic design.
 - (d) Consider locating Dave Brown Place within existing curtilage.
 - (e) Minimise net loss of public open space and public green space.
 - (f) Investigate improved accessibility of the Coast Walk and Bronte Park.
 - (g) Address perceived privatisation of public space through improved design to the extent practical (with further consideration to be given to these issues through building management arrangements and lease conditions).
 - (h) Minimise impacts from building height and subsequent view loss.
 - (i) Address intensification of site including visitation, event, traffic and parking impacts through improved design to the extent practical (with further consideration to be given to these issues through building management arrangements and lease conditions).
 - (j) Provide justification/rationale for proposed bulk & scale, internal configuration and balcony size for any amended design proposal.
 - (k) Redesign to obtain a reduction in budget shortfall.

7. Notes that the concerns raised in the Petition tabled at the 16 June 2020 Council meeting have been considered in the community engagement report and in the development of the proposed design review principles detailed above.
8. Receives a further report with the amended concept design/s that give consideration to the design review principles detailed above.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 8 SUCH THAT THE CLAUSE NOW READS AS FOLLOWS:

‘Receives a further report with new concept designs that give consideration to the design review principles detailed above and the Bronte Park and Beach Plan of Management (2017)’.

AMENDMENT

Mover: Cr Kay
Seconder: Cr Betts

That clause 5 be amended to read as follows:

‘Instructs the General Manager to direct the Public Private Partnership Project Control Group to commence a design review process of alternative concept designs, and to report back to Council with proposals that respond to issues raised through the community consultation process and identified in the design review principles below. Proposals must be based on the specific controls incorporated within the Bronte Park and Beach Plan of Management (2017) to respond to Council’s obligation as manager of Crown Lands.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

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

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

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF TWO FURTHER SUBCLAUSES TO CLAUSE 6.

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

UNANIMOUS DECISION:

That Council:

1. Receives and notes the Bronte Surf Club and Community Facilities Consultation Report 2020 attached to this report.
2. Notes that every submission received during the consultation period has been circulated to Councillors and is available on the Bronte Surf Club and Community Facilities Upgrade project page on Council’s website.
3. Notes the Council’s role as Crown Land Manager for Bronte Park and Beach in terms of the *Crown Land Management Act 2016*.
4. Notes that the Bronte Park and Beach Plan of Management (2017) sets planning controls for development with Bronte Park, including specific controls for the Bronte Surf Club and Community Facilities Building, with some limited scope for alternative designs that achieve superior design outcomes.
5. Instructs the General Manager to direct the Public Private Partnership Project Control Group to

commence a design review process of the current concept design and report back to Council with two proposals that respond to issues raised through the community consultation process. One of these proposals should be based on the specific controls incorporated within the Bronte Park and Beach Plan of Management (2017), the other proposal should seek to modify the concept design that went to public consultation, based on the design criteria arising out of the public consultation process as approved by Council in clause six below.

6. Endorses the following design review principles to guide and be considered in the design review process for Bronte Surf Club and Community Facilities Building Upgrade project as they relate to the concept design that went to public consultation, and the POM compliant design as appropriate:
 - (a) Reduction of overall footprint of the building(s).
 - (b) Consider relocation of the Public amenities and Council facilities to within existing building curtilage.
 - (c) Manage noise impacts through function room design, balcony size and acoustic design.
 - (d) Consider locating Dave Brown Place within existing curtilage.
 - (e) Minimise net loss of public open space and public green space.
 - (f) Investigate improved accessibility of the Coast Walk and Bronte Park.
 - (g) Address perceived privatisation of public space through improved design to the extent practical (with further consideration to be given to these issues through building management arrangements and lease conditions).
 - (h) Minimise impacts from building height and subsequent view loss.
 - (i) Address intensification of site including visitation, event, traffic and parking impacts through improved design to the extent practical (with further consideration to be given to these issues through building management arrangements and lease conditions).
 - (j) Provide justification/rationale for proposed bulk & scale, internal configuration and balcony size for any amended design proposal.
 - (k) Redesign to obtain a reduction in budget shortfall.
 - (l) Mitigate risk associated with coastal inundation and rising sea levels.
 - (m) Consider and respond to the inter-dependencies of the Bronte SLSC and Community Facilities project with the design and programming of the Bronte seawall restoration project.
7. Notes that the concerns raised in the Petition tabled at the 16 June 2020 Council meeting have been considered in the community engagement report and in the development of the proposed design review principles detailed above.
8. Receives a further report with new concept designs that give consideration to the design review principles detailed above and the Bronte Park and Beach Plan of Management (2017).

B Scaffidi, C Burns, S Bruns, J Hutton, R Bruns, and T Chapman addressed the meeting.

CM/7.3/20.06(3) Bondi Festival 2020 - Postponement (A19/0743)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council approves the revised Bondi Festival 2020 as detailed in the report.

CM/7.4/20.06(3) Petition - Boat Trailer Parking in Trafalgar Street, Bronte (A17/0135)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That:

1. Council refers the petition on stopping Trafalgar Street, Bronte, being used for the long-term storage of boat trailers, to the Director, Planning, Environment and Regulatory and the Director, Community, Assets and Operations, for appropriate action.
2. A report comes back to Council.

CM/7.5/20.06(3) Early Education and Care - Relief Package and Transition Measures (A19/0783)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes the Federal Government's Early Education and Care services transition measures from 13 July to 4 October 2020.
2. Notes Council's acceptance of the Federal subsidy of \$380,000 which is conditional upon the Early Education Services fees remaining at the relief package reference rates till 27 September 2020.
3. Fixes the daily fees for the Early Education Services for the period from 13 July to 27 September 2020 as follows:
 - (a) 0-3 year old: \$122.
 - (b) 3+ years old: \$116.
4. Notes that the 2020-21 Pricing Policy, Fees and Charges document will be updated accordingly.
5. Notes that any associated budget implication will be assessed in the Q1 budget review process.

8. Notices of Motions**CM/8.1/20.06(3) RESCISSION MOTION - CM/8.1/20.06(2) - Jack Munday Memorial (A02/0276)****MOTION (WITHDRAWN)**

That resolution CM/8.1/20.06(2) – Jack Munday Memorial, passed at the Council meeting on 16 June 2020, be rescinded.

CM/8.2/20.06(3) Financial Assistance Grants (A18/0758)**MOTION**

Mover: Cr Nemesh

Seconder: Cr Kay

That Council:

1. Acknowledges the Federal Government's \$1.8 billion commitment to support Local Government through the Coronavirus pandemic period via Financial Assistance Grants.
2. Notes that, as part of this support package, Waverley Council will receive \$1,062,708.
3. Writes to:
 - (a) Mr Dave Sharma MP, Member for Wentworth, thanking him for his advocacy in helping to secure this funding for Waverley Council.
 - (b) The Hon Mark Coulton MP, Minister for Local Government, thanking him for his support of Local Government during this period.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 2 AND A NEW CLAUSE 3.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Acknowledges the Federal Government's \$1.8 billion commitment to support Local Government through the Coronavirus pandemic period via Financial Assistance Grants.
2. Notes that, as part of this support package, Waverley Council will receive \$1,062,708 which is approximately 50% of the 2020/21 Financial Assistance Grant (FAG) that councils would expect.
3. Notes that:
 - (a) This Financial Assistance Grant is part of the annual grant allocation by the Commonwealth Government's Financial Assistance Grants (FAG) program that is provided to the NSW Grants Commission's Grant Program for Councils
 - (b) The Commonwealth Government is bringing forward the first instalment of the grant and has advised the NSW Government that the FAG process will continue 'business as usual'

- (c) Based on the advanced payment allocation it is expected the overall grant allocation will increase by 5.5% (\$110,987) over the 2019/2020 grant allocation although this is yet to be confirmed.
- (d) Council has budgeted to expend the bulk of the expected FAG funding in the 2020/21 financial year.

4. Writes to:

- (a) Mr Dave Sharma MP, Member for Wentworth, thanking him for his advocacy in helping to secure this funding for Waverley Council.
- (b) The Hon Mark Coulton MP, Minister for Local Government, thanking him for his support of Local Government during this period.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

There were no items of urgent business.

11. Closed Session

There were no items dealt with in closed session.

12. Meeting Closure

THE MEETING CLOSED AT 9.00 PM.

.....
SIGNED AND CONFIRMED
MAYOR
21 JULY 2020

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/20.07



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 25 June 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 held on 25 June 2020 be received and noted, and that the recommendations contained therein be adopted.

Introduction/Background

The Waverley Traffic Committee (WTC) is not a committee of Council. The WTC operates under delegation from 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 - 25 June 2020

**MINUTES OF THE WAVERLEY TRAFFIC
COMMITTEE MEETING HELD BY VIDEO
CONFERENCE ON THURSDAY, 25 JUNE 2020**



Voting Members Present:

Cr P Masselos	Waverley Council – Chair
S/Cst A Birchansky	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 Vacluse

Also Present:

Mr N Zervos	Waverley Council – Acting Executive Manager, Infrastructure Services
Mr C Hutcheson	Waverley Council – Service Manager, Traffic and Transport

At the commencement of proceedings at 10.02 am, those present were as listed above.

Apologies

Apologies were received and accepted from Cr Kay.

Declarations of Pecuniary and Non-Pecuniary Interests

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

Adoption of Previous Minutes by Council - 28 May 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 28 May 2020 were adopted by Council at its meeting on 16 June 2020 with the following changes:

1. TC/C.01/20.05 – 40 km/hr Speed Limit Changes – Traffic Control Devices

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

‘That:

1. Council defers this item to a Councillor workshop for further consideration of the location and type of traffic calming devices in the locations of:

- (a) Bourke Street, Queens Park.
- (b) Botany Street, Bondi Junction.
- (c) Park Parade, Bondi.
- (d) Bennett Street, Bondi.
- (e) Ruthven Street, Bondi Junction.

2. A report comes back to Council.’

2. TC/V.04/20.05 – Barracluff Avenue, Bondi Beach – Traffic Assessment

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

‘That Council further develops design options for Barracluff Avenue and undertakes community consultation with the residents of Barracluff Avenue and adjoining streets on the following two scenarios:

1. 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.

Including the installation of kerb extensions in Barracluff Avenue on both sides of the road opposite:

- (a) 23 Barracluff Avenue and 25 Barracluff Avenue.
- (b) 5 Barracluff Avenue and 7 Barracluff Avenue.

2. Construction of a road closure of Barracluff Avenue in the vicinity of 21 Barracluff Avenue.

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/V.01/20.03 – 48-50 Penkivil Street, Bondi - Construction Zone.
2. TC/V.02/20.03 – 376 Military Road, Vaucluse – Construction Zone.
3. TC/V.03/20.03 – 62 Gilgandra Road, North Bondi- Construction Zone.

The following items were dealt with separately:

1. TC/C.01/20.03 – 8 Brisbane Street, Bondi Junction – Construction Zone.
2. TC/C.02/20.03 – 175 Macpherson Street, Bronte – Temporary Half Road Closure for Crane Lift.

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.01/20.06 8 Brisbane Street, Bondi Junction - Construction Zone (A03/2514-04)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs a 9 metre long 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Saturday Council Authorised Vehicles' zone in Brisbane Street, Bondi Junction, fronting properties 8, 10 and 12.
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 Coogee, NSW Police representative, RMS representative and Waverley Council representative (Chair).

TC/C.02/20.06 175 Macpherson Street, Bronte - Temporary Half Road Closure for Crane Lift (DA-201/2016)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Approves the temporary half road closure of Macpherson Street, Bronte, between Pembroke Street and just east of Tipper Avenue over two days during a working week (10.00 pm on Day 1 to 11:30 pm on Day 2) on dates to be agreed with Council in accordance with the Install Management Plan attached to this report, subject to the Applicant:
 - (a) Notifying NSW Police and Transport for NSW and obtaining relevant approvals.
 - (b) Obtaining relevant approvals from the National Heavy Vehicle Regulator.
 - (c) Notifying the State Transit Authority, NSW Ambulance Service and NSW Fire and Rescue.
 - (d) Notifying local residents and businesses around 5 working days prior to the event with a follow up notification on the day prior to Day 1 of the closure.
 - (e) Obtaining approval of any tree pruning from Council's tree management team.
 - (f) The applicant liaising with and assisting affected residents and other people during the two days of operation.
 - (g) Using RMS-accredited traffic controllers.
 - (h) Covering all costs associated with closing the road, including traffic control.
 - (i) Completing all work except removal of the crane by 11.30 pm on Day 2 when full access to Macpherson Street and residences will be restored.
2. Delegates authority to the Executive Manager, Infrastructure Services, to approve the dates that the operation will occur.
3. Requires a Council compliance officer to be on-site for the duration of the works at the Applicant's expense, and that this be communicated to the Applicant.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted, subject to clause 1(d) being amended such that the recommendation now reads as follows:

That Council:

1. Approves the temporary half road closure of Macpherson Street, Bronte, between Pembroke Street and just east of Tipper Avenue over two days during a working week (10.00 pm on Day 1 to 11:30 pm on Day 2) on dates to be agreed with Council in accordance with the Install Management Plan attached to this report, subject to the Applicant:
 - (a) Notifying NSW Police and Transport for NSW and obtaining relevant approvals.
 - (b) Obtaining relevant approvals from the National Heavy Vehicle Regulator.

- (c) Notifying the State Transit Authority, NSW Ambulance Service and NSW Fire and Rescue.
 - (d) Notifying local residents, businesses, schools, day care centres and any other organisation, around 5 working days prior to the event with a follow up notification on the day prior to Day 1 of the closure.
 - (e) Obtaining approval of any tree pruning from Council's tree management team.
 - (f) The applicant liaising with and assisting affected residents and other people during the two days of operation.
 - (g) Using RMS-accredited traffic controllers.
 - (h) Covering all costs associated with closing the road, including traffic control.
 - (i) Completing all work except removal of the crane by 11.30 pm on Day 2 when full access to Macpherson Street and residences will be restored.
- 2. Delegates authority to the Executive Manager, Infrastructure Services, to approve the dates that the operation will occur.
 - 3. Requires a Council compliance officer to be on-site for the duration of the works at the Applicant's expense, and that this be communicated to the Applicant.

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

TC/V STATE ELECTORATE OF VAUCLUSE

TC/V.01/20.06 48-50 Penkivil Street, Bondi - Construction Zone (A03/2514-04)

COUNCIL OFFICER'S PROPOSAL:

That Council:

- 1. Installs a 16 metre long 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Saturday Council Authorised Vehicles' zone outside frontage of no. 48–50 Penkivil Street, 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 Vaucluse, NSW Police representative, RMS representative and Waverley Council representative (Chair).

TC/V.02/20.06 376 Military Road, Vacluse - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 9 metre long 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Saturday Council Authorised Vehicles' zone in front of no. 376 Military Road, Vacluse.
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, RMS representative and Waverley Council representative (Chair).

TC/V.03/20.06 62 Gilgandra Road, North Bondi - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 9 metre long 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Saturday Council Authorised Vehicles' zone in front of no. 62 Gilgandra Road, North 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, RMS representative and Waverley Council representative (Chair).

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE

Nil.

THE MEETING CLOSED AT 10.19 AM.

.....
SIGNED AND CONFIRMED
MAYOR
21 JULY 2020

MAYORAL MINUTES CM/6/20.07

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/7.1/20.07**

Subject: Councillors' Fees - Local Government Remuneration Tribunal Determination for 2020-21

TRIM No: A03/1343

Author: Jane Worthy, Internal Ombudsman

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

RECOMMENDATION:

That Council:

1. Notes that the Local Government Remuneration Tribunal, in accordance with their Annual Report and Determination June 2020, has determined that:
 - (a) There will be no increase in mayoral and councillor fees for the 2020–21 financial year.
 - (b) Waverley Council remains in the 'Metropolitan Small' category.
2. Endorses the annual fees payable to Waverley councillors for the year 1 July 2020 to 30 June 2021 as follows:
 - (a) All councillors (including the mayor) – \$20,280.
 - (b) Mayor – \$44,230 in addition to the Councillor fee.
 - (c) Deputy mayor – \$3,914 in addition to the councillor fee, and that this amount is to be paid from the fee payable to the mayor.

1. Executive Summary

The Local Government Remuneration Tribunal (the Tribunal) reviews the fees to be paid to mayors and councillors on an annual basis. The Tribunal has determined that there will be no increase in mayoral and councillor fees for the 2020–21 financial year, and the fees remain at the rate payable in the 2019–20 financial year.

The Tribunal also reviews the categories of councils every three years and has determined this year that Waverley Council remains in the 'Metropolitan Small' category.

The Tribunal's determination report for 2020 is attached to this report. This report recommends that Council notes the Tribunal's determinations and endorses the fees payable to Waverley councillors for the year 1 July 2020 to 30 June 2021 as follows:

- All councillors (including the mayor) – \$20,280.
- Mayor – \$44,230 in addition to the Councillor fee.
- Deputy mayor – \$3,914 in addition to the councillor fee, and that this amount is to be paid from the fee paid to the mayor.

2. Introduction/Background

Fees

In accordance with section 248 of the *Local Government Act*, (the Act) Council must pay councillors an annual fee and this fee must be fixed annually taking into consideration the determination of the Local Government Remuneration Tribunal. The annual fees fixed by Council must be the same for each councillor and be paid by monthly instalments in arrears.

Under section 249 of the Act, Council must pay the mayor an annual fee which is in addition to the fee paid to the councillors.

The Tribunal has determined that there will be no increase in mayoral and councillor fees for the 2020/21 financial year in each of the existing categories.

Categories

Section 239 of the Act requires the Tribunal to determine the categories of councils at least once every 3 years. The Tribunal last reviewed the categories in 2017.

In determining categories, the Tribunal is required to have regard to the following matters that are prescribed in section 240(1) of the Act:

- The size of areas.
- The physical terrain of areas.
- The population of areas and the distribution of the population
- The nature and volume of business dealt with by each Council
- The nature and extent of the development of areas
- The diversity of communities served
- The regional, national and international significance of the Council
- Such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government
- Such other matters as may be prescribed by the regulations.

The Tribunal has determined that there is no change to the Metropolitan Small category Waverley Council has been allocated to.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 21 May 2019	CM/7.3/19.05	<p>That Council, in accordance with the Local Government Remuneration Tribunal's Annual Report and Determination 2019 attached to this report, endorses the annual fees payable to councillors for the year 1 July 2019 to 30 June 2020 as follows:</p> <ol style="list-style-type: none"> 1. All Councillors (including the Mayor) – \$20,280. 2. Mayor – \$44,230 in addition to the Councillor fee. 3. Deputy Mayor – \$3,914 in addition to the Councillor fee, and that this amount be paid from the fees paid to the Mayor.

4. Discussion

Fees

In reaching its determination on councillor fees, the Tribunal provides the following sequence of events (taken from paragraphs 66-68 of its report):

‘On 29 May 2020 the Premier, the Hon Gladys Berejiklian MP, made the *Industrial Relations (Public Sector Conditions of Employment) Amendment (Temporary Wages Policy) Regulation 2020*. That regulation amended the IR Regulation 2014 to implement a temporary wages policy, being a 12-month pause on wage increases for public sector employees covered by the IR Act.

On 2 June 2020 the amending regulation was disallowed by the Legislative Council. The effect of that disallowance is that the Government’s wages policy which provides for increases of up to 2.5 per cent continues to apply.

While the Tribunal is required to give effect to the Government’s wages policy in the making of this determination, it is open to the Tribunal to determine an increase of up to 2.5 per cent or no increase at all. Given the current economic and social circumstances, the Tribunal has determined that there be no increase in the minimum and maximum fees applicable to each existing category.’

The fees paid to Waverley councillors are the maximum fees allowable in the Metropolitan Small category, and there is therefore no increase in those fees. The annual fees payable to Waverley councillors for the year 1 July 2020 to 30 June 2021 remains at the rate paid in the 2019–20 financial year. These are as follows:

- All councillors (including the mayor) – \$20,280.
- Mayor – \$44,230 in addition to the Councillor fee.
- Deputy mayor – \$3,914 in addition to the councillor fee, and that this amount is to be paid from the fee paid to the mayor.

Categories

According to the Tribunal, Councils categorised as Metropolitan Small will typically have a residential population less than 100,000 and their total operating revenue is less than \$150M per annum.

While Metropolitan Small councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

In reaching its determination on the council categories, the Tribunal explains that its preliminary thinking was that no changes to the categories and criteria for Metropolitan councils were warranted, and in respect to Metropolitan Small, the Tribunal continues to hold that view.

The Tribunal has determined there is no change to Waverley Council’s categorisation as Metropolitan Small.

5. Financial impact statement/Time frame/Consultation

The Tribunal’s determination will result in there being no change to the fees payable to councillors in the 2020-21 financial year. The fees payable to councillors in the 2019-20 financial year will continue until the Tribunal makes its next determination in June 2021.

The adopted 2020–21 operational budget included the expected 2.5% annual fee increase, which will be adjusted at the quarterly review.

6. Conclusion

It is recommended that Council notes the Local Government Remuneration Tribunal's Annual Determination 2020 that there will be no increase in mayoral and councillor fees for the 2020–21 financial year and that Waverley Council remains in the 'Metropolitan Small' category.

It is also recommended that Council sets the fee payable to councillors for the year 1 July 2020 to 30 June 2021 as follows:

- All councillors (including the mayor) – \$20,280.
- Mayor – \$44,230 in addition to the Councillor fee.
- Deputy mayor – \$3,914 in addition to the councillor fee, and that this amount is to be paid from the fee payable to the mayor.

7. Attachments

1. Local Government Remuneration Tribunal - Annual Determination 2020 [↓](#)

Local Government Remuneration Tribunal

Annual Report and Determination

*Annual report and determination under sections 239 and
241 of the Local Government Act 1993*

**10 June
2020**

[NSW Remuneration Tribunals website](#)

Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

Executive Summary

The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year as to its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

In response to the COVID-19 pandemic the Minister for Local Government, the Hon Shelley Hancock MP, made the *Local Government (General) Amendment (COVID-19) Regulation 2020* which extends the time for the making of this determination to no later than 1 July 2020.

Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2017. In accordance with the LG Act the Tribunal undertook a review of the categories and allocation of councils into each of those categories as part of the 2020 review.

In reviewing the categories, the Tribunal examined a range of statistical and demographic data and considered the submissions of councils and Local Government NSW (LGNSW). Having regard to that information, the Tribunal has determined to retain a categorisation model which differentiates councils primarily on the basis of their geographic location, and the other factors including population, the sphere of the council's economic influence and the degree of regional servicing.

For the Metropolitan group the Tribunal has determined to retain the existing categories and has amended the population criteria applicable to Metropolitan Large and Metropolitan Medium. For the Non-Metropolitan group, the Tribunal has determined to: create two new categories - Major Strategic Area and Regional Centre; rename one category - Regional City to Major Regional City; and revise the criteria for some of the existing categories to account for the new categories.

In accordance with section 239 of the LG Act the categories of general purpose councils are determined as follows:

Metropolitan

- Principal CBD
- Major CBD
- Metropolitan Large
- Metropolitan Medium
- Metropolitan Small

Non-metropolitan

- Major Regional City
- Major Strategic Area
- Regional Strategic Area
- Regional Centre
- Regional Rural
- Rural

Local Government Remuneration Tribunal

Fees

The Tribunal has determined that there will be no increase in the minimum and maximum fees applicable to each existing category. For the new categories, the Tribunal has determined fees having regard to relevant relativities.

Local Government Remuneration Tribunal

Section 1 Introduction

1. Section 239 of the LG Act provides for the Tribunal 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.
2. Section 241 of the LG Act provides for the Tribunal to determine, not 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.
3. In response to the COVID-19 pandemic the Minister for Local Government, the Hon Shelley Hancock MP, made the *Local Government (General) Amendment (COVID-19) Regulation 2020* which extends the time for the making of this determination to no later than 1 July 2020.
4. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A (1) of the LG Act, to give effect to the same policies on increases in remuneration as those of 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.
5. The Tribunal is however able to determine that a council can be placed in 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 LG Act.
6. The Tribunal's determinations take effect from 1 July in each year.

Section 2 2019 Determination

7. The Tribunal considered ten requests for re-categorisation. At the time of making the determination the Tribunal had available to it the 30 June 2018 population data. In reviewing the submissions received the Tribunal applied a multi variable approach assessing each council against all the criteria (not only population) for the requested category and the

Local Government Remuneration Tribunal

relativities within the categories.

8. The Tribunal found that the allocation of councils into the current categories was appropriate but again noted that some of those councils seeking to be moved were likely to meet the criteria for re-categorisation in future determinations.
9. The Tribunal's 2019 Determination was made on 15 April 2019 and provided a general increase of 2.5 per cent which was consistent with the Government's policy on wages.
10. The Tribunal's findings for North Sydney was not addressed in the 2019 Determination and is dealt with in Section 3 below.

Section 3 Review of categories

Scope of review

11. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last reviewed the categories during the 2017 annual review.
12. In determining categories, the Tribunal is required to have regard to the following matters that are prescribed in section 240 of the LG Act:

"240 (1)

- *the size of areas*
- *the physical terrain of areas*
- *the population of areas and the distribution of the population*
- *the nature and volume of business dealt with by each Council*
- *the nature and extent of the development of areas*
- *the diversity of communities served*
- *the regional, national and international significance of the Council*
- *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government*
- *such other matters as may be prescribed by the regulations."*

13. The Tribunal foreshadowed in the 2019 Determination of its intention to undertake a review of the categories in accordance with the LG Act:

Local Government Remuneration Tribunal

“12. A few submissions have suggested alternative categorisation models. The Tribunal will consider this in detail in the 2020 review. The Tribunal intends to commence the 2020 annual review earlier than usual to ensure there is time to review the existing model and to examine alternatives. The Tribunal is of the preliminary view that a case may exist to revise the number of categories, and their applicable criteria, particularly for regional and rural councils.”

14. The Tribunal wrote to all mayors in October 2019 advising of the commencement of the 2020 review and invited submissions from councils on the following matters:

1. *Proposed classification model and criteria*
2. *Allocation in the proposed classification model*
3. *Range of fees payable in the proposed classification model*
4. *Other matters*

15. The Tribunal also wrote to the President of Local Government NSW (LGNSW) in similar terms, and subsequently met with the President and Chief Executive of LGNSW. The Tribunal thanks the President and Chief Executive for making the time to meet with the Tribunal.

16. The Tribunal also met with the Mayors and General Managers of Central Coast and Maitland Councils and the Tribunal thanks them for making the time to meet with the Tribunal.

Submissions received - categorisation

17. The Tribunal received 38 submissions from individual councils, a submission from LGNSW and a submission from Regional Cities NSW. Most of the submissions addressed the Tribunal's proposed categorisation model, the allocation of councils into those categories and fees. A summary of the matters raised, and the Tribunal's consideration of those matters is outlined below.

Proposed classification model and criteria

18. Submissions from 20 councils and LGNSW supported the Tribunal's proposal to create a new category of Regional Centre for the Non-Metropolitan group and were of the view

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that the range of fees would be somewhere between Regional Strategic Area and Regional Rural.

19. Several submissions from Non-Metropolitan councils proposed alternative changes to the model such as, the merging of the Regional Rural and Rural categories, the creation of a new 'Regional' category and the renaming of Regional City to 'Gateway City' or 'Nationally Significant Regional City'.
20. Four submissions from Metropolitan councils sought the creation of a new Metropolitan category with the title of 'Metropolitan Large – Growth Area' or 'Metropolitan Major'.

Allocation in the proposed classification model

21. The Tribunal proposed to allocate 24 councils in the proposed new category of Regional Centre. Of these 24 councils, 14 provided a submission - 11 councils noted or supported their allocation as Regional Centre and 3 councils sought re-categorisation as Regional Strategic Area.
22. In addition to the 3 councils, another 17 councils sought re-categorisation into one of the categories included in the Tribunal's proposed model or into requested alternative new categories. The 20 re-categorisation requests are addressed in Section 3 – Allocation of councils into categories.

Findings - categorisation

23. The Tribunal acknowledges the significant number of submissions received this year and is grateful for the positive response and effort made in those submissions to comment on the proposed categorisation model and suggest alternatives for consideration.
24. There has been broad support to the Tribunal's proposal to create a new Non-Metropolitan category of Regional Centre and rename Regional City to Major Regional City. On that basis the Tribunal will determine the new category of Regional Centre and rename Regional City to Major Regional City. There have been some new criteria added to the category of Major Regional City to acknowledge the broader national and state focus of these cities which impact upon the operations of the council.
25. After considering the views in submissions the Tribunal re-examined the Non-Metropolitan category of Regional Strategic Area in terms of its criteria and the

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characteristics of the councils allocated into it. The Tribunal concluded that the characteristics of the two councils allocated to this category – Central Coast and Lake Macquarie – were sufficiently different to warrant further differentiation. Central Coast has a population greater than 340,000 making it the third largest council by population in NSW and the sixth largest council by population in Australia. It also has the second largest revenue base of all councils in NSW. Central Coast is a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region. A new category has been created for Central Coast Council and is to be titled Major Strategic Area. The criteria for this category include local government areas with a minimum population of 300,000, and larger scale and scope to those categorised as Regional Strategic Area. There is no change to the population threshold for the category of Regional Strategic Area, however the other criteria have been amended to account for other changes in the Non-Metropolitan group.

26. The Tribunal's preliminary thinking was that no changes to the categories and criteria for Metropolitan and County Councils were warranted. In respect to the categories, the Tribunal continues to hold that view. In respect to the criteria, after considering submissions the Tribunal re-examined the population criteria for both the Metropolitan Medium and Metropolitan Large categories.
27. North Sydney and Willoughby councils again put forward cases for non-resident workers to be included in the population for Metropolitan Medium. To examine this claim more broadly the Tribunal reviewed non-resident working populations across all metropolitan councils. After careful consideration the Tribunal concluded there was a strong case to recognise the impact on councils of serving significant numbers of non-resident workers. The criteria now provide for councils with a non-resident working population of 50,000 or above to move to another category if their combined resident and non-resident working population exceeds the minimum population threshold. The criteria for Metropolitan Medium and Metropolitan Large have been amended as follows:

Metropolitan Large

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Metropolitan Medium

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Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

28. In making this determination the Tribunal reviewed the criteria for other Metropolitan categories and found that the current population thresholds are appropriate.

29. The revised model which will form the basis of this determination is as follows:

Metropolitan	Non-Metropolitan
<ul style="list-style-type: none"> • Principal CBD • Major CBD • Metropolitan Large • Metropolitan Medium • Metropolitan Small 	<ul style="list-style-type: none"> • Major Regional City • Major Strategic Area • Regional Strategic Area • Regional Centre • Regional Rural • Rural

30. The criteria for each of the categories are outlined at Appendix 1. Minor changes have been made to the criteria for some of the existing categories to account for the new categories. As with the previous categorisation model the predominant factor to guide categorisation is population. Other common features of councils within those categories are also broadly described. These criteria have relevance when population alone does adequately reflect the status of one council compared to others with similar characteristics. In some instances, the additional criteria will be significant enough to warrant the categorisation of a council into a group with a higher population threshold.

31. There is no change to the categorisation of county councils.

Allocation of councils into categories

32. In accordance with section 239 of the LG Act the Tribunal is required to allocate each of the councils into one of the categories. The allocation of councils is outlined in Determination No. 1 of Section 6.

33. Twenty (20) submissions received from councils requested re-categorisation and were considered having regard to the case put forward and the criteria for each category.

34. At the time of making the determination the Tribunal had available to it the 30 June 2019 population data released by the Australian Bureau of Statistics (ABS) on 25 March 2020.

Local Government Remuneration Tribunal

35. A summary of the Tribunal's findings for each of the applications for re-categorisation is outlined in the following paragraphs.

Metropolitan Large Councils

36. Canterbury-Bankstown, Penrith and Blacktown have requested the creation of new categories into which they be re-categorised. Canterbury-Bankstown has requested a new category named 'Metropolitan Major'. Penrith and Blacktown have requested a new category named 'Metropolitan Large – Growth Centre'.
37. The Tribunal considers that Canterbury-Bankstown, Penrith and Blacktown are appropriately categorised as Metropolitan Large.

Metropolitan Medium Councils

38. Inner West has again sought to be re-categorised as Metropolitan Large. The Tribunal outlined in the 2019 determination that Inner West's June 2018 population of 198,024 was below the indicative population of other Metropolitan Large councils, but based on growth predictions it was likely Inner West would meet the minimum population threshold for inclusion in Metropolitan Large in 2020.
39. Inner West's June 2019 population is 200,811 and the council now meets the criteria to be categorised as Metropolitan Large.
40. Ryde has sought to be re-categorised as Metropolitan Large on the basis of the large non-resident working population in the Macquarie Park Business Park (MPBP) precinct, the economic output of the precinct and its array of significant regional services.
41. The Hills has requested the creation of a new category named 'Metropolitan Growth' and that it be categorised into it. Recognition is sought for councils experiencing significant growth. The submission also notes that while Ryde does not meet the residential population criteria for Metropolitan Large it meets the other relevant criteria.
42. As previously discussed, the Tribunal has reviewed the impact of large numbers of non-residents visitors and workers and revised the criteria for Metropolitan Large Councils. Ryde and The Hills have been assessed against the new revised criteria being - *Councils may also be categorised as Metropolitan Large if their residential population combined*

Local Government Remuneration Tribunal

with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

43. Both Ryde and The Hills have a non-resident working population of more than 50,000 and combined with their resident populations they meet the revised criteria for inclusion in the group of Metropolitan Large councils. Both councils also provide a sphere of economic influence and provide regional services considered akin to those of other metropolitan large councils.

Metropolitan Small Councils

44. Camden, Willoughby and North Sydney have sought to be re-categorised as Metropolitan Medium.
45. The Tribunal outlined in the 2019 determination that Camden's June 2018 population of 94,159 was below the indicative population of other Metropolitan Medium councils, but based on growth predictions it was likely Camden would meet the minimum population threshold for inclusion in Metropolitan Medium in 2020.
46. Camden's June 2019 population is 101,437 and the council now meets the criteria to be categorised as Metropolitan Medium.
47. The Tribunal has previously considered requests from Willoughby and North Sydney Councils to be re-categorised as Metropolitan Medium in 2018 and 2019. Both Councils have populations within the indicative population range for Metropolitan Small councils but well below that of Metropolitan Medium. Both Councils have argued that their scale of operations, degree of regional servicing and high number of non-resident visitors and workers more closely align with the characteristics of Metropolitan Medium Councils.
48. As previously discussed, the Tribunal has reviewed the impact of large numbers of non-resident workers and revised the criteria for Metropolitan Medium Councils. Willoughby and North Sydney have been assessed against the new revised criteria being - *Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.*
49. Both Willoughby and North Sydney have a non-resident working population of more than 50,000 and combined with their resident populations they meet the revised criteria for inclusion in the group of Metropolitan Medium councils. Both councils also meet the

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other criteria having: a significant regional role as the third and fourth biggest CBDs in Sydney after Sydney City and Parramatta; strategic significance as either transport hubs, business, cultural or employment centres.

50. Both North Sydney and Willoughby meet the criteria for re-categorisation as Metropolitan Medium.

Regional City Councils

51. Newcastle and Wollongong have proposed new categories into which they have sought to be re-categorised. Newcastle has proposed a new category named 'Gateway City' and Wollongong a new category named 'Nationally Significant Regional City'.
52. The Tribunal's revised categorisation model re-named the existing category of Regional City to Major Regional City and found no case to adopt the new categories proposed by Newcastle and Wollongong. The Tribunal considers that both councils are appropriately categorised as Major Regional City.

Regional Strategic Area Councils

53. Central Coast has again sought to be re-categorised as Regional City. The council submits that its characteristics are more like Newcastle and Wollongong (Regional City) and substantially different to Lake Macquarie (Regional Strategic Area).
54. Central Coast does not meet the broader criteria applicable to other councils in the category of Major Regional City - being Newcastle and Wollongong. As previously discussed a new category - Major Strategic Area - has been created to recognise the scale and unique position of Central Coast Council to both the Sydney and Hunter regions.

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Regional Rural Councils

55. Bathurst, Maitland, and Shoalhaven noted that under the Tribunal's proposed allocation of councils they would be allocated to the new Regional Centre category, however the three councils sought to be re-categorised as Regional Strategic Area.
56. Bathurst's June 2019 population of 43,618, Maitland's June 2019 population of 85,166 and Shoalhaven's June 2019 population of 105,648 are below the indicative population of Regional Strategic Area councils. The Tribunal considers that Bathurst, Maitland and Shoalhaven are all appropriately categorised as Regional Centre.
57. Bega, Byron and Eurobodalla have sought to be re-categorised to the new Regional Centre category. Bega's June 2019 population of 34,476, Byron's June 2019 population of 35,081 and Eurobodalla's June 2019 population of 38,473 are significantly below the indicative population of Regional Centre councils. These councils have not demonstrated the additional criteria to warrant inclusion in the Regional Centre group.

Rural Councils

58. Muswellbrook and Federation have again sought to be re-categorised as Regional Rural. Muswellbrook's June 2019 population of 16,377 and Federation's June 2019 population of 12,437 are well below the indicative population of Regional Rural councils. Both councils have not demonstrated the additional criteria to warrant inclusion in the Regional Rural group.

Section 4 Fees

59. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
60. The current policy on wages pursuant to section 146C(1)(a) of the IR Act is articulated in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (IR Regulation 2014). When the Tribunal undertook the annual review the effect of the IR Regulation 2014

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was that public sector wages could not 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.

61. The Tribunal received submissions for consideration during the annual review in late 2019. Those submissions were made prior to the pandemic and overwhelmingly supported a 2.5 per cent increase in the ranges of fees which was consistent with the Government's wages policy at the time. A summary of those submissions is outlined in the paragraphs 62 and 63.
62. The LGNSW submission requested that the Tribunal increase fees by the allowable maximum of 2.5 per cent. The submission also reiterated the long-held view that fees for mayors and councillors are well behind, the current fee structure fails to recognise the work of elected representatives and is inadequate to attract and retain individuals with the necessary skills and experience. Comparative information was again presented in respect to board fees, fees paid to mayors and councillors of councils in Queensland, and salaries for members of Parliament. The LGNSW submission also noted the Tribunal's previous observations that it does not have jurisdiction on the matter of non-payment of superannuation but again invited the Tribunal to make a recommendation to the NSW State Government for councillor remuneration to include a payment for superannuation equivalent to the Superannuation Guarantee.
63. Several submissions sought an increase to the allowable maximum of 2.5 per cent acknowledging the restrictions on the Tribunal from the Government's wages policy. Several submissions sought an increase greater than 2.5 per cent by requesting that fees be aligned to councillor fees in Victoria and Queensland or to NSW members of Parliament.
64. Since receiving and considering those submissions there have been a number of factors which have influenced the Tribunal's views in regard to the annual increase. These include the impact of the bushfires and the current COVID-19 pandemic on the state and federal economies and the wellbeing of our communities.
65. To ensure the Tribunal had sufficient time to consider the COVID-19 pandemic the Minister for Local Government, the Hon Shelley Hancock MP, made the *Local Government*

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(General) Amendment (COVID-19) Regulation 2020 which extends the time for the making of this determination to no later than 1 July 2020.

66. On 29 May 2020 the Premier, the Hon Gladys Berejiklian MP, made the *Industrial Relations (Public Sector Conditions of Employment) Amendment (Temporary Wages Policy) Regulation 2020*. That regulation amended the IR Regulation 2014 to implement a temporary wages policy, being a 12-month pause on wage increases for public sector employees covered by the IR Act.
67. On 2 June 2020 the amending regulation was disallowed by the Legislative Council. The effect of that disallowance is that the Government's wages policy which provides for increases of up to 2.5 per cent continues to apply.
68. While the Tribunal is required to give effect to the Government's wages policy in the making of this determination, it is open to the Tribunal to determine an increase of up to 2.5 per cent or no increase at all. Given the current economic and social circumstances, the Tribunal has determined that there be no increase in the minimum and maximum fees applicable to each existing category.
69. The minimum and maximum fees for the two new categories of Major Strategic Area and Regional Centre have been set having regard to relevant relativities. The new category of Major Strategic Area has equivalent annual fees to Major Regional City. The new category of Regional Centre has annual fees between those applicable to Regional Strategic Area and Regional Rural. In accordance with the LG Act councils can be placed in a new category with a higher range of fees without breaching the Government's wages policy.

Section 5 Other matters

70. The Tribunal addressed the matter of non-payment of superannuation in the 2019 Determination:

"40. The submission from LGNSW and several councils have again raised the matter of the non-payment of superannuation. The Tribunal addressed this matter in the 2018 determination as outline below and will make no further comment:

Local Government Remuneration Tribunal

“54. The matter of the non-payment of superannuation has been previously raised in submissions to the Tribunal and is not a matter for the Tribunal to determine. Section 251 of the LG Act confirms that councillors are not employees of the council and the fee paid does not constitute a salary under the Act. The Tribunal notes that the Australian Tax Office has made a definitive ruling (ATO ID 2007/205) that allows councillors to redirect their annual fees into superannuation on a pre-tax basis and is a matter for councils (Ref: Councillor Handbook, Oct 2017, Office of Local Government p.69).”

71. By way of clarification, the amount redirected under this ruling is funded from the annual fees as determined by Tribunal – it is not an additional amount funded by the council.
72. The Tribunal notes that the Hon Shelly Hancock MP, Minister for Local Government released the *Councillor superannuation discussion paper* in March 2020, to seek the views of councils and their communities on whether councillors should receive superannuation payments. The deadline for submissions was Friday 8 May 2020.

Conclusion

73. The Tribunal’s determinations have been made with the assistance of the two Assessors - Mr Brian Bell and Mr Tim Hurst. The allocation of councils into each of the categories, pursuant to section 239 of the LG Act, is outlined in Determination No. 1. The maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils, pursuant to section 241 of the LG Act, are outlined in Determination No. 2.

The Local Government Remuneration Tribunal

Signed

Dr Robert Lang

Dated: 10 June 2020

Local Government Remuneration Tribunal

Section 6 Determinations

Determination No. 1- Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective From 1 July 2020

Table 1: General Purpose Councils - Metropolitan

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta
Metropolitan Large (11)	Metropolitan Medium (9)
Blacktown	Bayside
Canterbury-Bankstown	Campbelltown
Cumberland	Camden
Fairfield	Georges River
Inner West	Hornsby
Liverpool	Ku-ring-gai
Northern Beaches	North Sydney
Penrith	Randwick
Ryde	Willoughby
Sutherland	
The Hills	
Metropolitan Small (8)	
Burwood	
Canada Bay	
Hunters Hill	
Lane Cove	
Mosman	
Strathfield	
Waverley	
Woollahra	

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Table 2: General Purpose Councils – Non-Metropolitan

Major Regional City (2)	Major Strategic Area (1)	Regional Strategic Area (1)
Newcastle	Central Coast	Lake Macquarie
Wollongong		

Regional Centre (24)		Regional Rural (13)	
Albury	Mid-Coast	Bega	
Armidale	Orange	Broken Hill	
Ballina	Port Macquarie-Hastings	Byron	
Bathurst	Port Stephens	Eurobodalla	
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree	
Cessnock	Shellharbour	Griffith	
Clarence Valley	Shoalhaven	Kempsey	
Coffs Harbour	Tamworth	Kiama	
Dubbo	Tweed	Lithgow	
Hawkesbury	Wagga Wagga	Mid-Western	
Lismore	Wingecarribee	Richmond Valley Council	
Maitland	Wollondilly	Singleton	
		Snowy Monaro	

Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth
			Yass

Table 3: County Councils

Water (4)	Other (6)
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie

Local Government Remuneration Tribunal

Determination No. 2- Determination Pursuant to Section 241 of Fees for Councillors and Mayors

Pursuant to s.241 of the *Local Government Act 1993*, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2020 are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	27,640	40,530	169,100	222,510
	Major CBD	18,430	34,140	39,160	110,310
	Metropolitan Large	18,430	30,410	39,160	88,600
	Metropolitan Medium	13,820	25,790	29,360	68,530
	Metropolitan Small	9,190	20,280	19,580	44,230
General Purpose Councils - Non-metropolitan	Major Regional City	18,430	32,040	39,160	99,800
	Major Strategic Area	18,430	32,040	39,160	99,800
	Regional Strategic Area	18,430	30,410	39,160	88,600
	Regional Centre	13,820	24,320	28,750	60,080
	Regional Rural	9,190	20,280	19,580	44,250
	Rural	9,190	12,160	9,780	26,530
County Councils	Water	1,820	10,140	3,920	16,660
	Other	1,820	6,060	3,920	11,060

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

The Local Government Remuneration Tribunal

Signed

Dr Robert Lang

Dated: 10 June 2020

Local Government Remuneration Tribunal

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Local Government Remuneration Tribunal

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

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Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 200,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Local Government Remuneration Tribunal

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.
- Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.

REPORT CM/7.2/20.07



Subject: Councillor Expenses and Facilities - Annual Report

TRIM No: SF18/2204

Author: Natalie Kirkup, Governance and Internal Ombudsman Officer

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

RECOMMENDATION:

That Council receives and notes the annual report on Councillor expenses and facilities for the period 1 July 2019 to 30 June 2020 attached to this report.

1. Executive Summary

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

2. Introduction/Background

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

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 18 February 2020	CM/7.15/20.02	That Council receives and notes the six-monthly report on Councillor expenses and facilities for the period 1 July 2019 to 31 December 2019 attached to this report.
Council 15 May 2018	CM/7.7/18.05	That Council: <ol style="list-style-type: none"> 1. Adopts the Councillor Expenses and Facilities Policy attached to this report subject to the following amendments: <ol style="list-style-type: none"> (a) Subject to compliance with the relevant legislation, one beach parking permit be provided to each councillor. (b) One name badge be provided to each councillor. 2. Notes that all yearly allowances will: <ol style="list-style-type: none"> (a) Commence on 1 July of each year. (b) Be allocated each financial year.

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

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

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

The report is attached. It outlines each Councillor's expenditure against budget and the remaining budget for each expense category under the policy as at 30 June 2020. It shows the total expenditure for all Councillors for the 2019–20 financial year. The expense categories 'conferences and seminars' and 'interstate, overseas and long-distance intrastate travel' are not itemised per Councillor because the policy provides a total figure for all Councillors.

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

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

The ICT device (equipment) allowance is a term allowance. The figures in the attachment shown in the 2019–20 current approved budget column are the amounts that have been carried over from the previous year/years of the term. At the commencement of this term, all councillors had a budget of \$6,000, given that the term at that stage was to be three years, rather than four. This amount has now been increased by \$2,000, following the NSW Government's decision to postpone elections to September 2021.

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

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

5. Financial impact statement/Timeframe/Consultation

All Councillor expenditure is within budget.

Following the decision of the NSW Government to postpone local government elections to September 2021, an additional \$2,000 has been included in the budget for each Councillor for the purchase and maintenance of ICT equipment and devices, in accordance with clause 6.33 of the policy.

6. Conclusion

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

7. Attachments

1. Councillor expenses report as at 30 June 2020 [↓](#)

Councillor Expenses Report as at 30 June 2020

Natural Account	2019/20 Current Approved Budget	2019/20 YTD Actuals	2019/20 Remaining Funds on Current Budget
Councillors Expenses	(172,868)	(34,960)	(161,908)
11002. Elected Member - Goltzman	(14,718)	(7,967)	(8,751)
Home Office Expenses	(1,200)	(19)	(1,181)
ICT Device (Equipment) Expenses	(4,468)	(3,366)	(3,102)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	(2,137)	(2,063)
General Travel Expenses	(750)	(173)	(577)
Professional Development	(2,500)	(2,273)	(227)
11004. Elected Member - Burrill	(15,725)	(7,861)	(9,864)
Home Office Expenses	(1,200)	(107)	(1,093)
ICT Device (Equipment) Expenses	(675)	0	(2,675)
Carer Expenses	(6,400)	(5,337)	(1,063)
ICT Usage Expenses	(4,200)	(2,145)	(2,055)
General Travel Expenses	(750)	(272)	(478)
Professional Development	(2,500)	0	(2,500)
11006. Elected Member - Wakefield	(10,843)	(3,905)	(8,938)
Home Office Expenses	(1,200)	(176)	(1,024)
ICT Device (Equipment) Expenses	(593)	0	(2,593)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	(3,493)	(707)
General Travel Expenses	(750)	(236)	(514)
Professional Development	(2,500)	0	(2,500)
11008. Elected Member - Wy Kanak	(16,052)	(894)	(17,158)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(5,802)	0	(7,802)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	(193)	(4,007)
General Travel Expenses	(750)	(702)	(48)
Professional Development	(2,500)	0	(2,500)
11009. Elected Member - Betts	(16,250)	(1,299)	(16,951)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(6,000)	0	(8,000)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	(599)	(3,601)
General Travel Expenses	(750)	0	(750)
Professional Development	(2,500)	(700)	(1,800)
11011. Elected Member - Kay	(16,142)	(4,003)	(14,139)
Home Office Expenses	(1,200)	(744)	(456)
ICT Device (Equipment) Expenses	(5,892)	(64)	(7,828)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	(2,060)	(2,140)
General Travel Expenses	(750)	(435)	(315)
Professional Development	(2,500)	(700)	(1,800)

Councillor Expenses Report as at 30 June 2020

Natural Account	2019/20 Current Approved Budget	2019/20 YTD Actuals	2019/20 Remaining Funds on Current Budget
11012. Elected Member - Masselos	(16,250)	(3,914)	(14,336)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(6,000)	(825)	(7,175)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	(1,000)	(3,200)
General Travel Expenses	(750)	(689)	(61)
Professional Development	(2,500)	(1,400)	(1,100)
11021. Elected Member - Keenan	(13,726)	0	(15,726)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(3,476)	0	(5,476)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	0	(4,200)
General Travel Expenses	(750)	0	(750)
Professional Development	(2,500)	0	(2,500)
11022. Elected Member - Copeland	(12,086)	(983)	(13,104)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(1,836)	0	(3,836)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	(983)	(3,217)
General Travel Expenses	(750)	0	(750)
Professional Development	(2,500)	0	(2,500)
11023. Elected Member - O'Neill	(16,250)	0	(18,250)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(6,000)	0	(8,000)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	0	(4,200)
General Travel Expenses	(750)	0	(750)
Professional Development	(2,500)	0	(2,500)
11024. Elected Member - Lewis	(13,625)	(46)	(15,579)
Home Office Expenses	(1,200)	0	(1,200)
ICT Device (Equipment) Expenses	(3,375)	0	(5,375)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	0	(4,200)
General Travel Expenses	(750)	(46)	(704)
Professional Development	(2,500)	0	(2,500)
11025. Elected Member - Nemesh	(11,201)	(4,088)	(9,113)
Home Office Expenses	(1,200)	(565)	(635)
ICT Device (Equipment) Expenses	(951)	(414)	(2,537)
Carer Expenses	(1,600)	0	(1,600)
ICT Usage Expenses	(4,200)	(3,100)	(1,100)
General Travel Expenses	(750)	(8)	(742)
Professional Development	(2,500)	0	(2,500)
Governance Services			
11016. Councillors Expenses	(9,072)	(10,539)	1,467
Interstate, Overseas and long distance interstate travel expenses	(18)	(1,045)	1,027
Conferences and Seminars	(9,054)	(9,495)	441
Total expenditure for 2019/20 financial year		(45,499)	

**REPORT
CM/7.3/20.07**

Subject: Public Forum - Review of Trial

TRIM No: SF19/3353

Author: Richard Coelho, Governance and Internal Ombudsman Officer

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

RECOMMENDATION:

That Council:

1. Notes the outcome of the public forum trial and the relatively low participation rate.
2. Notes the positive feedback from participants and the Precincts.
3. Extends the trial of public forums for a further 12 months in accordance with the revised guidelines attached to this report.
4. Officers report back to Council at the conclusion of the extended trial.

1. Executive Summary

The purpose of this report is to review the trial of public forums, which took place from August 2019 to May 2020. Public forums were held before Council meetings and allowed members of the public to address Council on matters of public importance. While participation was modest, feedback from the participants and the Precincts has generally been positive. It is therefore recommended that Council extends the trial for a further 12 months, but in accordance with revised guidelines.

2. Introduction/Background

In December 2017, Council decided to include the concept of 'open forums' in its next Code of Meeting Practice. These forums, of no more than 15 minutes' duration, would take place before Council meetings, and allow members of the public to address Council on matters of public importance that were not listed on the agenda of the meeting that followed.

In December 2018, the NSW Office of Local Government issued a new Model Code of Meeting Practice. The Model Code includes an optional section on 'public forums', but the concept is different. In the Model Code, public forums are held before Council meetings for the purpose of hearing submissions from members of the public on items of business to be considered at the meeting. For many years, Council has allowed members of the public to address Council and Committee meetings. This has always occurred at the beginning of meetings and has been limited to speaking on agenda items.

In April 2019, Council publicly exhibited a draft Code of Meeting Practice based on the Model Code. This included optional sections on both the new concept of 'open forums' (renamed 'public forums'), to take place before meetings and limited to items not on the agenda, as well as the existing practice of addresses by members of the public.

In June 2019, Council adopted a new Code of Meeting Practice, incorporating the mandatory provisions of the Model Code. The existing practice of addresses by members of the public on agenda items—‘public forums’ in the Model Code—was included, with addresses continuing to take place at meetings and not before. Council deleted the proposed section on public forums (i.e. open forums) from the Code, but decided to trial the forums instead.

Council initially trialled public forums from August 2019 to December 2019. Following a request from the Combined Precincts, the General Manager extended the trial to May 2020, with increased promotion.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 18 June 2019	CM/7.7/19.06	<p>That Council:</p> <ol style="list-style-type: none"> Adopts the Code of Meeting Practice attached to this report, subject to the public forum section of the document (clauses 4.1 to 4.12, inclusive) being deleted, and the remainder of the clauses in Part 4 being renumbered accordingly. Adopts the new order of business for Council meetings as shown below: <ul style="list-style-type: none"> Prayer and Acknowledgement of Indigenous Heritage Apologies/Leaves of Absence Declarations of Pecuniary and Non-Pecuniary Interests Obituaries Addresses by Members of the Public Confirmation and Adoption of Minutes Mayoral Minutes Reports Notices of Motions Questions with Notice Urgent Business Closed Session Resuming in Open Session Meeting Closure Trials a public forum just prior to a Council meeting using draft clauses 4.1 to 4.12, or updated versions of these clauses, as procedures for this trial. Investigates and reports on: <ol style="list-style-type: none"> Whether public forum procedures should be included within the Code of Meeting Practice or would be better placed in a separate policy document. Better wording for the public forum clauses to determine changes and additions that strengthen the approach taken.

Council 16 April 2019	CM/7.6/19.04	<p>That Council:</p> <ol style="list-style-type: none"> Endorses the draft Waverley Code of Meeting Practice attached to this report for the purposes of public exhibition for 28 days with a 42-day submission period, as required by section 361 of the <i>Local Government Act 1993</i>, subject to clause 5.22 being amended to read as follows: 'A recording of each meeting of the council and committee of the council is to be retained on the council's website for at least four years. Recordings of meetings may be disposed of in accordance with the <i>State Records Act 1998</i>.' Holds a Councillor briefing session on the proposed new Code during the exhibition period. Receives a further report at the June Council meeting considering submissions received and presenting the final version of the Code for adoption.
Council 12 December 2017	CM/8.6/17.12	<p>That Council:</p> <ol style="list-style-type: none"> Notes the Office of Local Government (OLG) released its draft Model Code of Meeting Practice for public consultation on 6 December 2017 with a closing date for submissions of 16 March 2018. Notes Waverley's proposed new Code of Meeting Practice will be presented to Council following OLG's release of the final Model Code. Officers ensure the draft Waverley Code of Meeting Practice includes the following: <ol style="list-style-type: none"> An Order of Business for Council that has Questions with Notice and places Notice of Motions at the beginning of the paper before staff reports. An 'Open Forum' of no more than 15 minutes' duration to allow members of the public to address Council on matters of public importance, prior to the commencement of the meeting. A three-minute limit on each address by a member of the public. Recent Council decisions affecting the Code.

4. Discussion

Public forum guidelines and operation

The public forums were conducted in accordance with a set of guidelines based on provisions originally proposed for Waverley's Code of Meeting Practice, and incorporating subsequent feedback from Councillors. The guidelines were published on Council's website as 'Things you need to know about speaking at a public forum'. The original guidelines (pre-coronavirus) are attached (Attachment 1).

In summary:

- Public forums were held before each ordinary Council meeting from 6.30 pm to 6.45 pm.
- Submissions had to be on matters of public importance that were not listed on the meeting agenda of the Council meeting that followed. 'Public importance' was intentionally not defined.
- Speakers had to register to speak via an online registration form or by phone.
- Each address had to be no longer than three minutes in duration.
- A maximum of four speakers per forum was allowed.
- No dialogue between speakers and Councillors or staff was allowed.
- The forums were not recorded, minuted or live-streamed.

On the day of the public forum or earlier, Council's Internal Ombudsman, Governance and Civic team advised Councillors of the registrations received (name and subject).

Public forums were held in the Council Chambers room. They were chaired by the Mayor and attended by the General Manager (or representative) and the Internal Ombudsman. Councillors and senior staff attended in varying numbers. Speakers addressed Council in the same way as they address Council at meetings: from a lectern at the front of the meeting room.

Before each forum, the chair usually introduced the concept of public forums and, at their conclusion, explained how the issues raised would be followed up and addressed, where necessary. After each public forum, Internal Ombudsman, Governance and Civic liaised with the relevant area of Council to follow up on the issues raised.

Promotion

Council promoted public forums through:

- A website banner.
- Information on the Council meetings page on Council's website, with a link to the registration form and the public forum guidelines.
- A mention in the Mayor's column.
- Precinct flyers, which were delivered to all residents in the local government area.

Extension and further promotion

At the Combined Precincts meeting on 19 September 2019, a motion was passed requesting that Council extend the public forum trial. As a result of this motion, and given the relatively low participation rate, the General Manager extended the trial until May 2020, with further promotion.

The additional promotion involved:

- Social media posts.
- A mention in the Waverley weekly newsletter.

- An additional mention in the Mayor's column.
- A website banner.
- Flyers for the Precincts to distribute in public places and to the community generally (see Figure 1 below).

On the advice of the Communications and Engagement team, the messaging was changed from speaking on matters of 'public importance' to 'anything of importance to you or your community', in order to broaden interest.



Figure 1. Flyer for extended trial.

Coronavirus

The extension of the trial coincided with the height of the coronavirus pandemic. During this time, public forums (and Council meetings) continued via video conference. The public forum guidelines were amended to allow speakers to participate by joining the video conference or by submitting a recorded video or written speech (to be read out by the General Manager or delegate).

Overview and statistics

The table below provides an overview of the public forums, including all registrations received. Shading indicates public forums that did not occur, registrations that were withdrawn or where speakers registered but did not attend.

Table 1. Overview of public forums.

No.	Date	Subject(s)	Comments
1	20 August 2019	To congratulate Waverley Council on their recent decision regarding the State of Climate Emergency, and to offer ways forward to address the Climate Emergency	

2	17 September 2019	Car parking along Hewlett St Bronte north of Mirimar Ave; some general parking comments; extending No Stopping times in busy streets	
3	10 October 2019	NO REGISTRATIONS	
4	19 November 2019	(1) The disco noise after midnight coming from the Eastern pub in Bondi Junction	
		(2) All politics is local	
5	10 December 2019	Basement/unauthorised storage space at 16 Ramsgate Avenue, Bondi Beach	Speaker did not attend
6	18 February 2020	Dangerous/hazardous gum tree on footpath. Damaged in storm on Sunday, February 9, 2020. Requesting removal and replacement with a more suitable tree	Withdrawn
7	17 March 2020	(1) The return and earn machine at Bondi, he would like to speak in support of keeping it there	Withdrawn
		(2) Waverley's Cultural Plan (and community engagement regarding it)	Held at the indoor sports court at the Margaret Whitlam Recreation Centre
8	21 April 2020	(1) The role of Council is superintending compliance with a DA with specific reference to 17 Lord Howe Street, Dover Heights	Held by video conference
		(2) Advice on the importance of Council's cultural plan	
9	5 May 2020	Waverley Library being open in some degree to students	Held by video conference. A public forum was held on 5 May because an additional ordinary Council meeting was scheduled
10	19 May 2020	NO REGISTRATIONS	

Out of 10 potential public forums, six took place, with eight members of the public registering and attending to speak. One speaker registered but did not attend, and two registrations were withdrawn. No applications were refused. The number of registrations was therefore relatively low. However, public forums are a new concept and may take some time to be embraced. The coronavirus pandemic may have also discouraged participation.

The majority of public forums were not attended by members of the public other than those who had registered to speak; that is, there was no public audience as such.

During the pandemic, one public forum was held at the indoor sports hall at the Margaret Whitlam Recreation Centre and two were held by video conference (Zoom), with the speakers participating live. In terms of attendance, in addition to the chair, the General Manager and Internal Ombudsman, on average approximately half the Councillors and at least one director attended each forum.

Regarding the topics spoken on, half the registrations related to specific compliance issues. Two were about environmental initiatives, two were on the draft Cultural plan, and one was on opening the Library during the coronavirus pandemic.

Particularly with the early forums, there was some discussion between the speakers and Councillors, which was not provided for in the guidelines. As a result of this dialogue, as well as the low number of registrations per forum (fewer than four), the addresses usually went for longer than the prescribed three minutes.

Feedback – Participants

Following the conclusion of the trial, staff sent a short survey to the eight participants seeking their feedback. Half responded. A summary of the feedback is set out below.

- *Question 1. Council trialled public forums to allow members of the public to address Council on matters of public importance. From your experience, was this aim met?*

All respondents agreed. However, one respondent expected to see all Councillors present, and one questioned whether they would be listened to. Another respondent commented positively on how video conferencing allowed them to be present at the forum.

- *Question 2. Did you get your desired outcome by speaking at the public forum? For example, was your issue resolved as a result of participating in the public forum?*

Half the respondents agreed. One believed their submission would be taken onboard and said they were 'able to ask a question and have it answered immediately which was a positive step.' One of the respondents disagreed, saying that 'It made no difference'. The other respondent was neutral, but hopeful of a positive outcome.

- *Question 3. Do you think public forums should continue?*

All the respondents agreed; although one commented that 'At least it's something, even if a goodwill gesture at best', and another reiterated that all Councillors should be present.

- *Question 4. If Council were to continue public forums, can they be improved in any way?*

Three of the respondents agreed and one respondent skipped the question.

One respondent suggested that the duration of submissions be limited; that speakers' topics be curated; and that speakers agree not to be defamatory or aggressive. In response to this, there was a time limit (three minutes per person), although speakers occasionally went over time due to discussions with Councillors. In terms of curating or vetting topics, staff did not feel it was appropriate to determine whether a topic was of 'public importance', noting that, under the public forum guidelines, the General Manager could refuse an application. Regarding the behaviour of speakers, this was covered in the guidelines.

One respondent felt that the public forum felt 'private'. This could be because there was normally no public audience and the forums were not live-streamed. This was highlighted at the two forums that took place via video conference, as they were essentially not public at all.

Another respondent said that Council should respond in writing to each speaker's issue or proposal, even if Council was unable to resolve the issue or agree to the proposal. Staff did ensure that speakers' issues were followed up on, but this could be improved and completed within a shorter time frame.

- *Question 5. Did you experience any difficulties with the registration process?*

One respondent reported they had difficulties but did not indicate what they were.

Feedback – Precincts

At the end of the trial, staff also sought feedback from the Precinct executives, given their interest in the concept. Staff asked two questions: whether the trial had achieved its aim of allowing members of the public to matters of public importance; and how the forums could be improved. Four responses were received.

All were supportive of public forums continuing on a regular basis. For example, according to one respondent, 'Having the public forum is a great idea. It's another avenue for the Waverley community to be able to raise any concerns that they may have or even to be able to say thank you for the work Council does for the Waverley community.' Another respondent commented that the forums are an example of 'democracy in action', whereby anyone in the community can access, and talk directly to, Councillors all in one place.

The suggestions for improvement were:

- Clearly explaining how the issues raised will be dealt with; that is, closing the loop. This is discussed in the section below.
- Allowing video submissions permanently. A respondent noted that some residents may find it intimidating to address Council in-person. This is also discussed below.
- More support for residents wishing to speak; for example, a template or guide on how to draft a presentation. While staff do not wish to constrain the format or content of submissions, the public forum webpage could readily be amended to better explain what public forums are about, and to provide some examples.
- More promotion.

Two of the submissions also noted that the coronavirus pandemic may explain the low participation rate; one saying that video conferencing may have discouraged—rather than encouraged—engagement, as it is not as interactive as speaking in-person.

Recommendations

Overall, the forums provided an avenue for members of the public to raise issues directly with the elected Council and senior staff face-to-face. It was another way of engaging with Council, but in a more public setting. It also helped some speakers address issues that had not been resolved through other means; for example, by phone, email or meetings with staff. Uptake was low; however, public forums are a new concept and the extended trial coincided with the coronavirus pandemic. All the participants believe the forums should continue, with four of the Precincts also being supportive.

It is recommended that Council consider extending the trial for a further 12 months in order to better gauge the popularity and effectiveness of public forums, subject to the following changes to the guidelines:

- Change what members of the public can speak on from ‘matters of public importance’ to ‘anything of importance to them or the community relating to the Waverley local government area’.
- Note that all members of the public—not just those speaking—are welcome to attend.
- Allow Council to audio-record public forums for the purposes of allowing staff to follow up on the issues raised.
- Allow Councillors to ask questions of the speakers. Council could also consider allowing discussion between the speakers, Councillors and staff.
- Continue to allow video submissions and participation by video conference for as long as Council meetings are also held by video conference.
- Reduce the maximum number of speakers per forum from four to three. This will allow time for questions and the outlining of any follow-up action.
- Note that staff will follow up on any issues raised within a week of the public forum.
- In response to community feedback, make the language more user-friendly in order to encourage participation.

The proposed guidelines are attached (Attachment 2).

It is also recommended that:

- Council continues to promote public forums.
- The public forum webpage be amended to elaborate on the concept of public forums, including examples of what members of the public could talk about.
- At each public forum, the chair continues to explain how the issues raised will be dealt with.
- The guidelines not be incorporated into the Code of Meeting Practice. This allows for flexibility in amending the guidelines, if required, as happened during the coronavirus pandemic.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

There were no additional costs to holding the public forums. The cost of promotional material and Precinct flyers came out of operational budgets.

Time frame

The trial of public forums lasted from August 2019 to May 2020. Should Council wish to extend the trial further, the next forum will take place before the Council meeting on 18 August 2020, with the trial concluding in August 2021. Officers will then report back to Council in October 2021 following the election.

Consultation

Officers consulted the participants and the Precinct executives as part of the review. Internally, the Communications and Engagement team was consulted.

6. Conclusion

The trial of public forums has concluded. This report has reviewed the trial and recommends that Council extends the trial for a further 12 months, subject to some changes to the public forum guidelines. This will allow Council to get a better understanding of the popularity and effectiveness of public forums, and to decide whether to make them permanent or not.

7. Attachments

1. Public forum guidelines - Original [↓](#)
2. Public forum guidelines - Proposed [↓](#)

Public forum guidelines – Original

1. Council will hold a public forum of no more than 15 minutes' duration from 6.30 pm prior to the commencement of each ordinary Council meeting to allow members of the public to make oral submissions on matters of public importance that are not listed on the meeting agenda of the Council meeting that follows.
2. Public forums are not part of Council meetings and are not recorded, minuted or live streamed.
3. Public forums are to be chaired by the mayor or their nominee.
4. A person wishing to address Council at a public forum must register by 3.00 pm on the Monday before the Council meeting. Registrations received after 3.00 pm will not be accepted, but you will be notified and given the opportunity to speak at a future public forum.
5. A maximum of four speakers will be permitted to address Council at each public forum. Registrations are processed on a 'first come, first served' basis. If your registration is unsuccessful, you will be notified and given the opportunity to speak at a future public forum.
6. Each address must be no longer than three minutes in duration.
7. For each public forum, only one registration per person is permitted.
8. The address must relate to the matter that the person has registered to speak about. The chair will call to order any speaker who fails to comply with this requirement. If the speaker fails to comply with chair's call to order, the chair may withdraw that speaker's right to address the public forum.
9. Speakers at public forums cannot ask questions of the Council, councillors or council staff. Councillors may not ask questions of the speakers during public forums.
10. The general manager may refuse an application to speak at a public forum. The general manager or their delegate must give reasons to the applicant in writing for a decision to refuse an application.
11. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's Code of Conduct or making other potentially defamatory statements.
12. If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 11 above, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
13. Speakers may provide hard copies of their speech at the public forum. Audio-visual presentations are not permitted.
14. A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a public forum.

Public forum guidelines – Proposed

1. Council will hold a public forum of no more than 15 minutes' duration from 6.30 pm before each ordinary Council meeting to allow members of the public to speak on anything of importance to them or the community relating to the Waverley local government area (other than matters that are listed on the agenda of the Council meeting that follows). All members of the public are welcome to attend.
2. Public forums are not part of Council meetings and are not minuted or live-streamed. They are audio-recorded by Council for the purposes of follow-up.
3. Public forums are chaired by the mayor or their nominee.
4. To address Council at a public forum, you need to register by 3.00 pm on the Monday before the forum. Registrations received after 3.00 pm will be carried over to a future public forum suitable to you.
5. While public forums are being held by video conference, you can participate by:
 - (a) Video conference.
 - (b) Submitting a recorded video.
 - (c) Submitting a written speech, which will be read out by the General Manager or delegate.
6. A maximum of three speakers can address Council at each public forum. Registrations are processed on a 'first come, first served' basis. If your registration is unsuccessful, you will be notified and given the opportunity to speak at a future public forum.
7. Your address should be no longer than three minutes in duration (or 400 words for written submissions).
8. For each public forum, you can only register once. Your address must relate to the matter that you have registered to speak about.
9. Councillors may ask questions of the speakers.
10. The general manager may refuse an application if it does not comply with these guidelines or is potentially unlawful. The general manager or delegate will give reasons in writing for their decision.
11. When addressing a public forum, please behave respectfully. You must not engage in disorderly conduct, allege breaches of Council's Code of Conduct or make potentially defamatory statements.
12. The chair may ask you to refrain from inappropriate behaviour. Where you fail to comply with the chair's request, the chair may immediately require you to stop speaking.

13. Except while public forums are being held by video conference:
 - (a) Audio-visual presentations are not permitted.
 - (b) You must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a public forum without the approval of the chair.
14. Where follow-up and a further response is required, Council officers will respond to the issues or proposals raised by each speaker within a week of the public forum.

REPORT
CM/7.4/20.07

Subject: Investment Portfolio Report - June 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 June 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 June 2020, Council's investment portfolio generated \$197,060 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. Third quarter amendment reducing budgeted interest to \$3,569,658 was adopted by Council at its meeting on 19 May 2020.

The interest income for the year to date figure as at 30 June 2020 tracked at 101.45% (\$3,621,421) of the current budget forecast of \$3,569,658.

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%
April	3,875,231	349,116	3,188,191	82.48%	82.27%
Q3 Amendment	(305,573)				
May	3,569,658	236,170	3,424,361	88.59%	95.93%
June	3,569,658	197,060	3,621,421	93.69%	101.45%

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 16 June 2020	CM/7.3/20.06(2)	That Council: <ol style="list-style-type: none"> 1. Receives and notes the Investment Summary Report for May 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 30 June 2020, Council's cash investment portfolio generated interest earnings of \$3,621,421 over the 2019/2020 financial year, representing 101.45% of the current approved budget of \$3,569,658.

Council's investment portfolio posted a return of 2.03% p.a. for the month of June versus the Ausbond Bank Bill Index benchmark return of 0.09% pa.

Over the last 12 months, Council's investment portfolio has exceeded the Ausbond Bank Bill index benchmark by 0.94% pa (1.79% vs 0.85% pa).

Portfolio value

Council's investment portfolio, as at 30 June 2020, has a current market value of \$173,901,517 which represents a gain of \$789,049 on the \$173,112,469 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	\$ 3,046,963
Cash	\$ 22,643,826	\$ 22,643,826
Floating Rate Note	\$ 24,800,000	\$ 24,873,815
Floating Rate Term Deposits	\$ 8,500,000	\$ 8,508,222
Managed Funds	\$ 14,168,643	\$ 14,168,643
Term Deposit	\$ 100,000,000	\$ 100,660,049
Total	\$ 173,112,469	\$ 173,901,517

Analysis

Attached to this report is the Summary of Investment Portfolio for the period ending 30 June 2020. These reports are prepared by Council's independent financial advisor, Prudential Investment Services Corp.

The TCorpIM LT Growth funds rose 0.5% in June. The Australian share market was up 2.3% during the month with retail (Consumer Discretionary +5.1%, Consumer Staples +4.8%) the best performing sectors due to optimism on sales and re-opening of stores. Energy (-2.1%) was the worst performing sector. Overseas markets were mostly stronger with the US S&P 500 (+2.0%), European S&P350 (+3.4%), Japanese S&P 500 (+0.1%) and Chinese S&P 300 (+7.9%) all gaining.

The overall return for the last 12 months has exceeded the AusBond Bank Bill index by 0.94% pa (1.79% vs 0.85% pa).

Table 3. Portfolio return.

Month	Portfolio Return %	Ausbond BB Index %	Variance %
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
April-20	4.29	0.58	3.71
May-20	3.61	0.10	3.51
June-20	2.03	0.09	1.94
Average % return Over the last 12 months	1.79	0.85	0.94

Council has a well-diversified portfolio invested among a range of term deposits and floating rate notes from highly rated Australian ADIs. 86% 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 expected that Council can continue to achieve above benchmark returns with prudent investment selection for its short- and long-term holdings.

Investments in ethically, socially and environmentally beneficial alternatives

As at the end of June 2020, 69.8% of Council's portfolio was invested in non-fossil fuel lending ADIs and socially responsible investments, while fossil fuel lending ADIs accounted for 22% of the portfolio. The remaining 8.2% 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), 80.28% of Council's investment portfolio was invested in non-fossil fuel lending ADIs and socially responsible investments, while fossil fuel lending ADIs accounted for 10.30% of the portfolio.

Over the period of 25 months, from July 2018 to June 2020, Council has reduced its investment in fossil fuel lending ADIs from 59% to 22% as displayed in Figure 1 below.

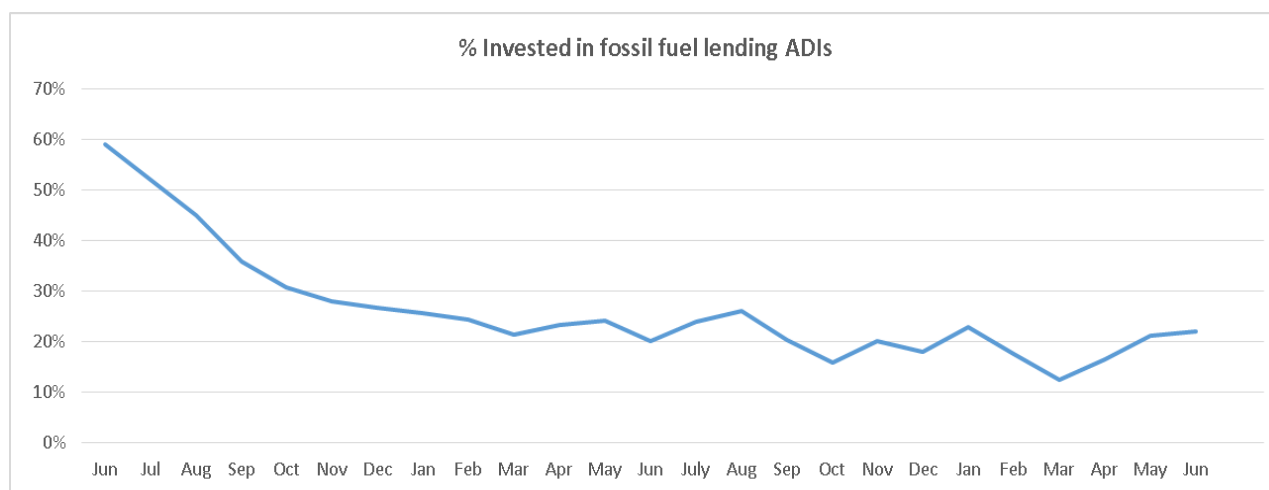


Figure 1. Investments in fossil fuel lending ADIs.

During June, Council's investment portfolio had \$14m in a range of 4 – 13 month term deposits mature with a weighted average rate of approximately 1.75%pa. Council invested \$11m in 3-12 month deposits at an average rate of 1.04%pa, which is reflective of the sharp drop in interest rates over the past several months. Due to the maturities not re-invested, Council's portfolio invested in fossil fuel ADIs is 22%, up from 21.2% the month prior

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 \$3,621,421 YTD at 30 June 2020, representing 101.45% of the current budgeted interest of \$3,569,658.

7. Attachments

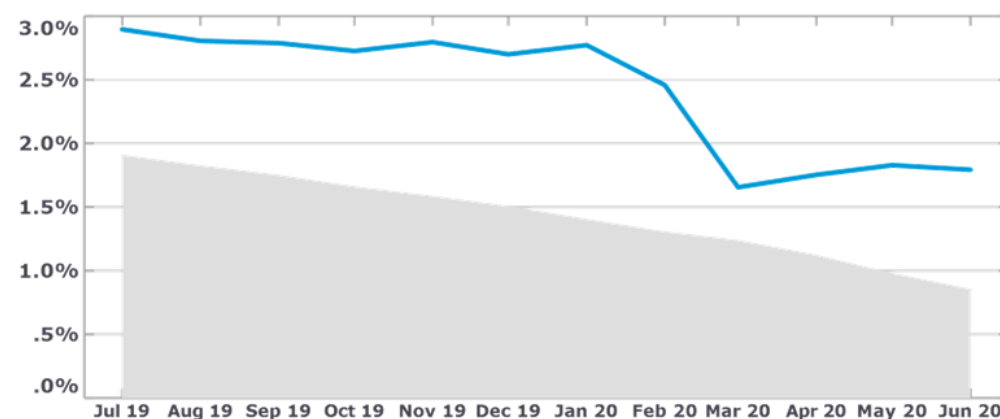
1. Investment Summary Report - June 2020 [↓](#)



Investment Summary Report June 2020

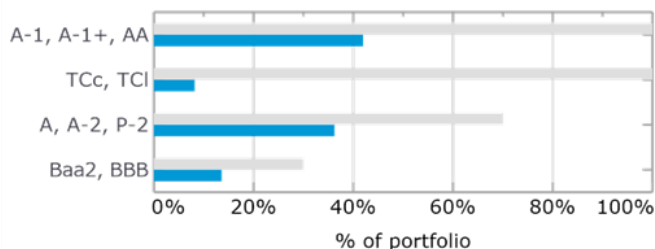
Waverley Council**Executive Summary - June 2020****Investment Holdings**

	Face Value (\$)	Current Value (\$)
Bonds	3,000,000.00	3,046,962.80
Cash	22,643,825.95	22,643,825.95
Floating Rate Note	24,800,000.00	24,873,815.41
Floating Rate Term Deposits	8,500,000.00	8,508,221.95
Managed Funds	14,168,642.71	14,168,642.71
Term Deposit	100,000,000.00	100,660,048.63
	173,112,468.66	173,901,517.45

Investment Performance

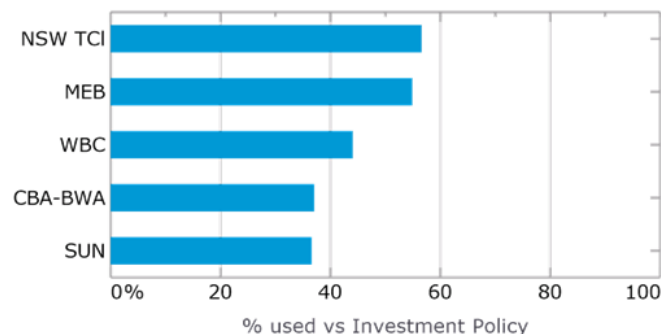
Portfolio Rolling 12 month return

AusBond BB Index Rolling 12 month Return

Investment Policy Compliance**Total Credit Exposure**

Portfolio Exposure

Investment Policy Limit

Highest Individual Exposures

% used vs Investment Policy

Term to Maturities

Maturity Profile	Face Value (\$)	Policy	Max
Between 0 and 1 Year	141,562,469	82%	100%
Between 1 and 3 Years	28,050,000	16%	50%
Between 3 and 10 Years	3,500,000	2%	30%
	173,112,469		

Waverley Council

Investment Holdings Report - June 2020

**Cash Accounts**

Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
16,155,880.45	0.8500%	Commonwealth Bank of Australia	A-1+	16,155,880.45	120789	24hr Call
4,925,998.97	0.0000%	Commonwealth Bank of Australia	A-1+	4,925,998.97	120794	General Funds
2,467.88	0.0000%	Commonwealth Bank of Australia	A-1+	2,467.88	120795	Trust Funds
510,189.11	0.0000%	Commonwealth Bank of Australia	A-1+	510,189.11	120796	Cemetery Funds
204,221.92	0.0000%	Commonwealth Bank of Australia	A-1+	204,221.92	120797	Depositor Funds
162,425.03	0.0000%	Commonwealth Bank of Australia	A-1+	162,425.03	120799	Library CP
394,222.00	0.0000%	Commonwealth Bank of Australia	A-1+	394,222.00	120800	Eastgate CP
250,846.24	0.0000%	Commonwealth Bank of Australia	A-1+	250,846.24	120801	Hollywood Av CP
37,574.35	0.0000%	Commonwealth Bank of Australia	A-1+	37,574.35	370151	Library Gift
22,643,825.95	0.6065%			22,643,825.95		

Managed Funds

Face Value (\$)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
2,169,371.87	0.2129%	NSW T-Corp (Cash)	TCC	Short Term Income Fund	2,169,371.87	411310	Builder Deposits
2,204,509.68	0.0595%	NSW T-Corp (Cash)	TCC	Cash Fund	2,204,509.68	505262	
9,794,761.16	0.4578%	NSW T-Corp (LT)	TCI	Long Term Growth Fund	9,794,761.16	538089	
14,168,642.71					14,168,642.71		

Term Deposits

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
7-Jul-20	1,500,000.00	1.6000%	ME Bank	A-2	1,500,000.00	21-Feb-20	1,508,613.70	539479	8,613.70	At Maturity	
14-Jul-20	3,000,000.00	1.6000%	ME Bank	A-2	3,000,000.00	4-Feb-20	3,019,463.01	539426	19,463.01	At Maturity	
21-Jul-20	2,000,000.00	1.6000%	ME Bank	A-2	2,000,000.00	18-Feb-20	2,011,747.95	539464	11,747.95	At Maturity	
28-Jul-20	3,000,000.00	1.6500%	Credit Union Australia	A-2	3,000,000.00	10-Dec-19	3,027,665.75	538895	27,665.75	At Maturity	
11-Aug-20	5,000,000.00	1.7000%	ME Bank	A-2	5,000,000.00	13-Aug-19	5,075,219.18	538387	75,219.18	At Maturity	
25-Aug-20	3,000,000.00	1.7000%	ME Bank	A-2	3,000,000.00	21-Aug-19	3,044,013.70	538407	44,013.70	At Maturity	

Waverley Council**Investment Holdings Report - June 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
26-Aug-20	4,000,000.00	1.5800%	Westpac Group	A-1+	4,000,000.00	22-Aug-19	4,006,926.03	538408	6,926.03	Quarterly	Green
8-Sep-20	3,000,000.00	1.6700%	Westpac Group	A-1+	3,000,000.00	11-Sep-19	3,002,745.21	538521	2,745.21	Quarterly	Green
15-Sep-20	1,500,000.00	1.6000%	ME Bank	A-2	1,500,000.00	21-Feb-20	1,508,613.70	539480	8,613.70	At Maturity	
15-Sep-20	3,000,000.00	0.8500%	Rural Bank	A-2	3,000,000.00	23-Jun-20	3,000,558.90	539946	558.90	At Maturity	
22-Sep-20	5,000,000.00	1.6800%	Westpac Group	A-1+	5,000,000.00	12-Sep-19	5,004,372.60	538526	4,372.60	Quarterly	Green
29-Sep-20	3,000,000.00	0.8500%	Rural Bank	A-2	3,000,000.00	23-Jun-20	3,000,558.90	539947	558.90	At Maturity	
30-Sep-20	3,000,000.00	1.9000%	ME Bank	A-2	3,000,000.00	17-Sep-19	3,044,975.34	538533	44,975.34	At Maturity	
27-Oct-20	3,000,000.00	3.0000%	Rural Bank	A-2	3,000,000.00	22-Oct-18	3,062,383.56	537252	62,383.56	Annually	
3-Nov-20	2,000,000.00	1.5500%	Auswide Bank	P-2	2,000,000.00	19-May-20	2,003,652.05	539805	3,652.05	At Maturity	
10-Nov-20	4,000,000.00	1.5200%	Westpac Group	A-1+	4,000,000.00	14-Nov-19	4,007,995.62	538671	7,995.62	Quarterly	Green
17-Nov-20	3,000,000.00	1.6300%	Credit Union Australia	A-2	3,000,000.00	19-Nov-19	3,030,143.84	538736	30,143.84	At Maturity	
24-Nov-20	2,000,000.00	1.6300%	Credit Union Australia	A-2	2,000,000.00	26-Nov-19	2,019,470.68	538819	19,470.68	At Maturity	
1-Dec-20	3,000,000.00	1.6000%	Suncorp Bank	A-1	3,000,000.00	25-Mar-20	3,012,887.67	539595	12,887.67	At Maturity	
8-Dec-20	1,000,000.00	1.3000%	Auswide Bank	P-2	1,000,000.00	26-May-20	1,001,282.19	539835	1,282.19	At Maturity	
15-Dec-20	2,000,000.00	2.9500%	Credit Union Australia	A-2	2,000,000.00	18-Dec-18	2,031,682.19	537426	31,682.19	Annually	
12-Jan-21	2,000,000.00	1.2500%	Auswide Bank	P-2	2,000,000.00	2-Jun-20	2,001,986.30	539868	1,986.30	Annually	
25-Jan-21	3,000,000.00	1.6500%	Auswide Bank	P-2	3,000,000.00	13-Feb-20	3,018,850.68	539456	18,850.68	At Maturity	
9-Feb-21	2,500,000.00	2.9500%	Newcastle Permanent Building Society	A-2	2,500,000.00	11-Feb-19	2,528,489.73	537536	28,489.73	Annually	
23-Feb-21	2,000,000.00	2.9000%	Credit Union Australia	A-2	2,000,000.00	26-Feb-19	2,020,021.92	537565	20,021.92	Annually	
9-Mar-21	3,000,000.00	1.5500%	MyState Bank	P-2	3,000,000.00	13-Mar-20	3,014,013.70	539571	14,013.70	At Maturity	
16-Mar-21	3,000,000.00	1.7200%	Suncorp Bank	A-1	3,000,000.00	17-Mar-20	3,014,985.21	539581	14,985.21	At Maturity	
23-Mar-21	6,000,000.00	1.6000%	Suncorp Bank	A-1	6,000,000.00	19-Mar-20	6,027,353.42	539589	27,353.42	At Maturity	
8-Jun-21	6,000,000.00	3.1500%	Westpac Group	A-1+	6,000,000.00	6-Jun-18	6,011,391.78	536715	11,391.78	Quarterly	
22-Jun-21	3,000,000.00	0.8700%	Westpac Group	A-1+	3,000,000.00	24-Jun-20	3,000,500.55	539953	500.55	Quarterly	Green
3-Aug-21	2,000,000.00	1.9000%	Bank of Queensland	BBB+	2,000,000.00	6-Aug-19	2,034,356.16	538366	34,356.16	Annually	

Waverley Council

Investment Holdings Report - June 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
21-Sep-21	2,500,000.00	2.8000%	Newcastle Permanent Building Society	BBB	2,500,000.00	25-Mar-19	2,518,794.52	537651	18,794.52	Annually	
8-Feb-22	3,000,000.00	3.0500%	Newcastle Permanent Building Society	BBB	3,000,000.00	19-Feb-19	3,033,341.10	537553	33,341.10	Annually	
8-Mar-22	2,000,000.00	1.7000%	Auswide Bank	Baa2	2,000,000.00	5-Mar-20	2,010,991.78	539531	10,991.78	Annually	
100,000,000.00 1.8510%			100,000,000.00			100,660,048.62		660,048.62			

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	1.1800%	Commonwealth Bank of Australia ¾yr@4% then BBSW+1.08%	A-1+	3,000,000.00	10-Jun-16	3,002,036.71	535380	2,036.71	10-Sep-20	
16-Nov-21	3,000,000.00	.9216%	Westpac Group 3moBBSW+0.82%	AA-	3,000,000.00	28-Nov-18	3,002,575.43	537360	2,575.43	28-Aug-20	Green
16-May-22	2,500,000.00	1.1978%	Westpac Group 3moBBSW+1.10%	AA-	2,500,000.00	16-May-17	2,503,609.81	535241	3,609.81	17-Aug-20	
8,500,000.00 1.0940%			8,500,000.00			8,508,221.95		8,221.95			

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 Date	Reference
9-Nov-20	2,250,000.00	1.3462%	ME Bank Snr FRN (Nov20) BBSW+1.25%	A-2	2,250,000.00	9-Nov-17	2,258,439.73	535919	4,232.23	10-Aug-20	
12-Apr-21	1,500,000.00	1.5552%	SUN Snr FRN (Apr21) BBSW+1.38%	A-1	1,500,000.00	12-Apr-16	1,516,190.16	533415	4,985.16	13-Jul-20	
16-Apr-21	2,500,000.00	1.4100%	ME Bank Snr FRN (Apr21) BBSW+1.27%	A-2	2,500,000.00	17-Apr-18	2,516,614.73	536513	7,339.73	16-Jul-20	
18-May-21	2,000,000.00	1.5778%	BoQ Snr FRN (May21) BBSW+1.48%	A-2	2,000,000.00	18-May-16	2,018,624.01	533605	3,804.01	18-Aug-20	
2-Jul-21	2,100,000.00	1.6672%	TMB Snr FRN (Jul21) BBSW+1.37%	BBB	2,100,000.00	2-Jul-18	2,121,148.90	536787	8,632.90	2-Jul-20	
30-Aug-21	1,500,000.00	1.3950%	BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	BBB	1,500,000.00	30-Aug-18	1,509,661.85	536983	1,891.85	31-Aug-20	
28-Oct-22	2,400,000.00	1.0094%	TMB Snr FRN (Oct22) BBSW+0.90%	BBB	2,400,000.00	28-Oct-19	2,389,439.78	538616	4,247.78	28-Jul-20	

Waverley Council

Investment Holdings Report - June 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
2-Dec-22	3,000,000.00	0.9972%	BOz 'SRI' Snr FRN (Dec22) BBSW+0.90%	BBB	3,000,000.00	2-Dec-19	2,983,086.89	538825	2,376.89	2-Sep-20
25-Jan-23	1,250,000.00	1.1631%	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	1,250,000.00	25-Jan-18	1,257,976.59	536145	2,589.09	27-Jul-20
6-Feb-23	1,100,000.00	1.5054%	NPBS Snr FRN (Feb23) BBSW+1.40%	BBB	1,100,000.00	6-Feb-18	1,110,691.62	536174	2,540.62	6-Aug-20
21-Feb-23	1,700,000.00	0.9900%	CUA Snr FRN (Feb23) BBSW+0.90%	BBB	1,700,000.00	21-Feb-20	1,696,195.56	539454	1,890.49	21-Aug-20
30-Jul-24	2,500,000.00	0.8783%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,500,000.00	30-Jul-19	2,499,704.77	538331	3,729.77	30-Jul-20
24-Oct-24	1,000,000.00	1.2350%	CUA Snr FRN (Oct24) BBSW+1.12%	BBB	1,000,000.00	24-Oct-19	996,040.82	538604	2,300.82	24-Jul-20
24,800,000.00		1.2610%			24,800,000.00		24,873,815.41		50,561.34	

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	3,046,962.80	536638	20,655.74	3.0000%	
3,000,000.00					3,042,780.00		3,046,962.80		20,655.74	3.0000%	

Waverley Council**Accrued Interest Report - June 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		30	8,606.56	3.49%
Bonds Total								8,606.56	3.49%
<u>Floating Rate Note</u>									
ME Bank Snr FRN (Nov20) BBSW+1.25%	535919		2,250,000.00	09-Nov-17	09-Nov-20		30	2,489.55	1.35%
SUN Snr FRN (Apr21) BBSW+1.38%	533415		1,500,000.00	12-Apr-16	12-Apr-21		30	1,917.37	1.56%
ME Bank Snr FRN (Apr21) BBSW+1.27%	536513		2,500,000.00	17-Apr-18	16-Apr-21		30	2,897.26	1.41%
BoQ Snr FRN (May21) BBSW+1.48%	533605		2,000,000.00	18-May-16	18-May-21		30	2,593.64	1.58%
TMB Snr FRN (Jul21) BBSW+1.37%	536787		2,100,000.00	02-Jul-18	02-Jul-21		30	2,877.63	1.67%
BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	536983		1,500,000.00	30-Aug-18	30-Aug-21		30	1,719.86	1.39%
TMB Snr FRN (Oct22) BBSW+0.90%	538616		2,400,000.00	28-Oct-19	28-Oct-22		30	1,991.15	1.01%
BOz 'SRI' Snr FRN (Dec22) BBSW+0.90%	538825		3,000,000.00	02-Dec-19	02-Dec-22	11,109.57	30	2,497.65	1.01%
BEN Snr FRN (Jan23) BBSW+1.05%	536145		1,250,000.00	25-Jan-18	25-Jan-23		30	1,194.96	1.16%
NPBS Snr FRN (Feb23) BBSW+1.40%	536174		1,100,000.00	06-Feb-18	06-Feb-23		30	1,361.05	1.51%
CUA Snr FRN (Feb23) BBSW+0.90%	539454		1,700,000.00	21-Feb-20	21-Feb-23		30	1,383.28	.99%
SUN Snr FRN (Jul24) BBSW+0.78%	538331		2,500,000.00	30-Jul-19	30-Jul-24		30	1,804.73	.88%
CUA Snr FRN (Oct24) BBSW+1.12%	538604		1,000,000.00	24-Oct-19	24-Oct-24		30	1,015.07	1.24%
Floating Rate Note Total						11,109.57		25,743.20	1.26%
<u>Floating Rate Term Deposits</u>									
Commonwealth Bank of Australia	535380		3,000,000.00	10-Jun-16	10-Jun-21	12,450.25	30	3,254.67	1.32%
Westpac Group	535380	Green	3,000,000.00	10-Jun-16	10-Jun-21		30	2,272.44	.92%
Westpac Group	535241		2,500,000.00	16-May-17	16-May-22		30	2,461.23	1.20%
Floating Rate Term Deposits Total						12,450.25		7,988.34	1.14%

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

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
<u>Managed Funds</u>									
Short Term Income Fund	411310	Builder Deposits	2,169,371.87	01-Dec-15			30	4,609.62	2.62%
Cash Fund	505262		2,204,509.68	30-Jul-15			30	1,311.79	.73%
Managed Funds Total								5,921.41	1.66%
<u>Term Deposits</u>									
Auswide Bank	537959		2,000,000.00	20-May-19	02-Jun-20	50,879.45	1	134.24	2.45%
ME Bank	539424		2,000,000.00	04-Feb-20	09-Jun-20	11,046.58	8	701.37	1.60%
Westpac Group	538045	Green	3,000,000.00	17-Jun-19	16-Jun-20	14,510.14	15	2,391.78	1.94%
Auswide Bank	538062		2,000,000.00	20-Jun-19	16-Jun-20	42,646.58	15	1,767.13	2.15%
ME Bank	539463		2,000,000.00	18-Feb-20	23-Jun-20	11,046.58	22	1,928.77	1.60%
ME Bank	539425		3,000,000.00	04-Feb-20	30-Jun-20	19,331.51	29	3,813.70	1.60%
ME Bank	539479		1,500,000.00	21-Feb-20	07-Jul-20		30	1,972.60	1.60%
ME Bank	539426		3,000,000.00	04-Feb-20	14-Jul-20		30	3,945.20	1.60%
ME Bank	539464		2,000,000.00	18-Feb-20	21-Jul-20		30	2,630.14	1.60%
Credit Union Australia	538895		3,000,000.00	10-Dec-19	28-Jul-20		30	4,068.49	1.65%
ME Bank	538387		5,000,000.00	13-Aug-19	11-Aug-20		30	6,986.30	1.70%
ME Bank	538407		3,000,000.00	21-Aug-19	25-Aug-20		30	4,191.78	1.70%
Westpac Group	538408	Green	4,000,000.00	22-Aug-19	26-Aug-20		30	5,194.52	1.58%
Westpac Group	538521	Green	3,000,000.00	11-Sep-19	08-Sep-20	12,627.95	30	4,117.82	1.67%
ME Bank	539480		1,500,000.00	21-Feb-20	15-Sep-20		30	1,972.60	1.60%
Rural Bank	539946		3,000,000.00	23-Jun-20	15-Sep-20		8	558.90	.85%
Westpac Group	538526	Green	5,000,000.00	12-Sep-19	22-Sep-20	21,172.60	30	6,904.10	1.68%
Rural Bank	539947		3,000,000.00	23-Jun-20	29-Sep-20		8	558.90	.85%

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

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
ME Bank	538533		3,000,000.00	17-Sep-19	30-Sep-20		30	4,684.93	1.90%
Rural Bank	537252		3,000,000.00	22-Oct-18	27-Oct-20		30	7,397.26	3.00%
Auswide Bank	539805		2,000,000.00	19-May-20	03-Nov-20		30	2,547.94	1.55%
Westpac Group	538671	Green	4,000,000.00	14-Nov-19	10-Nov-20		30	4,997.26	1.52%
Credit Union Australia	538736		3,000,000.00	19-Nov-19	17-Nov-20		30	4,019.18	1.63%
Credit Union Australia	538819		2,000,000.00	26-Nov-19	24-Nov-20		30	2,679.45	1.63%
Suncorp Bank	539595		3,000,000.00	25-Mar-20	01-Dec-20		30	3,945.20	1.60%
Auswide Bank	539835		1,000,000.00	26-May-20	08-Dec-20		30	1,068.49	1.30%
Credit Union Australia	537426		2,000,000.00	18-Dec-18	15-Dec-20		30	4,849.31	2.95%
Auswide Bank	539868		2,000,000.00	02-Jun-20	12-Jan-21		29	1,986.30	1.25%
Auswide Bank	539456		3,000,000.00	13-Feb-20	25-Jan-21		30	4,068.49	1.65%
Newcastle Permanent Building Society	537536		2,500,000.00	11-Feb-19	09-Feb-21		30	6,061.65	2.95%
Credit Union Australia	537565		2,000,000.00	26-Feb-19	23-Feb-21		30	4,767.13	2.90%
MyState Bank	539571		3,000,000.00	13-Mar-20	09-Mar-21		30	3,821.92	1.55%
Suncorp Bank	539581		3,000,000.00	17-Mar-20	16-Mar-21		30	4,241.10	1.72%
Suncorp Bank	539589		6,000,000.00	19-Mar-20	23-Mar-21		30	7,890.41	1.60%
Westpac Group	536715		6,000,000.00	06-Jun-18	08-Jun-21	49,191.78	30	15,534.24	3.15%
Westpac Group	539953	Green	3,000,000.00	24-Jun-20	22-Jun-21		7	500.55	.87%
Bank of Queensland	538366		2,000,000.00	06-Aug-19	03-Aug-21		30	3,123.28	1.90%
Newcastle Permanent Building Society	537651		2,500,000.00	25-Mar-19	21-Sep-21		30	5,753.42	2.80%
Newcastle Permanent Building Society	537553		3,000,000.00	19-Feb-19	08-Feb-22		30	7,520.55	3.05%
Auswide Bank	539531		2,000,000.00	05-Mar-20	08-Mar-22		30	2,794.52	1.70%
Term Deposits Total						232,453.17		158,090.92	1.91%

Waverley Council

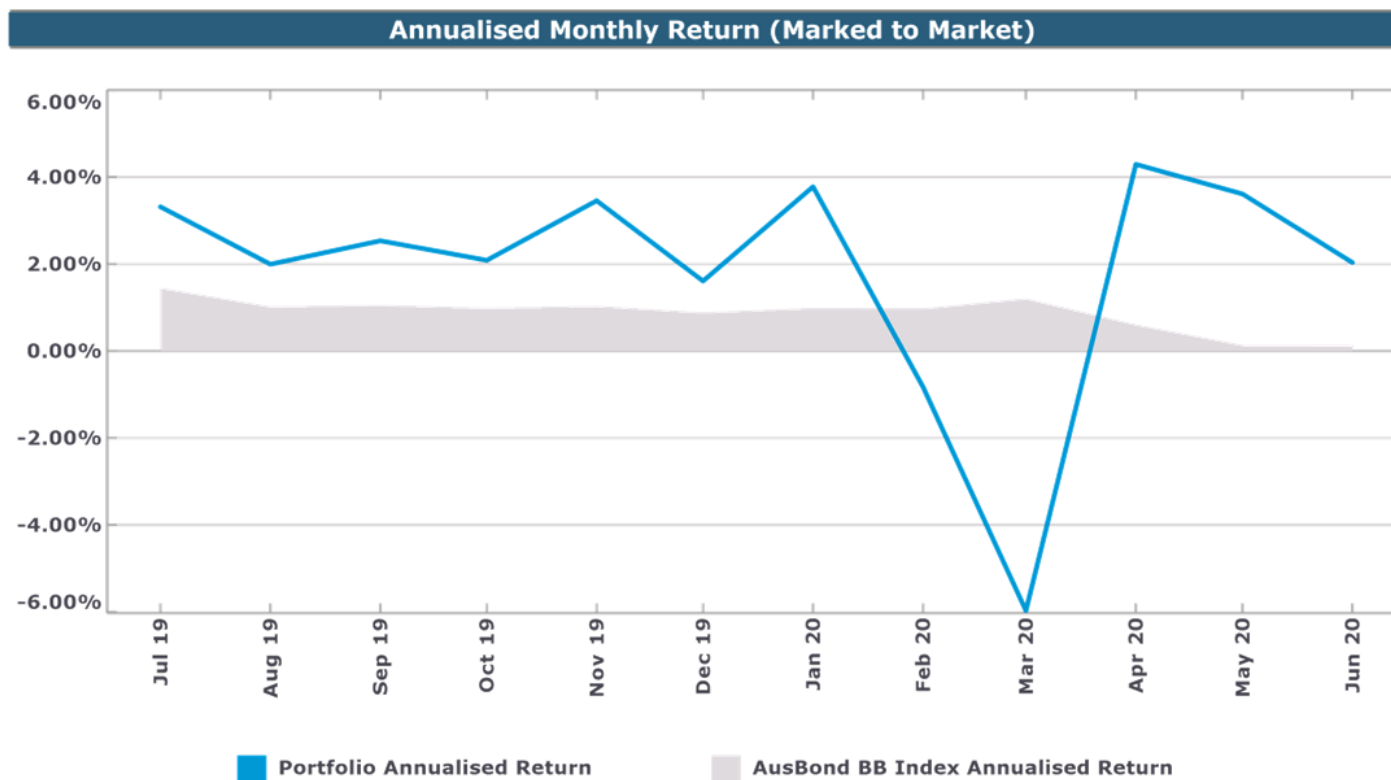
Accrued Interest Report - June 2020

**Accrued Interest Report**

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
						256,012.99		206,350.43	<u>1.78%</u>

Waverley Council

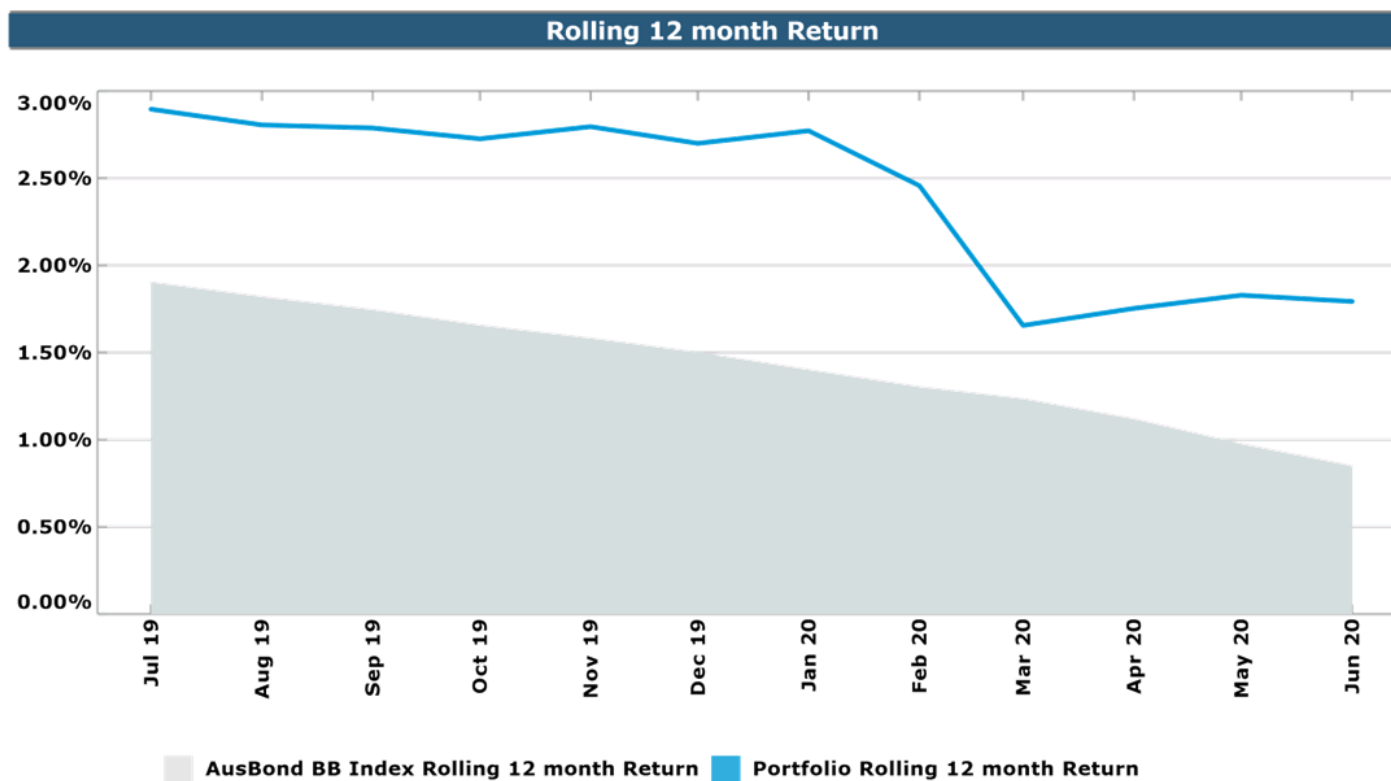
Investment Performance Report - June 2020

**Historical Performance Summary**

	Portfolio	AusBond BB Index	Outperformance
Jun 2020	2.03%	0.09%	1.94%
Last 3 Months	3.31%	0.26%	3.05%
Last 6 Months	1.08%	0.64%	0.44%
Financial Year to Date	1.79%	0.85%	0.94%
Last 12 months	1.79%	0.85%	0.94%

Waverley Council

Investment Performance Report - June 2020

**Historical Performance Summary (actual)**

	Portfolio	AusBond BB Index	Outperformance
Jun 2020	0.17%	0.01%	0.16%
Last 3 Months	0.82%	0.06%	0.76%
Last 6 Months	0.54%	0.32%	0.22%
Financial Year to Date	1.79%	0.85%	0.94%
Last 12 months	1.79%	0.85%	0.94%

Waverley Council

Environmental Commitments Report - June 2020

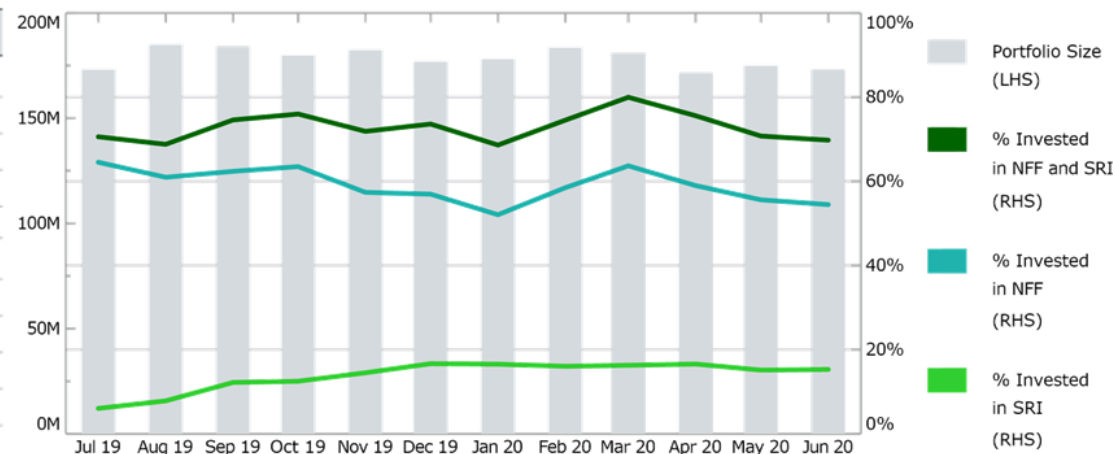


Current Breakdown

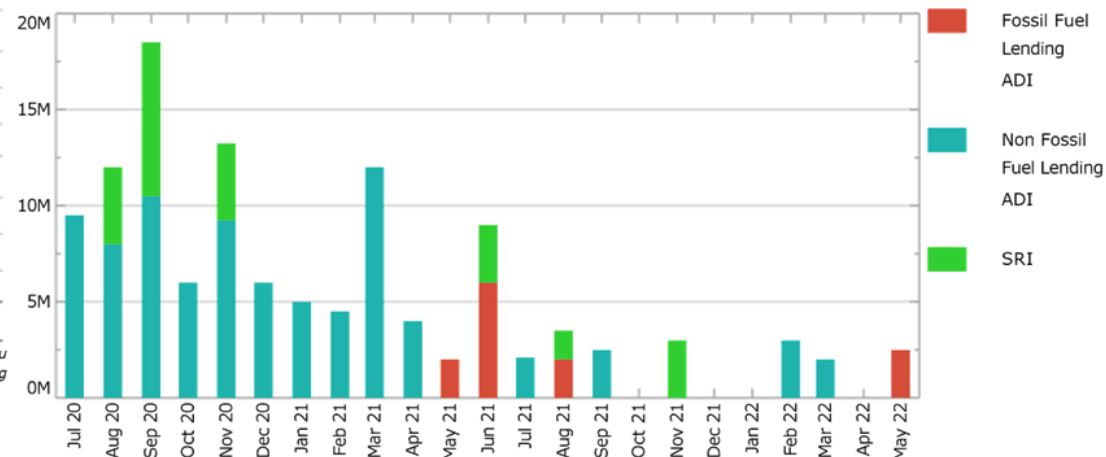
ADI Lending Status *	Current Month (\$)	Previous Month (\$)
Fossil Fuel Lending ADIs		
Bank of Queensland	4,000,000	4,000,000
Commonwealth Bank of Australia	25,643,826	24,573,471
Westpac Group	8,500,000	8,500,000
	38,143,826 22.0%	37,073,471 21.2%
Non Fossil Fuel Lending ADIs		
Auswide Bank	10,000,000	12,000,000
Bendigo and Adelaide Bank	10,250,000	4,250,000
Credit Union Australia	14,700,000	14,700,000
Members Equity Bank	23,750,000	30,750,000
MyState Bank	3,000,000	3,000,000
Newcastle Permanent Building Society	9,100,000	9,100,000
Suncorp Bank	19,000,000	19,000,000
Teachers Mutual Bank	4,500,000	4,500,000
	94,300,000 54.5%	97,300,000 55.6%
Other		
NSW T-Corp (Cash)	4,373,882	4,367,960
NSW T-Corp (LT)	9,794,761	9,750,129
	14,168,643 8.2%	14,118,089 8.1%
Socially Responsible Investments		
Bank Australia (Sustainability)	4,500,000	4,500,000
Westpac Group (Green TD)	22,000,000	22,000,000
	26,500,000 15.3%	26,500,000 15.1%
	173,112,469	174,991,560

* 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

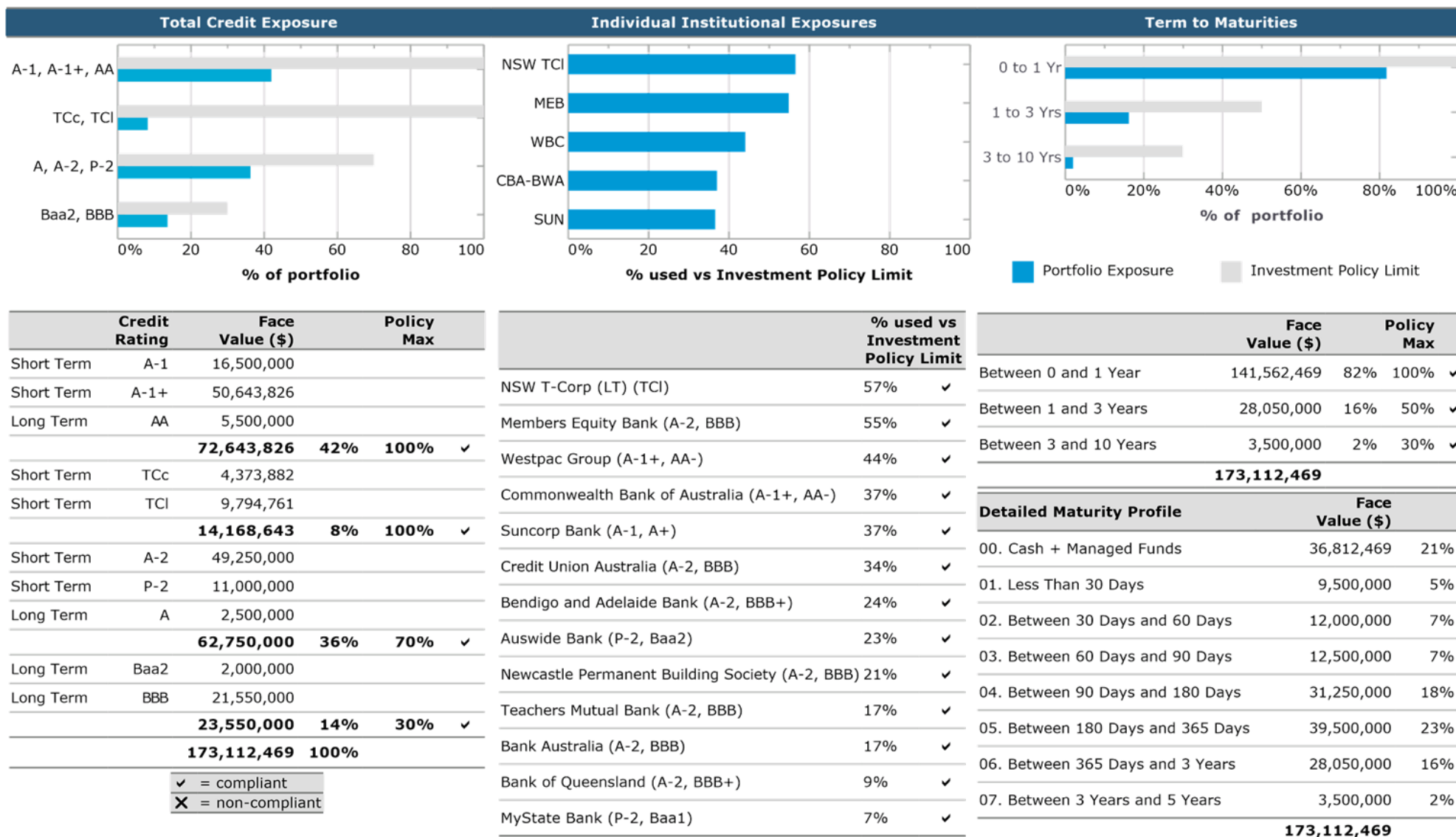


Upcoming maturities



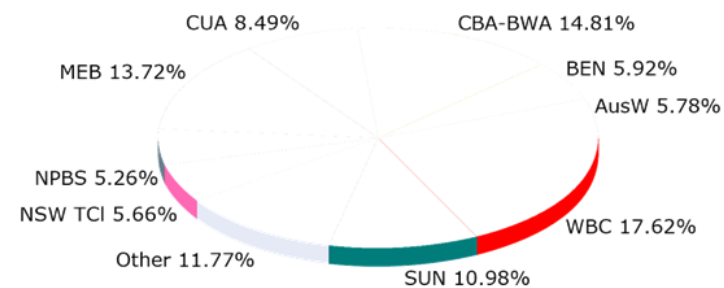
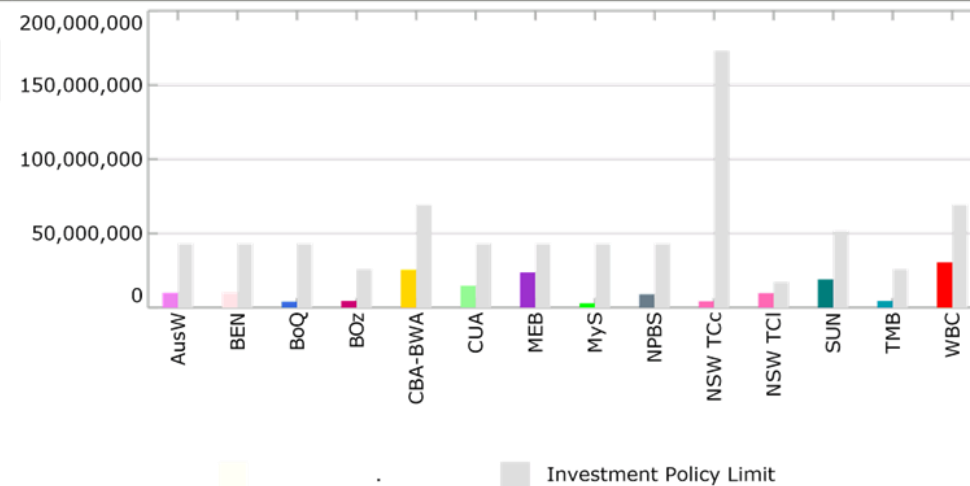
Waverley Council

Investment Policy Report - June 2020



Waverley Council**Individual Institutional Exposures Report - June 2020****Individual Institutional Exposures****Individual Institutional Exposure Charts**

Parent Group	Credit Rating	Portfolio Exposure (\$)	Investment Policy Limit (\$)
Auswide Bank	P-2, Baa2	10,000,000	43,278,117
Bank Australia	A-2, BBB	4,500,000	25,966,870
Bank of Queensland	A-2, BBB+	4,000,000	43,278,117
Bendigo and Adelaide Bank	A-2, BBB+	10,250,000	43,278,117
Commonwealth Bank of Australia	A-1+, AA-	25,643,826	69,244,987
Credit Union Australia	A-2, BBB	14,700,000	43,278,117
Members Equity Bank	A-2, BBB	23,750,000	43,278,117
MyState Bank	P-2, Baa1	3,000,000	43,278,117
Newcastle Permanent Building Society	A-2, BBB	9,100,000	43,278,117
NSW T-Corp (Cash)	TCc	4,373,882	173,112,469
NSW T-Corp (LT)	TCI	9,794,761	17,311,247
Suncorp Bank	A-1, A+	19,000,000	51,933,741
Teachers Mutual Bank	A-2, BBB	4,500,000	25,966,870
Westpac Group	A-1+, AA-	30,500,000	69,244,987
		173,112,469	



Waverley Council

Cashflows Report - June 2020



Current Month Cashflows

Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
2-Jun-20	537959	Auswide Bank	Term Deposits	Maturity Face Value - Received	2,000,000.00
		Auswide Bank	Term Deposits	Interest - Received	50,879.45
		Deal Total			2,050,879.45
	538825	Bank Australia	Floating Rate Note	Coupon - Received	11,109.57
		Deal Total			11,109.57
		539868	Auswide Bank	Term Deposits	Settlement Face Value - Paid
Deal Total			-2,000,000.00		
Day Total				61,989.02	
9-Jun-20	536715	Westpac Group	Term Deposits	Interest - Received	49,191.78
		Deal Total			49,191.78
		539424	ME Bank	Term Deposits	Maturity Face Value - Received
ME Bank	Term Deposits		Interest - Received	11,046.58	
Deal Total			2,011,046.58		
Day Total				2,060,238.36	
10-Jun-20	535380	Commonwealth Bank of Australia	Floating Rate Term Deposits	Interest - Received	12,450.25
		Deal Total			12,450.25
		Day Total			
11-Jun-20	538521	Westpac Group	Term Deposits	Interest - Received	12,627.95
		Deal Total			12,627.95
		Day Total			
12-Jun-20	538526	Westpac Group	Term Deposits	Interest - Received	21,172.60
		Deal Total			21,172.60
		Day Total			
16-Jun-20	538045	Westpac Group	Term Deposits	Maturity Face Value - Received	3,000,000.00
		Westpac Group	Term Deposits	Interest - Received	14,510.14

Waverley Council
Cashflows Report - June 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>3,014,510.14</u>
	538062	Auswide Bank	Term Deposits	Maturity Face Value - Received	2,000,000.00
		Auswide Bank	Term Deposits	Interest - Received	42,646.58
<u>Deal Total</u>					<u>2,042,646.58</u>
Day Total					5,057,156.71
23-Jun-20	539463	ME Bank	Term Deposits	Maturity Face Value - Received	2,000,000.00
		ME Bank	Term Deposits	Interest - Received	11,046.58
<u>Deal Total</u>					<u>2,011,046.58</u>
	539946	Rural Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
<u>Deal Total</u>					<u>-3,000,000.00</u>
	539947	Rural Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
<u>Deal Total</u>					<u>-3,000,000.00</u>
Day Total					-3,988,953.42
24-Jun-20	539953	Westpac Group	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
<u>Deal Total</u>					<u>-3,000,000.00</u>
Day Total					-3,000,000.00
30-Jun-20	539425	ME Bank	Term Deposits	Maturity Face Value - Received	3,000,000.00
		ME Bank	Term Deposits	Interest - Received	19,331.51
<u>Deal Total</u>					<u>3,019,331.51</u>
Day Total					3,019,331.51
Net Cash Movement for Period					3,256,012.96

Next Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>
2-Jul-20	536787	Teachers Mutual Bank	Floating Rate Note	Coupon - Received	8,728.82

Waverley Council

Cashflows Report - June 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>8,728.82</u>
Day Total					8,728.82
7-Jul-20	539479	ME Bank	Term Deposit	Maturity Face Value - Received	1,500,000.00
		ME Bank	Term Deposit	Interest - Received	9,008.22
<u>Deal Total</u>					<u>1,509,008.22</u>
Day Total					1,509,008.22
13-Jul-20	533415	Suncorp Bank	Floating Rate Note	Coupon - Received	5,752.11
<u>Deal Total</u>					<u>5,752.11</u>
Day Total					5,752.11
14-Jul-20	539426	ME Bank	Term Deposit	Maturity Face Value - Received	3,000,000.00
		ME Bank	Term Deposit	Interest - Received	21,172.60
<u>Deal Total</u>					<u>3,021,172.60</u>
Day Total					3,021,172.60
16-Jul-20	536513	ME Bank	Floating Rate Note	Coupon - Received	8,788.36
<u>Deal Total</u>					<u>8,788.36</u>
Day Total					8,788.36
21-Jul-20	539464	ME Bank	Term Deposit	Maturity Face Value - Received	2,000,000.00
		ME Bank	Term Deposit	Interest - Received	13,501.37
<u>Deal Total</u>					<u>2,013,501.37</u>
Day Total					2,013,501.37
24-Jul-20	538604	Credit Union Australia	Floating Rate Note	Coupon - Received	3,079.04
<u>Deal Total</u>					<u>3,079.04</u>
Day Total					3,079.04
27-Jul-20	536145	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	3,624.73
<u>Deal Total</u>					<u>3,624.73</u>
Day Total					3,624.73
28-Jul-20	538616	Teachers Mutual Bank	Floating Rate Note	Coupon - Received	6,039.81
<u>Deal Total</u>					<u>6,039.81</u>
	538895	Credit Union Australia	Term Deposit	Maturity Face Value - Received	3,000,000.00
		Credit Union Australia	Term Deposit	Interest - Received	31,327.40
<u>Deal Total</u>					<u>3,031,327.40</u>
Day Total					3,037,367.20
30-Jul-20	538331	Suncorp Bank	Floating Rate Note	Coupon - Received	5,474.34
<u>Deal Total</u>					<u>5,474.34</u>

Waverley Council

Cashflows Report - June 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>
Day Total					5,474.34
Net Cash Movement for Period					9,616,496.79

REPORT
CM/7.5/20.07

Subject: **Coronavirus (COVID-19) - Business Support Package Review and Continuation**

TRIM No: A20/0258

Author: John Coudounaris, Manager, Economic Development

Director: Darren Smith, Chief Financial Officer

RECOMMENDATION:

That Council:

1. Notes the review of the short-term COVID-19 Business Support Package and measures that have been delivered from 1 March through to 30 June 2020.
2. Notes the continuation of the COVID-19 Business Support Package and amended measures over the medium-term from 1 July through to 30 September 2020.
3. Amends the \$0 (fee waiver) COVID-19 Small Business Support category in Council's Fees and Charges to add the following fee:
 - (a) Footpath dining fees.
4. Amends the \$0 (fee waiver) COVID-19 Small Business Support category in Council's Fees and Charges to remove the following fee:
 - (a) All fees for licence inspections.

1. Executive Summary

The impact of pandemic restrictions is broadly evident across Waverley's economy. Delivery of the COVID-19 Business Support Package provided both financial and non-financial measures to support local businesses and economic activity from 1 March to 30 June 2020. Over 1,140 customers have benefited from the support, either via direct request to Council or indirectly via fee waivers. A continuation of appropriate parts of the Business Support Package over the medium-term will offer ongoing relief to the local business community from 1 July to 30 September as pandemic restrictions are lifted and business activity begins to show signs of recovery. Support measures may also be required if restrictions are reimposed in response to outbreaks of COVID-19.

2. Introduction/Background

The COVID-19 pandemic restrictions have resulted in many challenges for Waverley's local economy. All levels of Government - Federal, State and Local, have worked to support businesses to enable a continuance of vital services to our communities where possible, and offered financial support to protect as many businesses and jobs as possible.

Waverley's COVID-19 Business Support Package was approved by Council as an immediate, short-term response to local businesses suffering from economic impacts of pandemic restrictions. The package included measures that were both financial and non-financial, offering support from 1 March 2020 through to 30 September 2020. A progress review was scheduled midway, by 30 June 2020. Staff have conducted a review and report on it here.

As pandemic related restrictions have eased, businesses have been reopening with appropriate measures and restrictions in place. However, business activity has not fully returned to pre-pandemic levels and further support is likely to be of use to businesses. In addition, a high level of concern and uncertainty remains in relation to outbreaks or a possible second wave of COVID-19 infections emerging. As such, this report examines and proposes the continuation of certain measures in the business support package from 1 July to 30 September.

A further review will be conducted prior to 30 September 2020 to determine the extent of any support required after 30 September 2020.

Waverley economy

The impact of pandemic restrictions is broadly evident across Waverley's economy. To provide context, there are approximately 35,000 business registered in the Local Government Area (LGA). A large proportion of these are small businesses, dominated by industries including retail and hospitality, healthcare and social assistance, professional, scientific and technical services and accommodation and food services.

The pattern of impact on Waverley is similar to other areas across Australia. Sydney's Eastern Suburbs remain one of the most badly affected areas in the Sydney region. Initial data indicates jobs with payroll numbers have decreased 8.4% from mid-March to 30 May (*Source: Australian Bureau of Statistics*) and of those affected, small businesses represent the majority. Further, Bondi residents have emerged within the top 5 most financially affected suburbs in Sydney with regards to income (*Source: Taylor Fry COVID-19 Financial Impact Index*).

Headline estimates - Waverley Council area

Impacts refer to June Quarter 2020 compared to 2018/19 4-quarter average

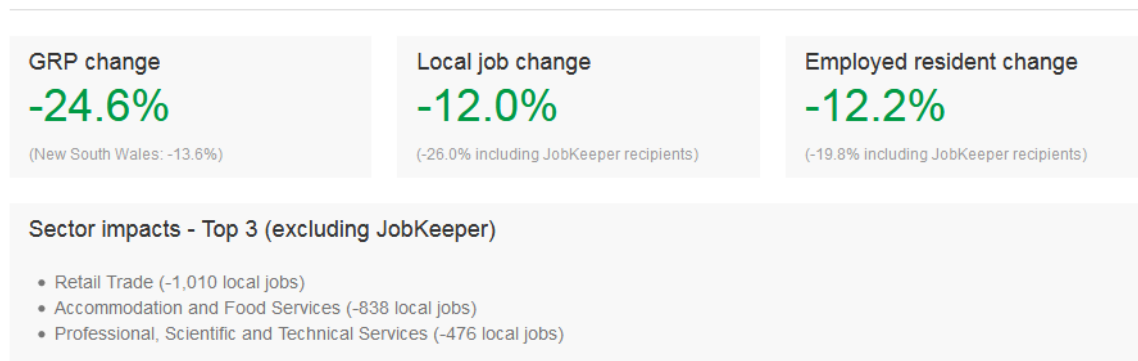
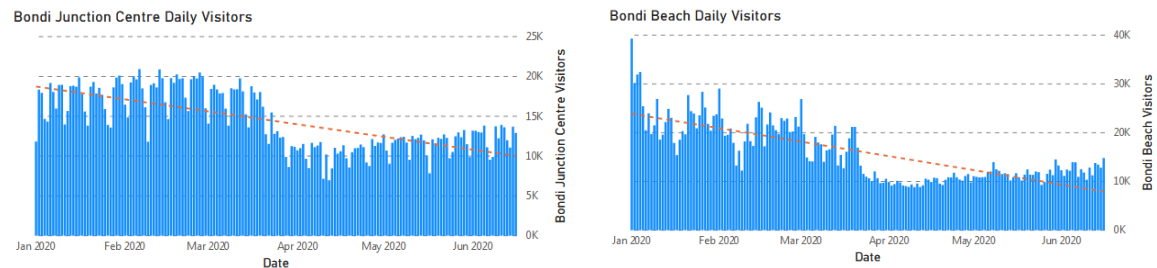


Figure 1. Headline estimates – Waverley (source: Economy ID, June 2020).

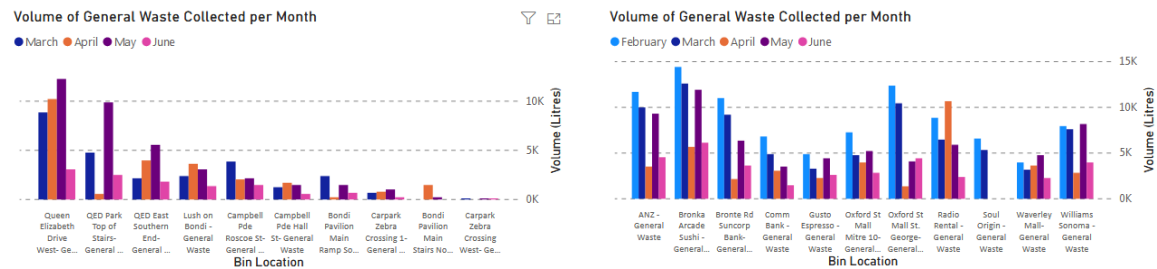
During the height of pandemic restrictions, Waverley's commercial centres experienced a sudden decline in activity. This was evident through various data sources in relation to jobs, retail occupancy, pedestrian foot traffic, vehicular movement and volume of waste generated in public bins.

Activity in Waverley's commercial centres has declined from 1 March to 30 June 2020. The activity has been measured (and outlined in the graphs below) through a mix of activity including, pedestrian foot traffic, volume of waste in public bins and vehicular movements from Council owned car parks. This information is primarily reflective of Bondi Junction and Bondi Beach, however similar patterns have been observed in other commercial areas.

Pedestrian Foot Traffic



Waste Volume



Vehicular Movements

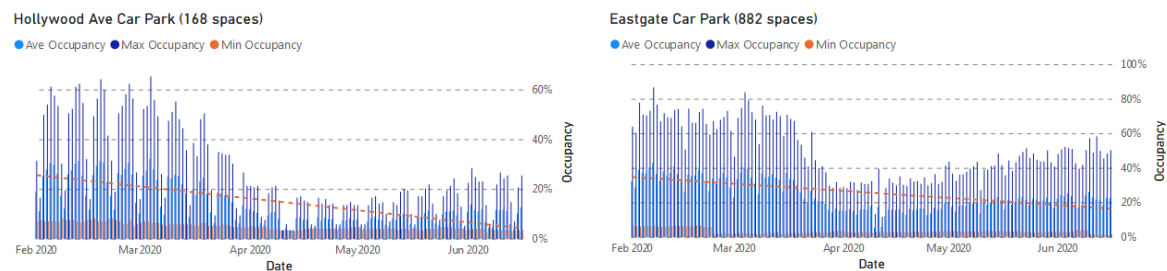


Figure 2. Pedestrian foot traffic, waste volume and vehicular movements.

An annual occupancy audit across Waverley's commercial centres is conducted each February and August to measure the occupancy of all ground floor retail premises. A sample survey was conducted in June to gauge the extent of change. Occupancy has collectively decreased to a moderate extent, yet it remains uncertain if this trend will continue or reverse in the months ahead.

Table 1. Waverley occupancy audit (source: Waverley Council).

Location	August 2019 %	February 2020 %	June 2020 %
Charing Cross, Waverley	89.6	88	86
Oxford St Mall, Bondi Junction	89.2	90	86
Bondi Rd, Bondi	94.1	94.7	97

The progress of Waverley's economic recovery will be measured at various intervals throughout the months ahead re-evaluating the above-mentioned data sources. Any recovery efforts would focus on supporting Waverley's core industries and more broadly the small business community.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 5 May 2020	CM/7.1/20.05(1)	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes that, as a result of the <i>Local Government (General) Amendment (COVID-19) Regulation 2020</i> ('Regulation'), Council is not required to publicly exhibit a proposed category in its Fees and Charges that waives or reduces fees if the category relates to a response to the COVID-19 pandemic. 2. Notes that Council has recently resolved to exhibit a COVID-19 Small Business Support category. 3. Does not exhibit the COVID-19 Small Business Support category. 4. Introduces the \$0 (fee waiver) COVID-19 Small Business Support category into Council's Fees and Charges to apply to the following fees: <ol style="list-style-type: none"> (a) All fees for licence inspections. (b) Fitness permits fees. (c) Mobile vendor licence fees. 5. Adopts the following criteria for the COVID-19 Small Business Support category: <ol style="list-style-type: none"> (a) Recipients must be small businesses (according to the ATO definition) or registered not-for-profit organisations. (b) The Business Support Package is in effect.
Extraordinary Council 7 April 2020	CM/4.2/20.04E2	<p>EXTRACT</p> <p>That Council:</p> <ol style="list-style-type: none"> 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 <i>Local Government Act 1993</i>, publicly exhibits for 28 days: <ol style="list-style-type: none"> (a) The introduction of a \$0 (fee waiver) COVID-19 Small Business Support category in Council's

		<p>Fees and Charges to apply to the following fees:</p> <ul style="list-style-type: none"> (i) All fees for licence inspections. (ii) Fitness permits fees. (iii) Mobile vendor licence fees. <p>(b) The following criteria for the COVID-19 Small Business Support category:</p> <ul style="list-style-type: none"> (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. <p>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.</p> <p>5. Authorises the operation of the Business Support Package until 30 September 2020 or until such earlier time as determined by Council.</p> <p>6. Notes that Table 2 of the report contains a summary of the Business Support Package as follows:</p> <p>...</p>
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4. Discussion

Council has implemented a range of financial and non-financial measures to support the local business community, specifically small businesses. The COVID-19 Business Support Package has included fee waivers and billing cessation for services that cannot be used, flexible billing and extended credit terms, and contract and service reductions. Alongside this, a buy-local campaign has been introduced in conjunction with the Chamber of Commerce and Council has also provided measures such as accelerated payment and rent relief for relevant suppliers and tenants. Customer service and support mechanisms have been established to deliver the Council's package and help steer businesses toward NSW and Commonwealth Government assistance. The measures Council introduced were based on consultation with the Chamber of Commerce, and were realistic when assessing that many businesses were unable to use or pay for several the services Council provides to businesses. It was considered that in the circumstances, billing and collection action by Council was unlikely to be helpful or effective.

Council also turned off parking meters and eased parking enforcement for a period of time until it was apparent that such measures were no longer supporting businesses.

A summary of assistance provided is set out below:

Short-term (0–3 months) – 1 March to 30 June 2020

The short-term phase of the COVID-19 Business Support Package provided both financial and non-financial measures. Over 1140 customers have benefited from the support either via direct request to Council or indirectly via fee waivers.

A summary of the support granted during this short-term period is outlined at follows:

Table 2. Short-term support and revenue foregone.

Category	No. of customers	Revenue Foregone \$
Outdoor seating	146	273,961
Rent relief (exclude park facilities)	34	306,624
Reduced Commercial Waste services	85	168,224
Cancelled Commercial Waste services	39	48,589
Reduced Garbage Recycle Waste services	206	321,427
Other fee waived for venue hires and public health licence	144	49,919
Parking fines (Estimate based on same period last year)	10,415	1,326,316
Parking meters	-	1,800,990
Parking stations	-	377,579
Affordable housing	5	44,746
Credit extension applied	252	
Suppliers access early payment scheme	224	
Community facilities rental relief	10	
Total	11,560	4,718,376

Outlined in the table below is a review of the COVID-19 Business Support Package and other measures to 30 June 2020.

Table 3. Short-term package review

Measure	Revenue of Council	Review	Responsible Team
Financial			
Licence inspections	< 1% of revenue	Fee waivers were applied to health, hygiene, licensing and fire safety inspections while still carried out.	Compliance
Fitness permits	< 1% of revenue	Fee waivers were applied to outdoor fitness permits	Events
Mobile vending	< 1% of revenue	Fee waivers were applied to mobile vendor permits	Property & Facilities
Footpath seating	-	Fees suspended as businesses were unable to trade on the footpath.	Property & Facilities

Markets	-	Fees suspended as markets were suspended.	Property & Facilities
Community tenants	-	Community tenants that had ceased operating had their rent suspended. NB Randwick community transport continuing to operate essential service.	Property & Facilities
Commercial, retail and stratum (small business)	-	Rent was suspended for small businesses on case by case basis.	Property & Facilities
Pavilion tenants	-	No support offered as building closed on 4 May; Except for one tenant assisted as they were unable to trade as a result of beach closure.	Property & Facilities
Residential leases	-	Support granted on a case-by-case basis.	Property & Facilities
External hirers of community venues	-	All hirers have ceased operation and no fees are payable.	Property & Facilities
Licensed sporting groups	-	Fees suspended to sporting clubs under a license, due to closure of sporting facilities	Property & Facilities
On-street parking	15% of revenue	On-street parking in commercial centres focused on infringements where community safety access is a risk.	Compliance
Commercial waste	2% of revenue	Commercial waste fees and charges have been adjusted to reflect level of service or granted extended credit terms.	Waste & Cleaning
Council suppliers	Reduces councils cash holdings	Council has been paying small business suppliers promptly within 15 days payment terms.	Finance
Credit extensions	32% of revenue	Extended credit on certain fees and charges granted to small businesses with a suspension of interest charges.	Finance
Hardship policy	Reduces Council's cash holdings	Financial hardship policy granted applicants with varying forms of assistance on case by case basis.	Finance
Non-financial			
Take-away trade	N/A	Relaxed conditions of consent for restaurants to enable trade as takeaway-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 Govt. 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	The free online directory has to date enabled over 200 local businesses to register, list and promote their revised business offerings during restrictions. Over 5,500 people visited the website in 10 weeks.	Economic Development and Chamber of Commerce
Procurement	N/A	Council procurement from local suppliers if consistent with statutory procurement regulations and prescribed delegations.	Procurement
Business Response Support Group and issues register.	N/A	Local businesses have had the opportunity to contact Council via dedicated business email. Between March and June 2020, approximately 110 different enquires were received. They related to existing permit obligations, fees, referral to other government agencies, grants, rental assistance and legal advice and financial hardship opportunities.	Economic Development and Chamber of Commerce

Medium-term (3–6 months) – 1 July to 30 September 2020

It is proposed that the COVID-19 Business Support Package will continue being delivered over the medium term from 1 July to 30 September. The package will continue offering both financial and non-financial measures to hundreds of small businesses across Waverley, carrying over most measures from the short-term package, subject to some exclusions. These exclusions include the recommencing of fees and charges for parking (on street and Council car parks), licenced inspections (health, hygiene, fire safety etc), external hirers of community venues and commercial, retail and strata. The exclusion of these measures from the package moving forward, reflect an increased activity observed in recent weeks across all of Waverley's commercial centres and noted earlier in this report.

Many local businesses have slowly recommenced trading as restrictions have been lifted, however some restrictions remain. Numerous hospitality and retail-based businesses have been limited in the volume of people permitted in premises at any time, presenting new challenges in reaching full trade. Customers have been observed queuing in front of various stores to gain entry across Bondi Junction, Bondi Rd and Bondi Beach. As social distancing measures are expected to remain for the foreseeable future, ongoing support to small businesses highly impacted is considered necessary at this early stage of recovery. As such, the medium-term package will support recovery efforts of Waverley's key industries that suffered significantly during lockdowns including retail, health and well-being.

One issue that needs to be addressed is the provision for fee waivers for footpath dining as hospitality businesses begin to trade again. Footpath dining is desirable as it allow hospitality businesses more room to spread clientele and places people in a lower risk outdoor environment. Initially, footpath dining fees were not charged as restrictions introduced under public health orders meant that the service could not be provided. However, businesses have begun to utilise footpath dining areas again, and it is desirable to be able to provide support to business recovery by not charging fees over the period to 30 September 2020. A recommendation to introduce the appropriate \$0 fee category into Council's fees and charges has been set out above.

Long-term (6+ months) – 1 October 2020 onwards

A degree of uncertainty remains in relation to the scaling back of pandemic restrictions and a resurgence of COVID-19 cases. Longer-term solutions are currently being considered, and will be outlined in a subsequent report to Council. At this stage it is proposed that current fee waiver and other support measures will conclude on 30 September 2020, however this will be reviewed and reported to Council as appropriate.

As part of the State mandated local response and recovery arrangements, Council staff are working with Police, Health and Woollahra Council representatives on recovery planning. This work is at its early stages and may be used to inform NSW Government planning and recovery arrangements. Any matters requiring Council sign off will be reported as the work takes shape.

5. Financial impact statement/Time frame/Consultation**Financial**

The continuation of the COVID-19 Business Support Package from 1 July to 30 September 2020 is estimated to cost Council approximately \$0.5 million per month. The final figure will depend on the level of uptake.

Time frame

Current measures are proposed to be kept in place until 30 September 2020. Staff will report on proposed longer-term measures, if any, in the September/October timeframe. Any longer-term measures will depend on the extent of the economic recovery, the perceived utility of continued Council support, financial impact and related support available from the NSW and Commonwealth Governments.

Consultation

A continuation of the COVID-19 Business Support Package was discussed with the Bondi and Districts Chamber of Commerce. It was agreed that ongoing support would be best continued for industries most affected including retail and food as well as the overall health and well-being of the local community.

6. Conclusion

The local business community remains economically impacted by the pandemic and related restrictions. The short-term business support package has provided some immediate relief alongside the NSW and Commonwealth Government support packages and addressed some of the immediate needs of businesses who requested help from Council.

At this stage it is proposed that support measures continue as initially provided for through to 30 September 2020. A further amendment to Council's fees and charges is recommended to provide for continued fee relief in relation to Footpath Dining.

7. Attachments

Nil.

**REPORT
CM/7.6/20.07**

Subject: Community Services and Cultural Grants 2020-21 and Small Grants Allocation

TRIM No: A20/0375

Author: Leisa Simmons, Manager, Housing Programs and Community Support

Director: Dan Joannides, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Under the Community Services and Cultural Grants Program 2020–21, grants \$314,727 to the organisations set out in the attachment to this report for the amounts listed.
2. Conducts an expression of interest process under its Community Services and Cultural Grants Program seeking small project proposals that can provide improved access to mainstream activities for people with disability sustained over a period of at least three years, with funding of up to \$20,500 to be allocated.
3. Under its Small Grants Program, grants \$5,000 to the North Bondi Surf Club to celebrate the 40th anniversary of the admission of women to full membership of Surf Lifesaving Australia, contingent on the approval by Council's Events Team of a detailed event/activity management plan, including an approved date, site, scale and provisions for meeting the requirements of any NSW public health orders likely to be in place at the time.

1. Executive Summary

In response to an invitation issued to nominated organisations in May, Council has received 13 applications for grants under its Community Services and Cultural Grants Program from local community managed not-for-profits delivering services that address the needs of families and young people, tenants, people sleeping rough, and people who may be isolated as a result of frailty, disability or other social disadvantage. The proposals received are summarized in Attachment 1 together with information from each organisation's 2019–20 acquittal. Officers recommend that Council approves grants to the organisations and in the amounts listed in Attachment 1 to a total value of \$314,727 for 2020–21.

An amount of \$20,500 was included in the 2020–21 budget for an Expression of Interest process. Officers propose that the EOI is conducted for small projects (of around \$5,000 each) that improve access to mainstream activities for people with disability that can be sustained over a period of at least three years. This proposal would contribute to the targets set out in Council's Disability Inclusion Action Plan (DIAP) 2017-21, which recognises that inclusive communities benefit everyone.

At its meeting of 19 May 2020, Council resolved that due to the disruption caused by the coronavirus shutdown, officers should provide unsuccessful applicants to its Small Grants Program (Round 2, 2019–20) with the opportunity to resubmit their applications. The final applicant who expressed an interest in re-submitting has supplied additional information to enable re-assessment. With consideration for the

significance to many local women of the 40th anniversary of the admission of women to full membership of Surf Lifesaving Australia, officers recommend that Council endorses a grant of \$5,000 to the Club for a community celebration of the Anniversary, contingent on the approval by Council's Events Team of a detailed event/activity management plan including an approved date, site, scale and provisions for meeting the requirements of NSW public health orders that may be in place at the time.

2. Introduction/Background

Community Services and Cultural Grants Proposals for 2020–21

Council's Community Services and Cultural Grants Program aims to provide targeted, sustained support to organisations providing identified social, cultural and recreational benefits to Waverley's community that align with Waverley's Community Strategic Plan, and complement the services provided directly by Council. The Community Grants Policy endorsed by Council at its March 2020 meeting requires that officers invite nominated organisations to apply once annually, and conduct an EOI process when funds are available.

Nominated organisations are community managed not-for-profit associations that deliver core community services in Waverley (WAYS Youth and Family, Wayside Chapel, Bondi Beach Cottage, Randwick Waverley Community Transport, etc), participatory cultural activities (Waverley Randwick Philharmonic Society, Bondi Beach Band) and one of Waverley's iconic events (Festival of the Winds).

Officers issued an invitation to nominated organisations in May 2020 to submit funding proposals for the 2020–21 financial year. Proposals were received from all 13 organisations delivering services that address the needs of families and young people, tenants, people sleeping rough, and people who may be isolated as a result of frailty, disability or other social disadvantage. The proposals received are summarized in Attachment 1 together with information from each organisation's 2019–20 acquittal.

Small Grants resubmission

At its meeting of 19 May 2020, Council resolved, that due to the disruption caused by the coronavirus shutdown, officers should provide unsuccessful applicants to its Small Grants Program (Round 2, 2019–20) with the opportunity to resubmit their applications. The final applicant who expressed an interest in re-submitting has supplied additional information to enable re-assessment that is documented in this report.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 May 2020	CM/7.5/20.05(2)	<p>That Council:</p> <ol style="list-style-type: none"> Approves grants to the value of \$24,704 to individuals and organisations as set out in Table 1 of this Report, under its Community Services and Cultural Grants Program, to facilitate immediate support for activities relating to the coronavirus shutdown, with conditions where specified in Attachment 1 Approves grants to the value of \$57,510 to individuals and organisations as set out in Table 1 of this Report, under its Small Grants program (Round 2) 2019-20, with conditions where specified in Attachment 1 Given the disruptions caused by the COVID-19 virus and as per Council's grants policy, invites unsuccessful applicants who wish to do so, to submit an unsolicited application

		for funding within the next 10 days. This will allow the applications to undergo a proper assessment, with officer recommendations coming to the next Council meeting.
Council 17 March 2020	CM/7.4/20.03	That Council adopts the Community Grants Policy attached to this report.
Council 19 November 2019	CM/7.7/19.11	That Council: <ol style="list-style-type: none"> Publicly exhibits the Community Grants Policy attached to this report (Attachment 2). Adopts the Community Services and Cultural Programs Grants guidelines attached to this Report (Attachment 3). Notes that the Social Sustainability Strategy under development will provide further guidance for Council and Waverley's community on the type of projects/activities for which funding could be sought.
Council 16 July 2019	CM/7.10/19.07	That Council: <ol style="list-style-type: none"> Under the Community Grants Program 2019–20, grants \$333,673 to the organisations set out in Attachment 1 to this report for the activities and amounts listed. Adopts the following guidelines attached to this report: <ol style="list-style-type: none"> Small Grants – Community and Cultural Grants Guidelines (Attachment 3). Small Grants – Environmental Grants Guidelines (Attachment 4) Small Grants – Creative Streets Grants Guidelines (Attachment 5).

4. Discussion

Community services and cultural grants proposals for 2020–21

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

During the coronavirus shutdown, Council's Community Programs team has been able to draw upon these networks of specialist support to ensure the provision of appropriate services to Waverley's residents, including its most vulnerable. Although the outputs of all services were affected by the Shutdown, organisations responded creatively and in concert with Council to maintain contact with clients, deliver essential services and utilize technology to provide new service options.

Officers have analysed the proposals received and recommend that Council endorses grants to the organisations and in the amounts listed in Table 1 to a total value of \$314,727 for 2020–21. Due to the disruption to services caused by the coronavirus shutdown, no multi-year agreements are recommended for this year.

An amount of \$20,500 was included in the 2020–21 budget for an Expression of Interest process. Officers propose that the EOI is conducted for small projects (of around \$5,000 each) that improve access to mainstream activities for people with disability that can be sustained over a period of at least three years. Council has previously provided support through its Small Grants Program for a number of such projects that have achieved positive outcomes, including for example, Little Heroes Learn to Swim, and Bondi Nippers for children with autism.

It is anticipated that the provision of an opportunity for sustained funding would enable organisations to plan forward, work to overcome barriers, and to build on their achievements. This proposal would contribute to the targets set out in Council's Disability Inclusion Action Plan (DIAP) 2017–21, which recognises that inclusive communities benefit everyone.

Small Grants resubmission

The North Bondi Surf Lifesaving Club has re-submitted their Small Grant application for \$5,000 in funds to support the celebration of 40 years since women were admitted as full members to surf Lifesaving Australia on 1 July 1980. The Club has supplied additional information that has enabled re-assessment of its application.

The North Bondi Surf Lifesaving Club is a prominent local not-for-profit with membership of about 2,000 and an active volunteer base. The Club plans to work with Surf Lifesaving Australia to mark the 40th Anniversary of the admission of women to full membership by generating a community celebration of women's contribution over many years to the surf lifesaving movement, and to honour those local women who fought for recognition and won. Prior to the coronavirus shutdown, the Club planned a September luncheon at the Surf Club with 'after lunch' activities spilling out into the Park. The Club's original plan may need significant amendment to ensure that it complies with NSW public health orders likely to be in place in September.

On the basis of the significance of the anniversary for the many local women who are members of a surf club, officers recommend that Council approves a grant of \$5,000 to the Club for a community celebration of the anniversary, contingent on the approval by Council's Events Team of a detailed event/activity management plan including an approved date, site, scale and provisions for meeting the requirements of any NSW public health orders in place at the time.

5. Financial impact statement/Time frame/Consultation

Sufficient funds are available in the 2020–21 budget to cover the Community Services and Cultural Grants Program allocations recommended in this report.

The \$5,000 grant recommended for the North Bondi Surf Club can be drawn against funds allocated to the September round of Council's Small Grants Program. This will result in a reduction of funds available for distribution in that round.

The grants recommended in this report can be made available following Council's endorsement, provided that any conditions specified are met.

The recommendations contained in this report are made following consultation with specialist Community Development Officers, and the Cultural Programs and Events Teams.

6. Conclusion

Council's Community Services and Cultural Grants Program facilitates partnerships with other agencies that expand Council's capacity, and provide access to the community connections, resources and expertise of specialist service providers. Endorsement of the recommendations made in this report will enable maintenance of those constructive working relationships.

7. Attachments

1. List of grants proposed for 2020-21 [↓](#)

Attachment 1

Community Services and Cultural Grants Program: List of Grants Proposed for 2020/21

Grants proposed for 2020/21 under Council's community grants program will ensure the delivery of a range of services to the local community that meet outcomes described in Council's plans and support identified needs groups in Waverley. Funding also supports community based cultural organisations delivering participatory cultural activities. The amounts recommended are based on 2019/20 grants + CPI of 2.5%

Organisation	Programs and Activities Supported	2019-20	2020-21
Australian Kiteflyers Society	<p>The Australian Kiteflyers Society has about 30 members and relies on volunteer participation. Council's grant enables the Society to bring skilled kite flyers, designers and makers to showcase their works in the Festival of the Winds, held annually on the second Sunday in September in partnership with Council. The Society reports that 20 professional kite flyers participated in the 2019 Festival, and estimates that 70,000 people attended to watch the kites and join in kite related activities.</p> <p>Due to the Coronavirus shutdown, the Festival of the Winds will not be held in 2020. Instead, in partnership with Council's Cultural Programs Team, the Kiteflyers Society is planning to run a demonstration program on the beach that will be filmed. The program will include aerial and ground displays and interviews with kite flyers and makers. The program will not be advertised, but the film will be promoted widely, and will provide a record for posterity of the Festival of the Winds.</p> <p>In addition to a grant of \$11,250, the Society is seeking 'in kind support' including the provision of onsite parking and security. It is recommended that the total value of this 'in kind support' is contained at \$4,888.</p>	\$15,744	<p>Seeking \$11,250 + In kind support</p> <p>Recommended \$11,250 + In kind support to a maximum value of \$4,888</p>
Waverley Bondi Beach Band	<p>The Waverley Bondi Beach Band aims to provide a lifelong performance opportunity for players from school to mature aged, conducts the Australian School Band and Orchestra Festival, and performs at a number of significant local events including Carols by the Sea, Australia Day, and Anzac Day memorial services. The Band relies on volunteers, and Council's grant enables the group to fund its regular rehearsals.</p> <p>As part of its activity this year, the band produced a music video that brought its musicians together and shared their music in spite of the Coronavirus Shutdown.</p>	\$4,539	Seeking \$5,000

Organisation	Programs and Activities Supported	2019-20	2020-21
	The Band is seeking a small increase in its grant this year, to help overcome losses due to the cancellation of some of its regular activities as a result of the Shutdown.		Recommended \$4,652
Waverley Randwick Philharmonic Society	The Waverley Randwick Philharmonic Society aims to provide performance opportunities to classical musicians of all ages, and performance experience to young, 'up and coming' conductors and soloists. The Society reports that in 2019/20, 45 members contributed to 3 performances with a total attendance of more than 400, before the Coronavirus shutdown interrupted its performance schedule. The Society's summer 2019 concert raised funds for Barker College's Indigenous Education Sponsorships, and the Fight Duchenne Foundation. The Society relies on volunteers, and Council's grant enables the group to fund its regular rehearsals.	\$4,392	Seeking \$4,500 Recommended \$4,652
WAYS Youth and Family Services	WAYS is a regional provider of 'wrap around' youth services including WAYS Secondary High School for young people who have disengaged from school, Bondi Drop in Youth Space providing recreational activities and after school care, and WAYS Wellness Centre providing health, counselling and training services. In September 2019, with the support of the Chappell Foundation, WAYS commenced a new program supporting young people at risk of homelessness Council's Community Services grant contributes to service coordination, and the operation of the Youth Space. In 2019/20, WAYS provided service of some kind to many hundreds of young people, and reports that across all services, 70% of users were from the Waverley LGA. Young locals were also strongly represented on WAYS Youth Committee. Under Council's Community Tenancy Policy, WAYS also receives Council subsidies to support its operation from Council owned facilities at 63 Wairoa Avenue North Bondi, and Tiffany Plaza Bondi Junction.	\$79,782	Seeking \$82,601 Recommended \$81,777
Beaches Outreach Program (BOP)	The Beaches Outreach Program (BOP) delivers outreach services on Friday nights across Eastern suburbs beaches and open spaces, providing intervention and support to vulnerable young people who may be affected by alcohol or drugs, and ensuring they get home safely.	\$52,878	Seeking \$55,000

Organisation	Programs and Activities Supported	2019-20	2020-21
	Council's grant part funds the employment of BOP outreach workers who undertake the night time patrols. BOP reports providing service to 50 young people on average on each patrol in 2019/20 prior to the Coronavirus Shutdown, with 29% identified as Waverley residents. BOP also undertook follow up with a small number of young people with complex needs, and worked in partnership with a variety of agencies including WAYS, Caretakers Cottage, Headspace and the Waverley Police.		Recommended \$54,200
Bondi Beach Cottage (BBC)	<p>Bondi Beach Cottage provides support for women who are victims of domestic violence, and a mix of occasional child care and family support services including counselling, case work and case coordination. BBC also runs support groups targeting post natal depression, relationships, and parenting.</p> <p>Council's grant helps to support the employment of a generalist counsellor. BBC reports that in 2019/20 this position supported 59 clients, 75% of whom were Waverley residents.</p> <p>Under Council's Community Tenancy Policy, BBC also receives a subsidy to support its operation from the Council owned facility at 42 Brighton Boulevard Bondi.</p>	\$8,642	<p>Seeking \$10,000</p> <p>Recommended \$8,858</p>
Bondi Toy Library	<p>The Bondi Toy Library provides a toy lending service operating on a subscription basis. The service is open three mornings a week. Council's grant supports the employment of staff. The Toy Library reported increased membership of 140 in 2019/20, with Waverley residents making up 80% of members.</p> <p>The Toy Library has undertaken a number of new initiatives over the last 12 months, including: joining Toy Libraries Australia, achieving registered charitable status, updating its web site, engaging in outreach activities including a regular stall at Bondi Farmers Markets and participation in Council's opening of the refurbished Wally Weeks Wading Pool at North Bondi. The Library is also working with students from the University of Sydney's Occupational Therapists Course to develop a program to support families of children with special needs.</p> <p>Under Council's Community Tenancy Policy, the Toy Library also receives a subsidy to support its operation from the Council owned facility at the corner of Wairoa Ave and Brighton Boulevard North Bondi.</p>	\$22,695	<p>Seeking \$25,000</p> <p>Recommended \$23,262</p>

Organisation	Programs and Activities Supported	2019-20	2020-21
Bondi Beach Playgroups	<p>Bondi Beach Playgroups delivers playgroup activities at Wairoa Avenue, Francis Street (Thomas Hogan Reserve) and Kimberley Reserve, relying on the work of volunteers. Council's grant helps the group to maintain and update play facilities and equipment. Informal play activities and social interactions for parents and carers provide invaluable support in the early years.</p> <p>Under Council's Community Tenancy Policy, the Playgroups also receive a subsidy to support their operation from the Council owned facility at the corner of Wairoa Ave and Brighton Boulevard North Bondi.</p>	\$2,000	<p>Seeking \$3,000</p> <p>Recommended \$2,050</p>
Eastern Area Tenants Service Inc. (EATS)	<p>EATS provides a tenancy advice and support service, including web based information on tenants' rights and obligations, participates in Council's Homeless Coalition, supports the DV roster at Waverley Court, and provides representation for tenants at the NCAT tribunal.</p> <p>Council's grant supports the development of resources targeting local need, including web based resources, outreach and information seminars. In 2018/19, EATS undertook a significant overhaul of its web site partly funded through a Council Small Grant. EATS reports that it provided assistance for 469 Waverley renters in 2018/19, with a significant proportion have researched their situation through the web site prior to seeking assistance. This year, EATS proposes to establish a community worker portal on their new web site that will provide priority access to enhance the capacity of local community workers to support vulnerable clients.</p> <p>Under Council's Community Tenancy Policy, EATS also receives a rental subsidy to support its operation from the Council owned facility at 74 Newland Street Bondi Junction.</p>	\$19,191	<p>Seeking \$18,990</p> <p>Recommended \$19,671</p>
Junction Neighbourhood Centre Inc. (JNC)	<p>Waverley's local neighbourhood centre, Echo, amalgamated with the Junction Neighbourhood Centre in 2012. JNC operates a 'drop in' Centre in Bondi Junction and provides programs and services to a range of identified needs groups including people who are socially isolated and older people. Programs offered include one-on-one help with digital technology such as phones, a community gardening group, English conversation groups, and various craft groups. JNC has also established partnerships with other agencies that deliver outreach activities from the Centre, including tax help and financial counselling.</p>	\$20,288	<p>Seeking \$19,000</p>

Organisation	Programs and Activities Supported	2019-20	2020-21
	<p>Council's grant supports the employment of a coordinator at the Bondi Junction Centre. JNC reports that the centre provided support for 400 people over the course of 2019/20, with 90% being Waverley residents. In 2020/21 JNC is planning to expand its programs supporting digital capability amongst older people, a need highlighted during the Coronavirus shutdown.</p> <p>JNC also receives a rental subsidy to support its operation from the Council owned facility at 59 Newland Street Bondi Junction.</p>		Recommended \$20,795
Randwick Waverley Community Transport Inc. (RWCT)	<p>RWCT is a regional community transport provider, operating out of the Mill Hill Centre in Bondi Junction. Council's grant pays for drivers who support weekly programs and a monthly social outing for frail older participants at the Waverley Community and Seniors Centre.</p> <p>RWCT reports that 9 social trips were conducted before the Coronavirus shutdown, with an average of 24 frail older people participating in each trip. As an essential service RWCT has continued to operate throughout the shutdown, and maintained contact with its many clients through regular phone calls and the provision of transport, shopping and referrals as required.</p> <p>RWCT also receives a rental subsidy to support its operation from the Mill Hill Centre, and is allocated space to park fleet vehicles in the Office Works car park.</p>	\$19,562	Seeking \$19,085 Recommended \$20,051
Wayside Chapel (Norman Andrews House)	<p>Through Norman Andrews House, the Wayside Chapel delivers 'drop in' services to rough sleepers, and other disadvantaged people in Waverley, including medical, legal, counselling, referral and case coordination services, food, showering and washing facilities, training and social activities.</p> <p>Council's grant supports the employment of the Coordinator for Norman Andrews House. Wayside reports that an average of 35 visitors attended the Centre each day 2019/20 up until the Coronavirus Shutdown, with 80% identified as Waverley residents. During the Shutdown Norman Andrews House continued to provide limited contact support for rough sleepers and others dependent on its services, and contributed to the work of the Eastern Suburbs Homeless Coalition. The Centre has plans in place for a staged return to business as usual.</p>	\$40,658	Seeking \$41,200 Recommended \$41,674

Organisation	Programs and Activities Supported	2019-20	2020-21
Holdsworth Community	<p>Holdsworth Community, Woollahra's local neighbourhood centre, provides a wide range of services including community transport, parenting support, living skills and other programs for people with disability, homecare, meals and shopping and other support for people over 65.</p> <p>In 2019, Council endorsed the provision of a grant to Holdsworth to include Waverley in an Eastern Area trial of the HomeShare model. This is a fee based scheme that aims to match an older home owner with a younger person who is willing to provide companionship, and undertake some household tasks in exchange for affordable accommodation.</p> <p>Holdsworth reports that to date, the trial has achieved 3 matches between a Waverley owner and a suitable sharer. Although the Coronavirus shutdown has slowed progress, work on matches is continuing where possible using electronic communications such as zoom. As this is a new program, officers recommend providing support for support for a further year to enable Holdsworth to undertake a sustained test of its viability in the Eastern Suburbs where limited options for affordable housing are available.</p>	<p>Up to \$21,302</p>	<p>Seeking \$22,077</p> <p>Recommended \$21,835</p>

REPORT
CM/7.7/20.07

Subject: Draft Waverley Local Character Statements - Exhibition

TRIM No: A20/0325

Author: Alicia Baker, Senior Development Assessment Officer
Tim Sneesby, Manager, Strategic Planning

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

RECOMMENDATION:

That Council publicly exhibits the draft Waverley Local Character Statements 2020 attached to this report for a minimum of 28 days, and during exhibition sends the report to the relevant precincts with an offer of a briefing or presentation.

This item was deferred from the Council Meeting on 16 June 2020.

1. Executive Summary

The purpose of this report is to seek Council's endorsement of the draft *Waverley Local Character Statements* (the draft Local Character Statements) for public exhibition. The draft Local Character Statements have been prepared as part of the *Comprehensive Waverley Local Environmental Plan Review 2021* project (the Comprehensive LEP Review).

The draft Local Character Statements document the outcomes of a local character study, which identified and described at a high level the social, environmental and economic characteristics of 23 defined areas across the Waverley local government area (LGA). Characteristics include housing type and architectural style, density and height, heritage and culture, parking, public/private domain interface, open space, topography and tree canopy. This is the first time that Council has undertaken a local character study for the whole LGA. A written and graphic statement of the existing and desired future character has been prepared for each of the 23 areas.

The preparation of the draft Local Character Statements forms part of Phase 4 of the Comprehensive LEP Review process and delivers on Action 7.3 of the *Waverley Local Strategic Planning Statement 2020-2036* (Waverley LSPS) and Action 5.1 of the Waverley Local Housing Strategy (Waverley LHS). The draft Local Character Statements form part of a suite of environmental studies that provide an evidence base to strengthen the integration of local character considerations into the Waverley planning framework. This will occur first as part of the strategic planning process and then through its translation into statutory controls, in the comprehensive review of the Waverley Local Environmental Plan 2012 (WLEP) and the Waverley Development Control Plan 2012 (WDPC). Specifically, this work will help Council prioritise place-based planning and local character when assessing planning proposals (PPs) and development applications (DAs).

The character study and draft Local Character Statements are a starting point to identify and describe the existing and future character of an area. The next step is to gain further public input. It is proposed to put the draft Local Character Statements on public exhibition to enable broad community feedback and refinement prior to adoption.

2. Introduction/Background

Recent reforms to the NSW planning system have resulted in a shift to a strategic-led planning framework with the introduction of regional strategic plans across NSW and district strategic plans in Greater Sydney.

In accordance with sections 3.8(3) and (4) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Council is required to undertake a comprehensive review of the WLEP to implement the Region Plan ('A Metropolis of Three Cities') and the District Plan (the 'Eastern City District Plan'), prepared by the NSW Government. As part of the review process, section 3.9 of the EP&A Act also requires that Council prepare a Local Strategic Planning Statement (LSPS). The LSPS is a new policy that sets the vision for the local area for the next 20 years and ensures there is a clear line of sight between State and local strategic planning priorities, including priorities to support local character.

The requirement to undertake the Comprehensive LEP Review is an opportunity for Council to revise and clarify a strategic vision for the area through the LSPS, and to review current plans and policies that guide development. This includes local character considerations.

The Comprehensive LEP Review consists of six phases, each with a deliverable to Council or the NSW Government. These six phases are:

- Phase 1 – The Health Check (completed 31 October 2018).
- Phase 2 – Draft Waverley Local Strategic Planning Statement (completed 1 June 2019).
- Phase 3 – Finalise Waverley Local Strategic Planning Statement (completed 4 February 2020).
- Phase 4 – Prepare planning proposal (currently underway).
- Phase 5 – Public exhibition.
- Phase 6 – Finalisation.

The Waverley LSPS identifies additional environmental studies, required to form a more detailed evidence base to undertake the comprehensive review of the WLEP and WDCP (refer to Figure 1). Studies include the draft Local Character Statements as well as the Waverley LHS and draft Waverley Village Centres Strategy (VCS). This evidence base may lead to some changes to the WLEP and WDCP, or it may confirm that the existing WLEP and WDCP are performing effectively to achieve Waverley's vision. The preparation and finalisation of the additional environmental studies forms part of Phase 4 of the Comprehensive LEP Review process.

The draft Local Character Statements have been prepared in response to Action 7.3 of the Waverley LSPS, to 'implement Local Character Statements, including desired future character, into Council's LEP and DCP' and Action 5.1 of the Waverley LHS, to 'complete Local Character Statement Discussion Paper'. The local character work will also deliver on the NSW Government's and Council's strategic direction to elevate the consideration of local character in planning and decision-making. It will help Council prioritise place-based planning and local character when assessing planning proposals (PPs) and development applications (DAs), against the WLEP, WDCP and other policies.



Figure 1. Comprehensive LEP Review process.

To assist Council's to identify and describe local character and integrate it in the planning framework, the Department of Planning, Industry and Environment (DPIE) released two documents relating to local character, the *Local Character and Place Guideline* (2019) and *Discussion Paper – Local Character Overlays* (2019). The draft Local Character Statements have been prepared with reference to these documents.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 16 June 2020	CM/7.8/20.06(2)	That this item be deferred to the July Council meeting.
Strategic Planning and Development Committee 4 February 2020	PD/5.1/20.02	<p>That Council:</p> <ol style="list-style-type: none"> Endorses the Waverley Local Strategic Planning Statement 2020–2036 (LSPS) attached to this report for finalisation, subject to the following amendments: <ol style="list-style-type: none"> Page 14 of the LSPS, right column, add dot point: 'Maintaining diversity of retail offerings to serve local needs.' Page 17 of the LSPS, right column, second dot point: delete the second sentence and replace with: <p>'Proposals can satisfy these high standards by committing all development on the subject site to achieve a 5+ Green Star rating with the Green Building Council of Australia, or a Core Green Building Certification or Zero Carbon Certification with the Living Futures Institute of Australia, or equivalent.'</p>

		<p>(c) Page 38 of the LSPS, right column, fourth paragraph regarding Principle H5: insert the word 'protected' after the word 'enhanced'.</p> <p>(d) Page 47 of the LSPS, point 1 under heading Actions: add at the end of the sentence 'while maintaining diversity of retail offerings.'</p> <p>2. Forwards the endorsed LSPS to the Greater Sydney Commission to complete the assurance process.</p> <p>3. Delegates authority to the General Manager to take any further actions necessary to finalise and make the LSPS in accordance with clause 3.9 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>4. Council commits to implementing and progressing the LSPS in ways that operate to involve and acknowledge that Aboriginal First Nation Peoples have a custodial ongoing spiritual, social, cultural, economic and traditional relationship to looking after country and people.</p>
Strategic Planning and Development Committee 4 June 2019	PD/5.1/19.06	<p>That Council:</p> <p>1. Endorses the Draft Waverley Local Strategic Planning Statement (Attachment 1) and Draft Waverley Local Strategic Planning Statement Summary (Attachment 2) for public exhibition for a period of no less than 28 days, subject to the following amendments:</p> <p>(a) Provide indicative timing for short-, medium- and long-term indicators in the 'Key to actions' table (page 5).</p> <p>(b) Amend 'About the plan' (page 4) to clarify that the scope of the LSPS addresses broader economic, social and environmental issues, as well as land use planning issues.</p> <p>(c) Amend the list of 'Key Issues' (page 9) as follows:</p> <p>(i) Change 'A holistic approach encompassing how climate change, biodiversity, and green space are managed' to 'A holistic approach to the management of biodiversity, green space, and adaptation and resilience to climate change.'</p> <p>(ii) Change 'A diverse economy that is less</p>

		<p>reliant on tourism’ to ‘A diverse and thriving local economy that is less reliant on tourism.’</p> <p>(iii) Add as a Challenge ‘There are community concerns about how tourism is managed.’</p> <p>(iv) Change ‘Additional public schools in Waverley, particularly a secondary school’ to ‘Additional public schools in the Eastern Suburbs, particularly a secondary school.’</p> <p>(v) Change ‘More space in the Mill Hill Community Centre’ and ‘Improve use of Bondi Pavilion, including more events and activities at night’ to ‘Provide more space for community uses and events.’</p> <p>2. Endorses the Waverley Local Housing Discussion Paper (Attachment 3) for public exhibition at the same time.</p>
Strategic Planning and Development Committee 9 October 2018	PD/5.1/18.10	<p>That Council:</p> <p>1. Endorses the Comprehensive Waverley Local Environmental Plan Review 2021 – Phase 1 – Health Check attached to this report.</p> <p>2. Forwards the document to the Department of Planning and Environment by 31 October 2018.</p>

4. Discussion

What is local character?

Local character is what makes one area distinctive from another. It is the way an area ‘looks’ and ‘feels’. Character is created through the interrelation of distinctive natural and built elements in the public and private domains, including topography, vegetation, streetscape, built form, activity types, as well as the emotional and cultural experience of a place.

All areas in the Waverley local government area (LGA) have character; however, in some the character may be more identifiable, more unusual, or more attractive and what is important in one area might be different in another – from vibrant local centres, leafy streets, consistent dwelling typologies and architectural styles, to areas and items of heritage significance and access to coastal views and open space. This character makes the Waverley LGA an attractive place to live, work and visit. Consequently, the area is subject to ongoing redevelopment pressures and change, such as:

- Alterations and additions to existing dwellings, including second-storey and parking structure (e.g. enclosed garage) additions, rooftop additions comprising apartment dwellings and / or consolidation of apartments.

- Replacement of existing dwellings with ‘higher-value’ dwellings and densities, such as residential flat buildings (RFBs) or dual-occupancies.
- Exempt and Complying Development undertaken in accordance with State and Environmental Planning Policies (SEPPs), for example the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP).

If these pressures and change are not managed, areas may be impacted by new development, which may be insensitive to the area’s existing character, in terms of building height, landscaped areas and car parking provision, etc.

Respecting local character does not mean that change cannot occur; rather, it means that good planning and design needs to be implemented to ensure new development is well-considered and builds on the valued characteristics of an area. Built form, bulk, scale and height as well as landscaping and materiality all play a part in ensuring the character of an area is maintained and/or enhanced whilst still allowing for new development to occur. Places which develop in response to an identified local character and desired future character are likely to be more liveable, more sustainable, and more productive. Accordingly, it is important that Council and the community create a shared vision for an area and how it will change over time, including identifying existing characteristics to be maintained and/or enhanced.

Local character study and statements

Methodology

The boundaries of each area have been informed by natural features, open space, primary roads, change in land use or building typologies, existing and former character areas and/or suburb boundaries. The 23 areas provide a narrowed focus for the local character study. The study has been informed by the DPIE’s ‘Character Assessment Toolkit’ and ‘Local Character Wheel’ documented in the *Local Character and Place Guideline* (2019) (refer to Figure 3).

This is the first time that Council has undertaken a local character study for the whole LGA. The study seeks to complement the work on character within the WDCP (i.e. the existing Special Character Areas at North Bondi, Ben Buckler, and Bondi Heights in Part C) and other strategic studies including, the Waverley LHS, draft VCS, draft *Waverley Council Heritage Assessment 2020* and the Bondi Junction Urban Design Review Update 2020.

It is noted, that the draft Local Character Areas include Waverley’s village centres (in some instances split across multiple character areas). These centres contribute to the social and economic character of each area. The draft Local Character Statements, however, do not seek to duplicate the detailed description and recommendations of the draft VCS, including the desired future character of each centre. The draft Local Character Statements complement the detail in the draft VCS, rather than duplicating significant work. Both documents will inform the review of the Waverley LEP and DCP.

Further, it is noted that the Bondi Junction Strategic Centre has been excluded from the character study. A number of studies and strategies have been completed for Bondi Junction in the past decade or so, including the Bondi Junction Complete Streets Project (2013) and Bondi Junction Commercial Centre Review (2017). These documents provide a series of recommendations and principles for the future development of the centre that have informed current policy settings and LEP and DCP controls. The current Bondi Junction Urban Design Review Update 2020 seeks to evaluate the current principles and policy framework applying to development in Bondi Junction to ensure that they are valid and up to date and makes appropriate recommendations for their implementation. It is considered that the existing documents holistically and sufficiently address the existing and desired future character of the Bondi Junction centre. It is considered that these documents provide adequate assessment and justification for any future inclusion of all or part of the centre as a local character area/local character overlay. As such, to avoid duplication of significant work, the Bondi Junction centre has been excluded from this local character

study.

The local character study has informed the preparation of a written and graphic statement for the 23 areas. Each statement comprises:

- A high-level description of the area's existing characteristics, using text, photos and maps. The existing characteristics focus on the themes of history, configuration and connectivity, built form, the public and private interface, natural environment and recent development within an area,
- A rating of the area's key existing character attributes, and
- A desired future character statement and objectives for the area.

By describing the way a place looks and feels and the valued elements in the public and private domains, it can provide a reference point for future planning decisions.

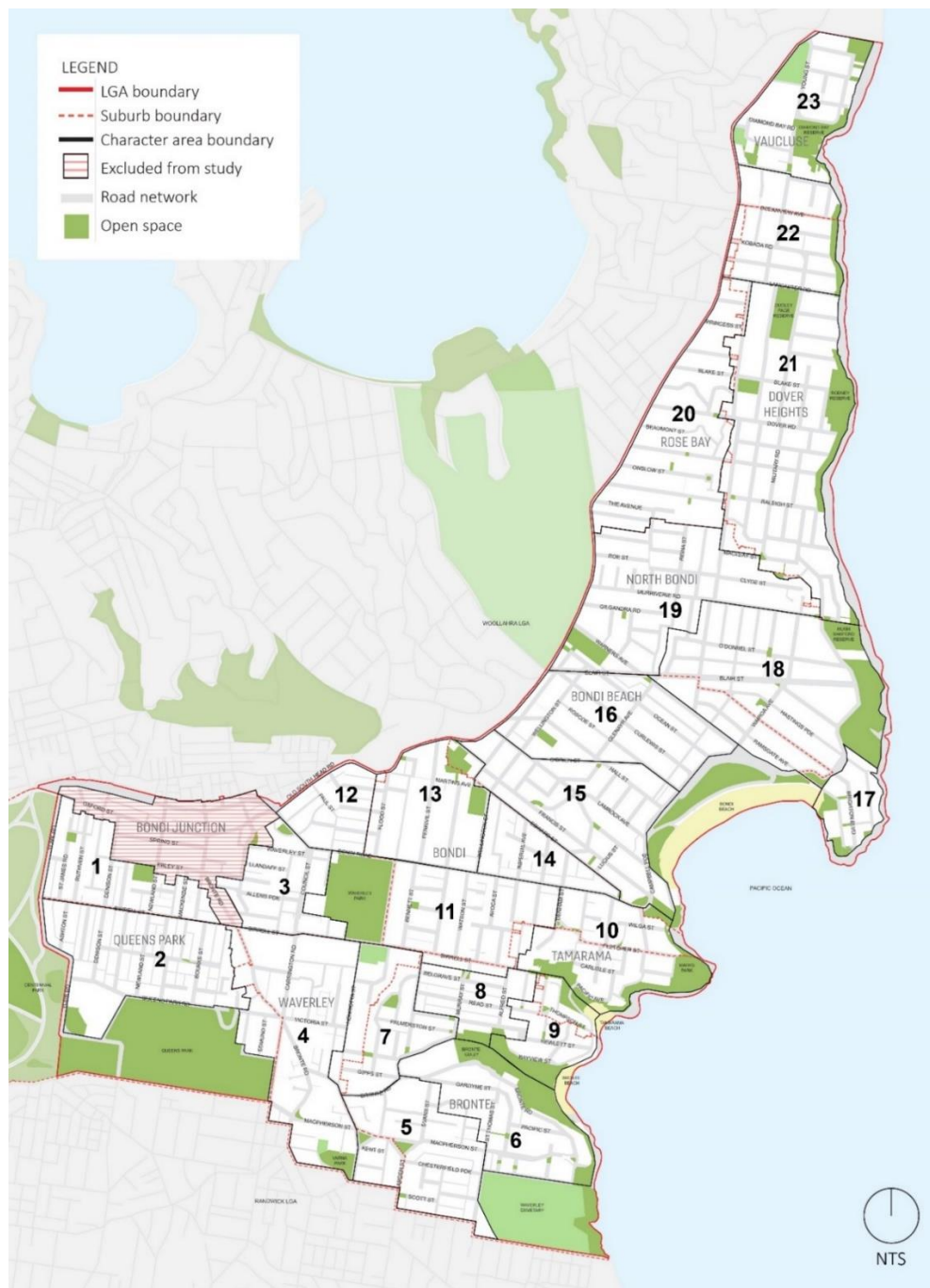


Figure 2. Draft Local Character Areas map.

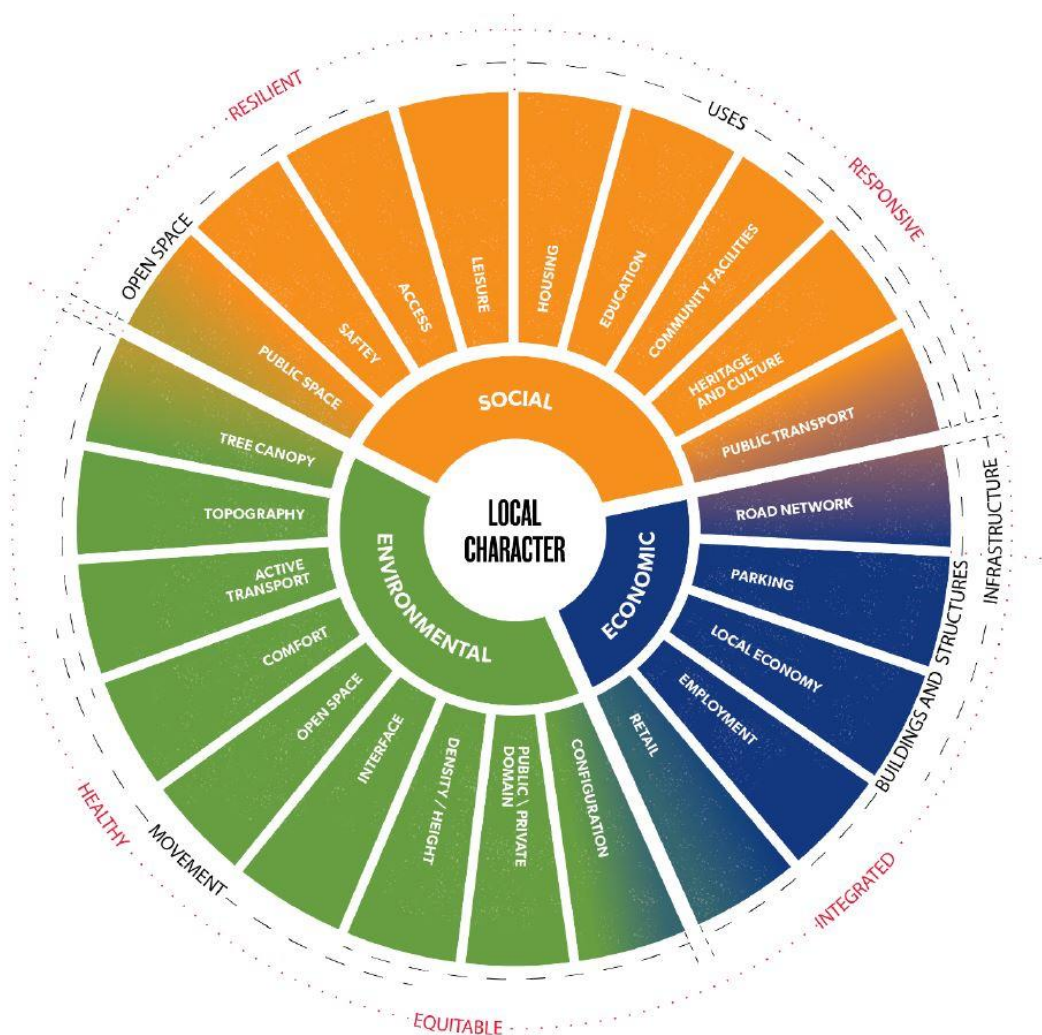


Figure 3. Local Character Wheel, DPIE, 2019.

Waverley's approach to strengthening local character in the LGA

Currently local character is considered by strategic studies such as the Waverley LHS and draft VCS and addressed at the development assessment stage through the WDCP. Where an area's character has been identified as being important in the local character study and through community consultation, there is the opportunity to incorporate additional design objectives and controls in the LEP or DCP to elevate the consideration of local character. It is anticipated that any changes to planning controls would only apply to focussed areas (such as certain streets or blocks), within the identified local character areas. Similarly, it is not expected that all character areas will warrant changes to the LEP or DCP.

Any changes to the LEP or DCP will represent a considered policy response to planning for character in the Waverley LGA. Changes may be undertaken as part of the comprehensive review of the LEP and DCP, or they may be undertaken as separate amendments. The following options will be considered:

- Waverley LEP
 - Option 1: Objectives and Development Standards review
Review and update the Waverley LEP, where required, to ensure zones, objectives and development standards align with the local character study outcomes and the desired

future character of an area. An amendment to the LEP would be facilitated by a planning proposal, and subject to the agreement of the DPIE.

- Option 2: Inclusion of Local Character Overlays (optional)

The DPIE is proposing amendments to the Standard Instrument (Local Environmental Plan) Order 2006 (SILEP) to introduce a Local Character Overlay (LCO) to strengthen local character and give its consideration legal weighting. The optional LCO would introduce a map layer and associated clause in an LEP identifying specific character areas. Development proposed in these areas would be required to address a Council's local character aspirations and development controls, as outlined in the local character study and / or DCP. It is noted that at the time of writing there is no commitment to the standard SILEP clause by DPIE.

The implementation of LCOs within the Waverley LEP will be investigated for areas which require additional direction to manage change whilst maintaining and enhancing local character. It is noted that an LCO will not be warranted for all LCAs, or even the entirety of a local character area identified within the Local Character Statements. It is more likely that an LCO would apply at a geographical level of a block or street. An amendment to the LEP would be facilitated by a planning proposal, subject to approval by the DPIE. The planning proposal would need to address and satisfy a state-wide set of criteria and be supported by detailed analysis.

- Waverley DCP

- Option 1: Objectives and development controls review

Council will review and update the WDCP, where required, to ensure development objectives and controls align with the local character study and the desired future character of an area. This review would also include existing WDCP Special Character Areas (SCAs), such as the Bondi Beachfront Area and Ben Buckler.

- Option 2: Inclusion of Local Character Areas (optional)

The WDCP has the capacity to include a character statement or character description which would establish the context for development in a particular area. Council will investigate the amendment of existing SCAs or inclusion of new SCAs, with associated design objectives and controls, within the WDCP. It is anticipated that not all local character study areas identified in this draft Discussion Paper would warrant inclusion in the WDCP.

Local character and heritage

'Heritage and local character are often intrinsically linked, and individual places can be heavily influenced by their existing built or natural environment, creating a rich tapestry from which to build. Rather than create a distinction between past and present, heritage can be used as a foundation of local character' (Justin Hewitt, Local Character and Place Collection, 2019, p.19).

Heritage and local character are intrinsically linked, however there remain important differences between areas or items of heritage significance and areas of local character, in terms of the assessment process and current legislative status, within the planning system.

A Heritage Conservation Area (HCA) is an umbrella term with specific Conservation Areas sitting below them. For example, an 'Urban Conservation Area' (a HCA with special architectural or historic interest that

includes built form) and a 'Landscape Conservation Area' (a HCA that contains significant landscape/parklands etc.). Heritage items are buildings, archaeological remains, trees etc. that is an exemplar of its type.

HCA's or heritage items are assessed against the criteria set out in the NSW Heritage Manual, with reference to the national best-practice standards contained in the Burra Charter (Australia ICOMOS, 2013), to determine whether it has heritage significance and therefore warrants listing. Areas and items of heritage significance within the Waverley LGA are identified in Schedule 5 of the WLEP.

If a building is included within a HCA or if it is individually heritage listed, it does not mean that works proposed to the building are not possible. What it does mean is that any proposed changes to the building may require a heritage exemption or a development application (DA) to Council with a Heritage Impact Statement included, as specified in cl.5.10 of the WLEP and Part B9 of the WDCP. It also means that Exempt and Complying Development, for example under the Codes SEPP, cannot be undertaken on a building within an HCA or that is individually listed.

Local character is much broader than heritage. Each Council is free to choose how to undertake a local character study, using the DPIE's *Local Character and Place Guideline* as a guide. Local character considerations go beyond historic and built form considerations to include all elements that contribute to the look and feel of an area including the public and private domains, including topography, vegetation, streetscape, activity types. Character elements of an area could be wide verges, leafy streets, dwelling typologies, styles or materials, consistent setbacks, significant views, etc. – these may have nothing to do with heritage.

Further, each Council can choose how to integrate the consideration of local character into the planning framework. Currently, character areas may be included within a standalone local character statement or within a Council's DCP. A DA to Council for new development, if located in a character area, would be required to consider the DCP objectives and controls relating to that area. The opportunity for inclusion of a local character area within a Council's LEP, as a local character overlay (LCO) is still being determined by the DPIE. Therefore, a character area does not have the same legislative weight as a HCA or heritage item. Identifying an area of local character is not an alternative form of heritage listing. It does not seek to duplicate the detail of the *draft Waverley Council Heritage Assessment 2020*; however, it does utilise the historic narrative to inform the local character statements and to identify areas of character.

Local character and exempt and complying development

State Environmental Planning Policies (SEPPs) are state legislated plans prepared by the NSW Government. They specify planning controls for certain areas and / or types of development. SEPPs have greater weight than Council's plans and policies.

Some SEPPs, including the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP), enable Exempt Development, being development that can be undertaken without approval, and Complying Development, being development that requires a Complying Development Certificate approved by an accredited Certifier under a fast-track assessment process. Types of development can include:

- Construction of a new building (e.g. a dwelling, secondary dwelling, school).
- Alterations and additions to an existing building.
- Demolition of a building.
- Internal alterations (fit-out) of commercial / retail premises.

Exempt and complying Development does not require a DA to Council. Therefore, local design objectives and controls in the WLEP and WDCP do not apply. This includes local character considerations. As such, the

application of some design controls under a SEPP can create a potential conflict with the character of an area, in terms of building height, landscaped areas, car parking provision, materiality etc.

Where an area's character has been identified as being highly valued in the local character study and through community consultation, there may be the opportunity to, in limited circumstances, introduce local variations to, or seek a local exclusion from, part of a SEPP, subject to the agreement of the DPIE. It is noted that this approach will not be warranted for all character areas, or even the entirety of a character area.

Further investigation and analysis are required to determine where the application of SEPPs, particularly the Codes SEPP, may result in development that is incompatible with an area's existing character, document the design controls that would result in this incompatibility, and propose alternative controls. This analysis would inform any request to the DPIE for local variations or exclusions. Requests would need to address and satisfy a state-wide set of clear criteria.

Whilst the potential to use local character studies to inform a request for local variations or exclusions has been flagged by the DPIE, at the time of writing no commitments have been made by the DPIE. Council will continue to advocate for greater consideration of local character within State policy.

Recommendations

The following recommendations have been identified in the local character study for further investigation. Figure 4 identifies local character investigation areas that warrant further review. It is noted that these recommendations may support priorities and actions from other strategic studies including the Waverley LSPS and Waverley LHS.

Table 1. Recommendations of local character study and statements.

Recommendation
1. Research and analysis
1.1. Undertake a further review of the local character investigation areas (refer to Figure 4) to identify areas of high character value that may warrant more tailored planning objectives and controls in the WLEP and / or WDCP, or exemption from the Codes SEPP.
1.2. Consider policy development for particular types of development or areas, for example alterations and additions to Inter-War RFBs, local centres
2. Review of local planning policy
2.1. Undertake a review of the WLEP to identify inconsistencies (if they exist) between existing character and desired future character in respect of the zone objectives and development standards, including height of building and floor space ratio.
2.2. Undertake a review of the WDCP to ensure current development objectives and controls align with the local character study outcomes, for example protection of view corridors, alterations and additions to existing dwellings, adaptive reuse, and vegetation coverage, etc.
2.3. Undertake a review of existing WDCP to determine relevancy of existing local character areas and investigate the inclusion of amended or new local character areas, with associated planning objectives and controls (refer to recommendation 1.1)
3. Review of State planning policy
3.1. Undertake a review of the applicability of the Codes SEPP, including the Low-Rise Medium Density Housing Code (LRMDHC), within the Waverley LGA to determine: <ul style="list-style-type: none"> Application of the Code across the LGA (this may involve mapping of Complying Development hotspots, or mapping where the LRMDHC could apply),

- Inconsistencies between the Code and Council's controls, that may result in an erosion of local character,
- Whether Council's controls need to be updated to reflect the LRMDHC to promote a Development Assessment pathway, and
- Whether local variations or exemptions from the Code is warranted.

3.2. Undertake a review of the applicability of the Seniors SEPP within the Waverley LGA to:

- Identify opportunity sites that may warrant tailored planning objectives and controls, and
- Investigate new controls including zone objectives in the WLEP to encourage seniors housing that is consistent with desired future character.

4. Advocacy

4.1. Continue to work with the DPIE and advocate for greater consideration of local character within State policy, including local variations and exemptions where warranted.

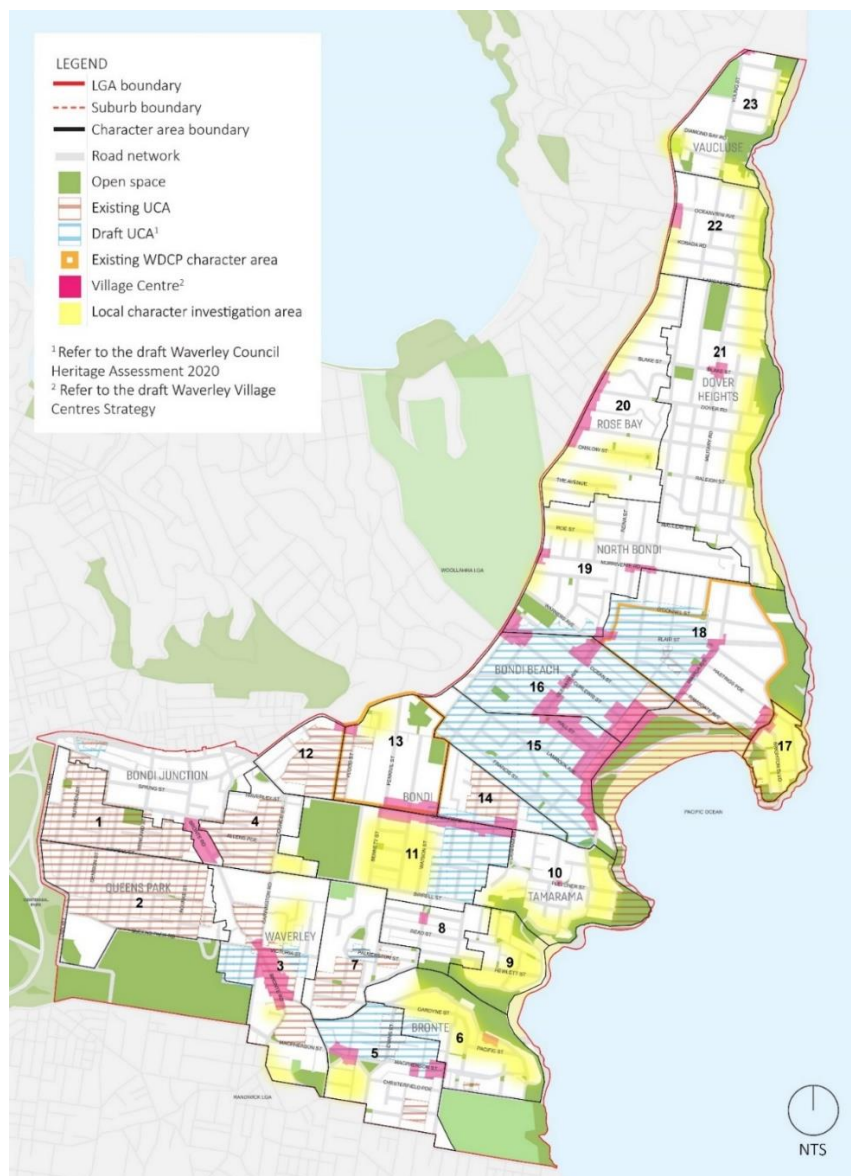


Figure 4. Investigation areas map.

5. Financial impact statement/Time frame/Consultation

Time frame

DPIE has set a time frame of three years for Council to complete the Comprehensive LEP Review, beginning in June 2018 and culminating in June 2021.

Table 2. Comprehensive LEP review process and time frames.

Comprehensive LEP Phase	Timeline
Phase 1 – The Health Check	Completed 31 October 2018
Phase 2 – Prepare Draft Waverley Local Strategic Planning Statement	Completed 1 June 2019
Phase 3 – Finalise Waverley Local Strategic Planning Statement	Completed 4 February 2020
Phase 4 – Prepare planning proposal	Underway Environmental studies, including the draft Discussion Paper and draft Local Character Statements, are currently being finalised to inform the draft planning proposal to be completed by late 2020.
Phase 5 – Public exhibition of planning proposal	Early 2021
Phase 6 – Finalisation	June 2021

Consultation

Council undertook extensive community consultation during the preparation of the Waverley Community Strategic Plan, Waverley Local Strategic Planning Statement (LSPS), Waverley Local Housing Discussion Paper, Waverley Architectural Mapping Project, Waverley Local Housing Strategy (LHS) and draft VCS. The feedback received as part of these consultations, including that documented in the *Community Strategic Plan Engagement Report 2018* and *Village Centres Strategy Consultation Summary Report – Engagement August-September 2019*, have informed the preparation of the local character study and draft Local Character Statements.

As part of Phase 1 of the Review, marketing material was developed to attract the community to sign up for project updates on the Have Your Say project page, which will be live for the duration of the Comprehensive LEP Review (until June 2021). Similar channels will be engaged in the public exhibition of the environmental studies, including the draft Local Character Statements to ensure that the project is adequately advertised, and the next level of detail attracts additional public input. Following public exhibition, the draft Local Character Statements will be finalised and reported back to Council for adoption in July / August 2020.

Consultation with the community and other stakeholders will be important in validating the character statements and desired future character objectives. Each Local Character Area has a series of questions for targeted feedback, but the community will also be invited to comment on all elements of the LCS, including the appropriateness of the recommendations.

Financial impact statement

There are no financial implications. The work is programmed within Council's work program and budget.

6. Conclusion

The draft *Waverley Local Character Statements 2020* have been prepared in response to the priorities and actions of the Waverley LSPS and Waverley LHS, which seek to elevate the consideration of local character in planning and decision-making.

The draft Local Character Statements document the outcomes of a local character study, undertaken for 23 defined areas across the Waverley LGA (with the exception of Bondi Junction), and include written and graphic descriptions of the existing and desired future character of each area.

Together with other environmental studies, the draft Local Character Statements will provide an evidence base to inform the review of the WLEP and WDCP undertaken as part of the Comprehensive LEP Review. It will provide a vision, objectives and controls which will guide Council planning and decision making, including assessment of PPs and DAs as well as advocating for local variations and exemptions to State policies.

This report seeks Council's endorsement of the draft Local Character Statements for public exhibition.

7. Attachments

1. Draft Waverley Local Character Statements 2020 (under separate cover) [↗](#)

**REPORT
CM/7.8/20.07**

Subject: Planning Proposal - 203-231 Bronte Road and 94-98 Carrington Road, Waverley - Pre-Gateway Determination

TRIM No: PP-1/2020

Author: Patrick Connor, Strategic Planner

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

RECOMMENDATION:

That Council:

1. Notes the submission of a planning proposal prepared by Knight Frank and lodged by Dan Whitten on 24 April 2020 to increase the maximum height of buildings and the maximum floor space ratio and add an additional local provision to the sites 203–231 Bronte Road and 94–98 Carrington Road, Waverley, under the Waverley Local Environmental Plan 2012.
2. Authorises officers to send the planning proposal to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.
3. Notes that a Gateway Determination would allow a formal opportunity for community feedback, including with the Charing Cross Precinct, before reporting back to Council.
4. Places the planning proposal on public exhibition in accordance with any conditions of the Gateway Determination that may be issued by the DPIE.
5. Notes that a Site Specific DCP will be exhibited concurrently with the planning proposal and will include the following:
 - (a) The maximum height of 231 Bronte Road and 98 Carrington Road is 10 m and the remainder of the precinct is 13.5 m
 - (b) Regardless of the above, the maximum height for a depth of 3 m from the street frontage along Bronte Road shall be as follows at the Bronte Road frontage:
 - (i) 211–213 Bronte Road (Legion Club) is to maintain the existing building height.
 - (ii) 223–227 Bronte Road (Stamatiko Flats) is to maintain the existing parapet height.
 - (iii) 229–231 Bronte Road (Reece showroom) is to maintain the parapet height of 223–227 Bronte Road.
 - (c) The upper floor of 203–209 Bronte Road (bottle shop) and 94 Carrington Road (garage) shall be set back 3 m from the street wall
 - (d) Development on 98 Carrington Road (Reece Plumbing) shall be set back 3 m from the boundary to 100 Carrington Road (SP 21794)

- (e) The built form shall be broken into separate buildings through the provision of laneway connections and an internal publicly accessible open space. This open space shall be of sufficient size (spanning 94 and 98 Carrington Road), have adequate solar access, retail connections and public art to provide appropriate public amenity
 - (f) 223–227 Bronte Road are contributory items in the heritage conservation area and sufficient fabric of the façade (including return walls) shall be retained to ensure that they are still interpreted as buildings that contribute to the streetscape and heritage conservation area.
6. Requests the role of local plan-making authority from the DPIE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.

1. Executive Summary

The planning proposal lodged on 203-231 Bronte Road and 94-98 Carrington Road, Waverley proposes to increase the FSR on the sites from 1:1 to 2.25:1 and the maximum height permissible from 9m to 13.5m. The proposal also includes an additional local provision that will provide for a 10% exceedance over the site to account for the fall of the land of the site. The proposal intends to maintain retail and commercial floor space whilst also encouraging residential development. The façade of heritage contributory item 223-227 Bronte Road is proposed to be retained as part of the proposal.

The proponent submitted a planning proposal (PP) with a proposed height of 18 m and FSR of 2.65:1 which was refused by Council on 7 May 2019. The applicant requested a Rezoning Review, and this was considered by the Sydney Eastern City Planning Panel on 15 November 2019. The Panel did not support the PP as proposed but indicated a height of 13 m (or thereabouts) and the inclusion of surrounding sites would be more suitable. A new planning proposal incorporating the State Planning Panel's advice was lodged on 24 April 2020.

The notion of further retail and commercial space in Charing Cross and the creation of a public space for residents is supported. Charing Cross is a suitable location for housing given the transport connections to Bondi Junction and proximity to high amenity surrounds of Queens and Centennial Park and beaches. The proposed scheme allows for a larger and more functional public square than the previous PP. Compared to the refused scheme, this PP proposes a scale that is more in keeping with the significant heritage character of Charing Cross and the prevailing character by stepping down in height to neighbouring sites.

The controls listed, along with a site specific DCP to be created in conjunction with the PP and an additional local provision that secures the delivery of the public square, allow for a development that does not diminish the visual amenity of the Bronte Road streetscape, the landmark status of the Robin Hood Hotel and is consistent in size with the surrounding development.

In summary, the proposed amendments to FSR and height would:

- Be more in keeping with the existing streetscape, heritage character and built form of Charing Cross.
- Improve commercial, retail and residential offerings in an area in proximity to public transport.
- Create provision for a more functional public square.

2. Introduction/Background

Background

The proponent originally lodged a PP with a proposed height of 24 m and an FSR of 2.65:1. On 22 March 2019 the applicant lodged a Rezoning Review to be considered by the State Planning Panel. The PP was refused by Council on 7 May 2019. The Rezoning Review was then held on 15 November 2019. At the Rezoning Review it was determined that the PP should not be sent to Gateway as it was not found to have site-specific or strategic merit. The State Planning Panel indicated a height of 13m (or thereabouts) would be better suited for this site to ensure that it does not visually overpower the Charing Cross centre. The State Planning Panel also indicated that the Eastern Suburbs Legion Club and other surrounding sites be included in the planning proposal to improve the strategic merit of the proposal. A new planning proposal incorporating the State Planning Panel's advice was lodged on 24 April 2020.

Introduction

The planning proposal is located on the following lots:

- 203–209 Bronte Road (Robin Hood Hotel) – Lot A DP 105665 and part of Lot 1 DP 59526 – 533 m²
- 211–213 Bronte Road (Eastern Suburbs Legions Club) – Lot B & C DP 105665 – 491m²
- 223–227 Bronte Road and 94 Carrington Road (bottle shop and Stamatiko Flats) – Lot A & B DP 332733 – 1,229m²
- 229 Bronte Road (Reece site) – Lot 2 & 3 DP 102988
- 231 Bronte Road (Reece site) – Lot 1 DP 170941
- 98 Carrington Road (Reece site) – Lot 1 DP 952482 & Lot 1 DP 90800 – All Reece sites total 1220m²

Planning controls

The current and proposed planning controls are set out below.

Table 1. Planning controls.

WLEP2012 Provision	Existing Control	Proposal
Zone	B4 Mixed Use	B4 Mixed Use
FSR	1:1	2-2.25:1
Height	9m	10-13.5m
Heritage Conservation Area	211-231 Bronte Road	Maintain
	Existing Control	Proposal
Through site link	NIL	Yes
Public space	NIL	19%
Additional Local Provision	NIL	Yes

Figure 1 below identifies the lots involved in the PP and their respective lot and DPs.



Figure 1. Site of the planning proposal – 203–231 Bronte Road and 94–98 Carrington Road, Waverley.

Zoning

The zoning of the site is B4 Mixed Use. The objectives of the B4 Mixed Use zone are as follows:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage commercial uses within existing heritage buildings and within other existing buildings surrounding the land zoned B3 Commercial Core.

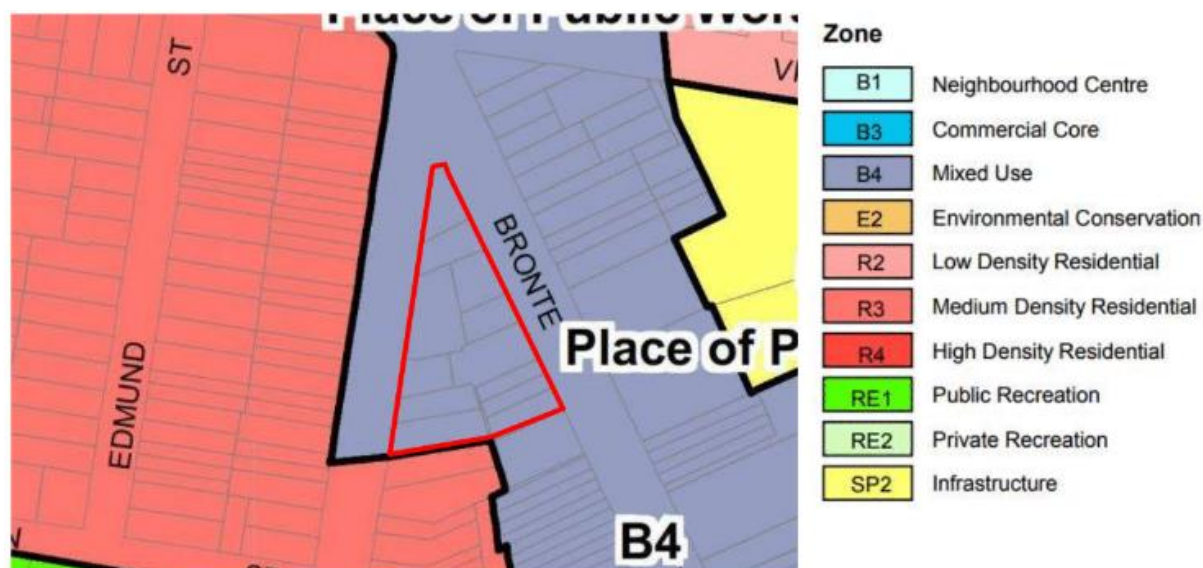


Figure 2. Waverley LEP zoning map – Subject site.

Height of buildings

The maximum height of buildings control applying to the site is 9 m. This height is consistent with much of the Charing Cross centre and surrounding area. Currently the height of the bottle shop on 203-209 Bronte Road is 5.4 m and the height on 223-227 Bronte Road is 11.5 m. The height of the Legions Club is 12.3 m, while Reece Plumbing is 9.4 m fronting Carrington Road and 9.6 m fronting Bronte Road.

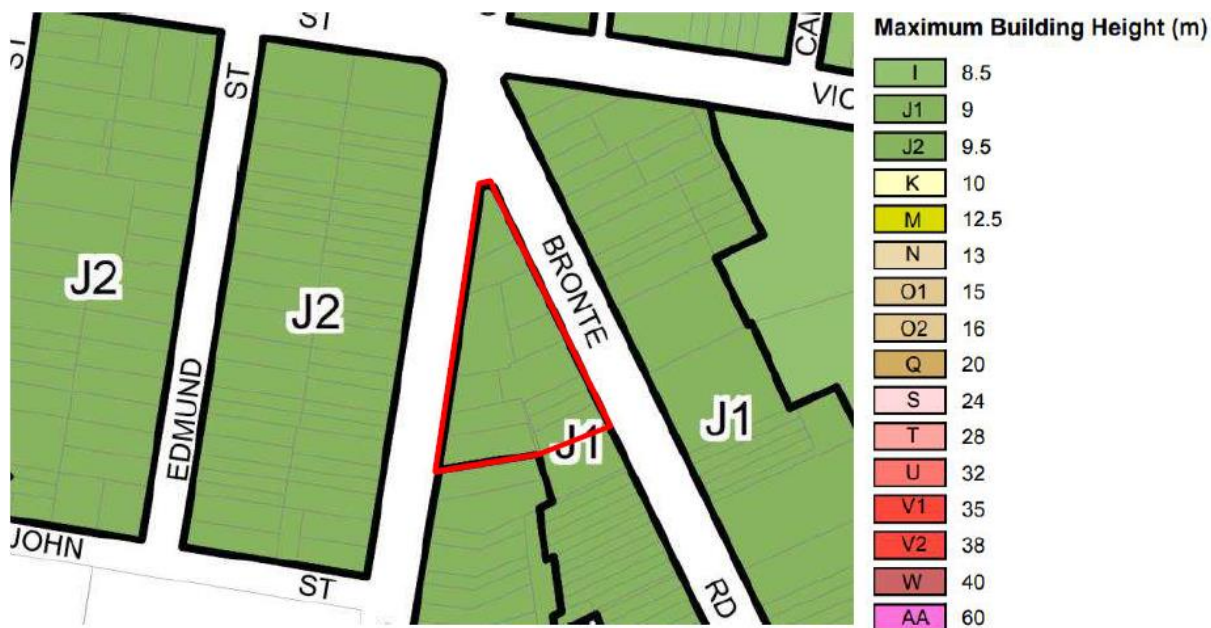


Figure 3. Waverley LEP Height of buildings map – Subject site and surrounds.



Figure 4. Proposed height of buildings map.

The concept scheme outlines setback upper levels. This would be enforced in a Site Specific DCP to ensure a built form more in keeping with the existing character and built form of Charing Cross. Figure 5 below outlines how the upper levels are intended to be setback.

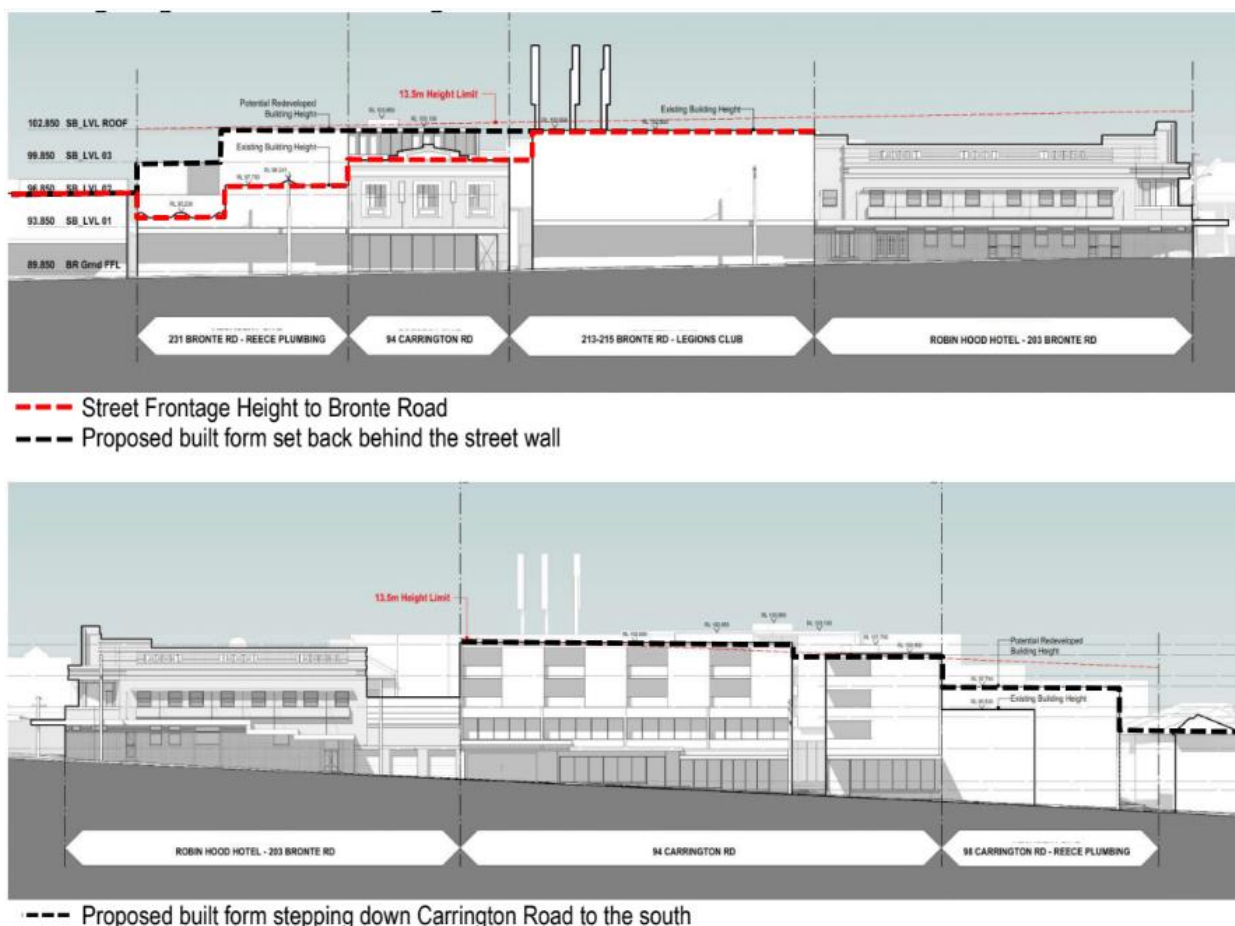


Figure 5. Proposed heights on Bronte Road and Carrington Road.

FSR

The FSR of the subject site is 1:1. This FSR is consistent with the surrounding area. This FSR helps to create and maintain the fine grain building envelopes seen throughout much of the Charing Cross village centre and especially the built form character of Bronte Road. Figure 6 below shows the FSR of the site and surrounding area.

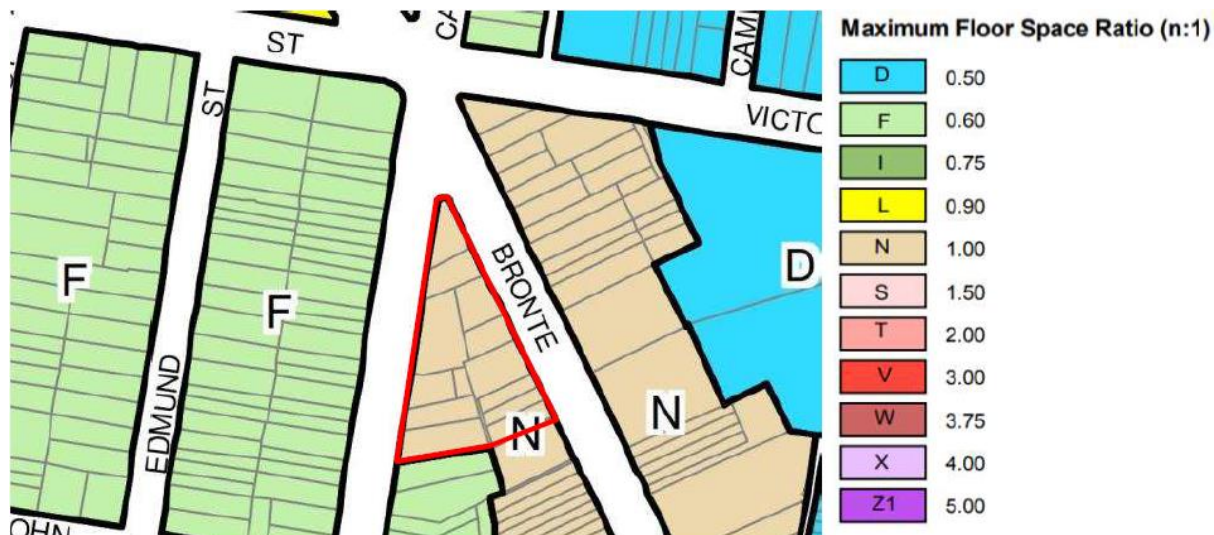


Figure 6. Waverley LEP FSR map – Subject site and surrounds.



Figure 7. Proposed FSR map.

Heritage

While there are currently no heritage items on the subject site, the lots fronting Bronte Road in this PP are all located in a Heritage Conservation Area, as discussed further below.

Heritage Conservation Area

The shop building at 223-227 Bronte Road is a strong contributing visual element in the Charing Cross Urban Conservation Area, being a well detailed Georgian Revival commercial building with two surviving shopfronts substantially intact. Although simple in detailing, the contrast between the face brick and

rendered elements to the upper façade and the strong parapet design make the building stand out from its neighbours. The buildings' scale serves as a good transition between the contemporary Legion Club building and the Edwardian style shops along this portion of Bronte Road. A Site Specific DCP would seek to ensure that this transition remains and any additional levels above this should be setback from the street front.

The Charing Cross heritage conservation area is listed for its heritage values in demonstrating late 19th and early 20th century commercial buildings of both state and local heritage significance. The high integrity of built form in the area records the historic evolution of a place from an early village east of Sydney. The layered fabric dominated by Federation-style buildings indicates a streetscape generated by tram transport beginning in the 1880s.



Figure 8. Waverley LEP Heritage Map – Subject site and surrounds.

The proposal also seeks to implement an additional local provision that will allow for an increase of 10% above the amended height controls to allow for the fall of the land over the sites.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Strategic Planning and Development Committee Meeting 7 May 2019	PD/5.4/19.05	That Council does not support the planning proposal for 203–209 Bronte Road and 94 Carrington Road (also known as 223–227 Bronte Road) proceeding to gateway.
Strategic Planning and Development Committee 9 October 2018	PD/5.1/18.10	<p>EXTRACT</p> <p>That Council:</p> <p>...</p> <p>2. Officers undertake a preliminary heritage assessment of 94 Carrington Road (also 223–227 Bronte Road, Charing Cross) prior to submitting the subject planning proposal to Gateway. If the heritage assessment determines that the property at 94 Carrington Road (223–227 Bronte Road) has sufficient merit to warrant inclusion as a heritage item, then that property be included as an additional</p>

		amendment to schedule 5.
		...

4. Discussion

The planning proposal lodged on 203-231 Bronte Road and 94-98 Carrington Road, Waverley, proposes to increase the FSR on the sites from 1:1 to 2.25:1 and maximum height permissible from 9 m to 13.5 m. The proposal also proposes an additional local provision that will provide for a 10% exceedance over the site to account for the fall of the land of the site.

The proposal provides a mixture of land uses as it proposes to have a mix of commercial, retail and residential land uses. As much of Charing Cross has a commercial mix of shop top housing, it is considered that the proposed uses on the site are compatible land uses. The site is in an accessible location to various modes of public transport including bus services. The site is accessible to cycle paths as well with Queens Park directly opposite the site.

The proposed heights create a development scenario that is relatively in keeping with the surrounding built form of the Bronte Road streetscape. The buildings do not detract from the visual presence of the Robin Hood Hotel and do not diminish views. The setback level on 223-231 Bronte Road is in line with the height of the Legions club and steps down to the neighbouring QE Foods building. The height proposed on 203-209 Bronte Road and 94 Carrington Road has the four levels in line with the parapet of the Robin Hood and steps down to reduce the overshadowing impact on the residential flat building to the South. The idea of the activated public space with cafes and restaurants is supported. The lower scale building wall height proposed creates a more inviting space with greater access to sunlight, daylight and sky-exposure. Given that the grouping of the sites are surrounded by strata, fine grain shops and recently redeveloped lots, it is considered that the proposal is unlikely to create a precedence that will negatively impact Charing Cross as the proposed building height and bulk are in keeping with the surrounding area. The proposed heights will help Charing Cross to maintain its desired future character of being a low-scale centre respecting the existing two-three storey heritage conservation area. Whilst there will be some overshadowing of the roof and the courtyard to the residential flat building to the south, the applicant has demonstrated that it is still compliant with the Apartment Design Guidelines; this would also be enforced in a Site Specific DCP.

The proposal to maintain the façade of 223-227 Bronte Road will help to maintain the significance of the Charing Cross HCA as this building is a heritage contributory building; a Site Specific DCP would seek to retain sufficient fabric of the façade (including return walls) to ensure that they are still interpreted as buildings that contribute to the streetscape and HCA. The proposal also seeks to maintain the street frontage height of the parapet and set back levels above this. Setting back upper levels is a suitable mechanism to help maintain the consistency of the Bronte Road streetscape and to mitigate any visual impact of the development from the streetscape. It is also considered that the proposed heights and setback levels will not undermine the visual significance of the heritage listed Robin Hood Hotel. The heights along Carrington Road are considered acceptable as there are minimal adverse impacts caused to the Charing Cross HCA.

The controls listed, along with a Site Specific DCP to be created in conjunction and an additional local provision that secures the delivery of the public square, allow for a development that does not diminish the visual amenity of the Bronte Road streetscape, the landmark status of the Robin Hood Hotel and is relatively in keeping with the surrounding development. The additional local provision proposed to provide for a 10% height exceedance over the site will be utilised to account for the fall of the land over the site.

It is noted that the Council resolution from October 2018 called for an investigation into whether the property at 94 Carrington Road, Waverley warranted inclusion in the Schedule of Heritage items. The item was placed into the Waverley LEP Housekeeping planning proposal 2018 for review by The Department of Planning Industry and Environment. The Department issued a Gateway Determination requiring the item to

be removed from the planning proposal as it was not seen as minor in nature or rectifying an anomaly. The addition of 94 Carrington Road, Waverley to the Schedule of Heritage items is currently being assessed as part of the Waverley Heritage Review.

Waverley Local Planning Panel advice

On 9 July 2020, the planning proposal was presented to the Waverley Local Planning for their review. After a site visit and presentations from both Council and the applicant, the WLPP made the following unanimously carried recommendation:

‘That the Panel advise Council it supports the applicants PP subject to a special clause being added to Section 6 of WLEP 2012 that permits an increase in height of up to 13.5m and an increase in FSR of up to 2.25:1 but only on the basis of a site specific DCP that provides for the following:

1. *The maximum height of 231 Bronte Road and 98 Carrington is 10m and the remainder of the precinct is 13.5m*
2. *Regardless of the above, the maximum height for a depth of 3m from the street frontage along Bronte Road shall be as follows:*
 - a. *At the Bronte Road frontage*
 - i. *211-213 (Legion Club) is to maintain the existing building height*
 - ii. *223-227 Bronte Road (Stamatiko Flats) is to maintain the existing parapet height*
 - iii. *229-231 Bronte Road (Reece Showroom) is to maintain the parapet height of 223-227 Bronte*
3. *The upper floor of 203-209 Bronte Road (Bottle shop) and 94 Carrington Road (Garage) shall be set back 3m from the street wall*
4. *Development on 98 Carrington Road (Reece Plumbing) shall be set back 3m from the boundary to 100 Carrington Road (SP 21794)*
5. *The built form shall be broken into separate buildings through the provision of laneway connections and an internal publicly accessible open space. This open space shall be of sufficient size (spanning 94 and 98 Carrington Road), have adequate solar access, retail connections and public art to provide appropriate public amenity*
6. *223-227 Bronte Rd are contributory items in the heritage conservation area and sufficient fabric of the façade (including return walls) shall be retained to ensure that they are still interpreted as buildings that contribute to the streetscape and HCA*

The Panel acknowledges that the applicant has provided a public benefit offer letter to be secured via a Voluntary Planning Agreement, which should address the requirements of 5 above.

The exhibition of the planning proposal should be accompanied by the Site Specific DCP which addresses the above requirements to achieve an appropriate built form and the public domain outcome for these properties. The maximum FSR in the LEP shall be determined by further modelling of the envelope established by the above heights, setbacks and the laneways and public spaces.’

In summary, the proposed amendments to FSR and height would:

- Be more in keeping with the existing streetscape, heritage character and built form of Charing Cross.
- Improve commercial, retail and residential offerings in an area in proximity to public transport.
- Create provision for a larger, higher amenity and more functional public square.

Local Plan-Making Authority

The role of local plan-making authority relates to who has the final say in determining a PP. Council needs to state whether it wants to be the local plan-making authority as part of the submitting planning proposals to the Department. Local plan making functions are now largely carried out by councils. Councils are routinely authorised to be the plan-making authority for PPs including:

- Mapping corrections.
- LEPs that will result in a relaxation of a development standard on a site to promote development including potential increases to FSR and height of building and reduced minimum lot sizes.
- Amending references to documents/agencies, minor errors and anomalies.
- Reclassification proposals where the Governor's approval is not required in relation to the removal of covenants, trusts etc. relating to the land.
- Heritage LEPs related to specific items (whether adding or removing an item from a Heritage Schedule) supported by an Office of Environment and Heritage or endorsed local strategy.
- Spot rezonings that give effect to regional or a local strategy endorsed by the Planning Secretary.
- Spot rezonings that will result in an upzoning of land in existing areas zoned for residential, business and industrial purposes.
- Any other matter that the Gateway determines is a matter of local planning significance

Council generally won't receive local plan-making authority for PPs that are contentious, such as new Conservation Areas or items that don't have support from the Office of Environment and Heritage or are subject to a Rezoning Review.

It is significant for Council to be the plan-making authority since under section 3.36(2) of the EP&A Act 1979, the local plan-making authority may, following completion of community consultation:

- Make a local environmental plan (with or without variation of the proposals submitted) in the terms the local plan-making authority considers appropriate, or
- Decide not to make the proposed local environmental plan.

Council should state that it wants to be the local plan-making authority as part of any resolution to submit the planning proposal to the Department to provide Council with the authority to ultimately determine whether the PP is supported or not.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

There have been no upfront or recurrent costs associated with this planning proposal other than staff costs associated with the administration and assessment.

Time frame

The estimated time frame for completing of the LEP amendment is set out below:

Gateway Determination	August – September 2020
Public Exhibition	September – October 2020
Report to Council	November – December 2020
Consideration by DPIE if plan making authority not granted to Council.	February – April 2021

Consultation

If given a Gateway Determination by the DPIE to proceed to exhibition, the Proposal will be placed on exhibition for a minimum of 28 days and would also be consulted with the local Precinct and NSW Government Agencies.

6. Conclusion

In summary, the proposed amendments to FSR and height of this revised PP would:

- Be more in keeping with the existing streetscape, heritage character and built form of Charing Cross.
- Improve commercial, retail and residential offerings in an area in proximity to public transport.
- Create provision for a more functional public square.

It is recommended that Council authorises officers to send the planning proposal to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination to proceed to public exhibition, after which a final report will be presented to Council.

7. Attachments

1. Charing Square 3.0 Planning Proposal Assessment Report - Pre-Gateway [↓](#)



Charing Square Planning Proposal Assessment Report

203 – 231 Bronte Road & 94 – 98 Carrington Road, Waverley

*Planning Proposal – Charing Square Assessment Report***Planning Proposal Information**

Council versions:

No.	Author	Date	Version
1	Waverley Council	15/05/20	Pre-gateway

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Executive Summary

This report outlines the assessment of a proponent led Planning Proposal (PP) for 203-231 Bronte Rd and 94-98 Carrington Rd, Waverley. There are positive elements associated with a redevelopment of these sites. The height and FSR controls as submitted are considered adequate in the context of the surrounding streetscape. The use of stepped height limits to ensure consistency with the facades of adjoining buildings, the prevailing streetscape and surrounding character and to minimise residential amenity impacts, such as overshadowing, is supported. The creation of the public space is also supported. It is recommended that the Planning Proposal proceed to a Gateway Determination for public exhibition.

The proponent originally lodged a PP with a proposed height of 24m and a FSR of 2.85:1 on 22 June 2018. Council officers did not support this height. The proponent submitted an amended PP, reducing the proposed height to 18m and reducing the FSR to 2.65:1. The amended PP was submitted to Council on 5 February 2019. On 22 March 2019 the applicant formally lodged a Rezoning Review to be considered by the State Planning Panel. The Rezoning Review was held on 15 November 2019. At the Rezoning Review it was determined that the PP should not be sent to Gateway as it was not found to have site-specific or strategic merit. The State Planning Panel indicated a height of 13m (or thereabouts) would be better suited for this site to ensure that it does not visually overpower the Charing Cross centre. The State Planning Panel also indicated that the Legions Club and other appropriate land be included in the Planning Proposal to improve the strategic merit of the proposal. A new Planning Proposal incorporating the State Planning Panel's advice was lodged on 24 April 2020.

The new proposed heights range from 10m-13.5m and the FSRs from 2:1-2.25:1. The heights proposed are stepped down in height from the Legions Club (at the street level, 223-227 Bronte Road has an upper level setback) to the 231 Bronte Road next to the QE Store. The purpose of this stepped height approach is to minimise the visual impact of any development along Bronte Road on the Bronte Road heritage conservation area. The sites are well located to public transport services and are within proximity to the strategic centre of Bondi Junction. The proposal intends to maintain retail and commercial floor space whilst also encouraging residential development. The façade of 223-227 Bronte Road is proposed to be retained as part of the proposal.

The proposal intends to create a destination for residents and travellers to revitalise the Charing Cross centre. The public space is to be surrounded by artisan cafes and restaurants whilst also providing increased patronage numbers to the centre through the increase in residential uses in the centre. The proposal intends to enhance the identity and character of Charing Cross. This is in line with the Draft Waverley Village Centres Strategy as residents identified their desire to have a public plaza within Charing Cross during the Village Centres Strategy community workshops.

The notion of further retail and commercial space in Charing Cross and the creation of a public space for local residents to enjoy is supported. Charing Cross is a suitable location for residential development given the transport connections to Bondi Junction and proximity to high amenity surrounds of Queens and Centennial Park and beaches. The proposed scheme allows for a larger and more functional public square and residential and commercial uses. The proposed scheme recommends a scale that purports to respect the significant heritage character of Charing Cross and be sympathetic with the prevailing character by stepping down in height to neighbouring sites.

In addition a site specific DCP in conjunction with an Additional Local Provision are proposed to secure the delivery of the public square, allow for a development that does not diminish the visual amenity

of the Bronte Road streetscape, the landmark status of the Robin Hood Hotel and is consistent in size with the surrounding development.

In summary, the proposed amendments to FSR and height would:

- Improve commercial, retail and residential offerings in an area in proximity to public transport
- Create provision for a functional public square
- Remain sensitive to the streetscape and existing heritage character and built form of Charing Cross

WLEP2012 Provision	Existing Control	Proposal
Zone	B4 Mixed Use	B4 Mixed Use
FSR	1:1	2-2.25:1
Height	9m	10-13.5m
Heritage Conservation Area	211-231 Bronte Road	Maintain
	Existing Control	Proposal
Through site link	NIL	Yes
Public space	NIL	19%
Additional Local Provision	NIL	Yes

INTRODUCTION

Affected Land

The Planning Proposal is located on the following lots:

- 203 – 209 Bronte Road (Robin Hood Hotel) – Lot A DP 105665 and part of Lot 1 DP 59526 – 533m²
- 211 – 213 Bronte Road (Eastern Suburbs Legions Club) – Lot B & C DP 105665 – 491m²
- 223 – 227 Bronte Road and 94 Carrington Road (Bottle shop and Stamatiko Flats) – Lot A & B DP 332733 – 1229m²
- 229 Bronte Road (Reece Site) – Lot 2 & 3 DP 102988
- 231 Bronte Road (Reece Site) – Lot 1 DP 170941
- 98 Carrington Road (Reece Site) – Lot 1 DP 952482 & Lot 1 DP 90800 – All Reece sites total 1220m²

Figure 1 below identifies the lots involved in the PP and their respective Lot and DPs.

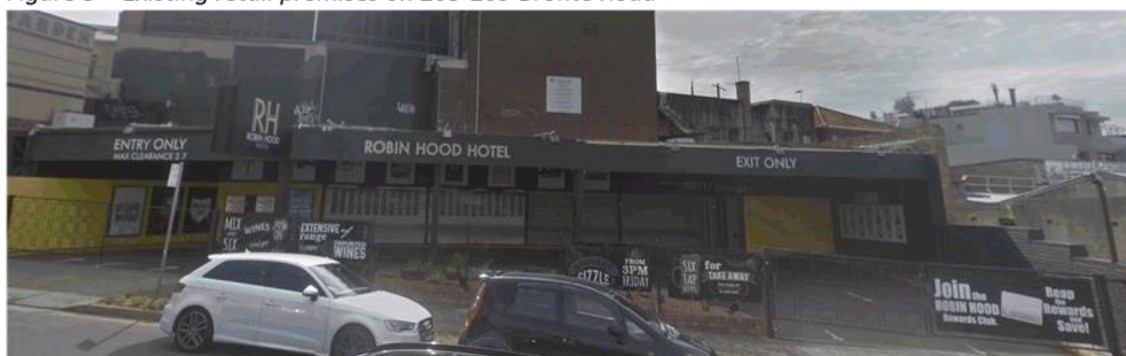
Figure 1 – Site of the Planning Proposal, 203 – 231 Bronte Road and 94 – 98 Carrington Road, Waverley



Existing Development on the site

Each of the lots have separate existing uses. 203-209 Bronte Road is currently used as a retail premises in the form of a drive-through bottle shop known as the Robin Hood Hotel Bottle Shop.

Figure 3 – Existing retail premises on 203-209 Bronte Road



223-227 Bronte Road is currently used as shop top housing with a mix of retail shops on the ground floor and residential apartments above. The retail premises include a hair studio and a garage door sales place. The residential apartments above are in a dilapidated state and as such are not occupied, this site is within a Heritage Conservation Area (HCA). This is discussed further in Section 3.2 of this report.

Figure 4 – Existing retail use and shop top housing (left) and residential apartments (right), 223-227 Bronte Road



94 Carrington Road currently has an existing dilapidated garage on the site. Figure 5 below shows the garage on 94 Carrington Road.

Figure 5 – Existing garage on 94 Carrington Road



The Eastern Suburbs Legions Club is located on 211-213 Bronte Road. This building is three storeys high and is incongruous to the surrounding character of the Charing Cross centre. The club is a licensed venue and operates on a commercial basis.

Figure 6 – Eastern Suburbs Legion Club



Reece Plumbing is located on 229-231 Bronte Road and 98 Carrington Road. The Reece Plumbing building is a two and a half storey commercial/industrial warehouse style building. This building fronts both Bronte Road and Carrington Road. There is also shop top housing located on 229 Bronte Road with part of the Reece showroom and a tiling and mosaics store located on the ground floor.

Figure 7 – Reece Plumbing warehouse on 98 Carrington Road and showroom and shop top housing on 229-231 Bronte Road



Surrounding Context

The site is located in the commercial / retail centre of Charing Cross near the intersection of Bronte Road and Carrington Road. The village centre is distinguished by the acute intersection of major traffic routes Carrington and Bronte Roads and the secondary route of Victoria Street. The village centre is characterised by two storey retail facades of late Victorian, Federation and Inter War styles interspersed with rare early Victorian shop and residential forms and later Post War development.

Bronte Road is distinguished by being a village centre of predominantly two-storey commercial buildings (shop-top housing) dating from the late 19th century through to the early 20th century. The principal character of the locality is late 19th century with a strong overlay of early 20th century commercial development, which tends to consist of single buildings, rather than rows of shop-top housing as were being constructed in the 1880s and 1890s (for example the Heads Buildings, 245-263 Bronte Road, a row of ten commercial premises with flats above).

Figure 8 – Bronte Road Streetscape*Figure 9 – Bronte Road Streetscape (Heads buildings)*

The eastern side of Carrington Road which contains the subject property, is mixed in character with late 20th century commercial buildings to the south of the Robin Hood Hotel and face brick mid-20th century residential flat buildings. The western side of Carrington Road consists of detached Victorian terrace housing and workers cottages with 20th century commercial buildings at the northern end, culminating in the Charing Cross Hotel at the junction of Carrington Road and Victoria Street. Aside from the Charing Cross Hotel and the Robin Hood Hotel, this section of Carrington Road is not particularly distinguished.

Figure 10 – Carrington Road Streetscape

The maximum height of 9m maintains the two storey consistency seen on both Bronte and Carrington and the 1:1 FSR control ensures the fine grain lot size seen on Bronte Road. With the exception of the anomalous Eastern Suburbs Legions Club (1970s construction), the majority of the recent developments completed within Charing Cross have maintained the consistency of the existing streetscape with only minor exceptions to the development standards, usually seen in increases of FSR, this is explored further in the surrounding development section.

Surrounding Development

To the north of the site is the Robin Hood Hotel, to the east / north of the site across Bronte Road is mixed use buildings with commercial uses on ground floor and shop top housing above, to the south of the site is a residential flat building and to the west across Carrington road are residential uses. The Robin Hood Hotel is a heritage item that faces both Carrington Road and Bronte Road that also has a much larger building envelope than much of the development on Bronte Road, it is not inconsistent with the prevailing streetscape of Carrington Road because there is no clear building envelope consistency on Carrington Road.

The Charing Cross village is a Heritage Conservation Area (HCA) and contains many heritage items under Schedule 5 of the LEP. The heritage and low-density character of this village is highly valued and as such this centre is the subject of strict controls in the LEP and particularly the DCP. The importance of maintaining the scale, character and heritage of this centre was outlined in the Draft Waverley Village Centres Strategy as it outlines that *'Any new building must respect the HCA and its design and characteristics without mimicking heritage detailing'*. Recent development in and around the Charing Cross centre has respected the important heritage and distinctive low-scale character by complying with the controls and objectives set out in this document. Council's longstanding stance on this issue has ensured that all recent DAs were consistent with the study and in turn, have respected the existing character and built form of the Charing Cross Centre. Figure 11 below provides good examples of complying with or minimally exceeding the controls within reason whilst still respecting the streetscape and prevailing low-density neighbourhood character. Many of these developments have done this by setting back of the top level so that it is less visible to the streetscape and the existing façade can be maintained. These developments were completed prior to the lodgement of this proposal and demonstrate that redevelopment of the subject site of this PP can be achieved within the controls or with only minor exceedances to the control. It can be argued that a minor increase in the current LEP controls on this site are possible, provided that the development is setback appropriately to minimise visual impact.

Figure 11 – Recent developments respecting the streetscape

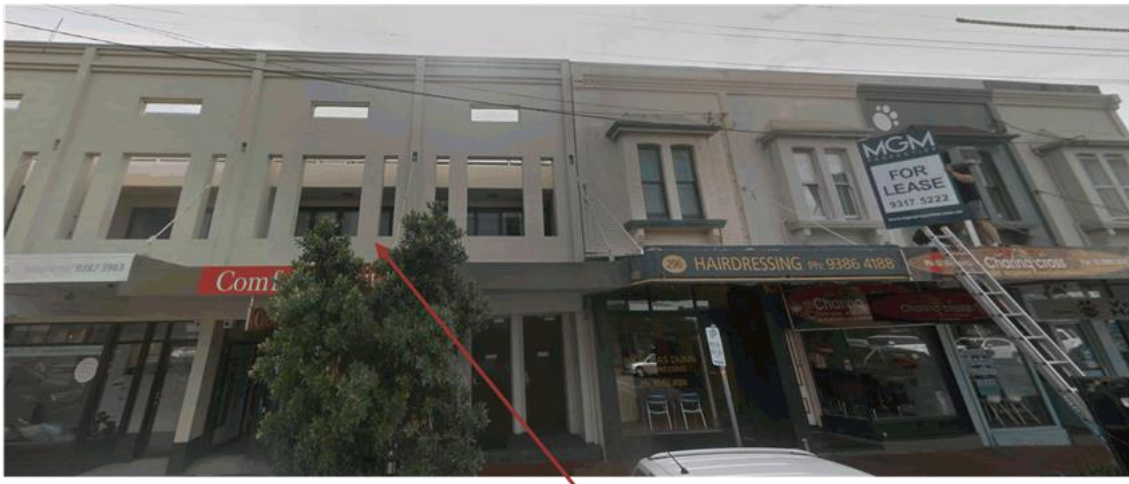


Site 1 – 173 – 179 Bronte Road, Waverley

Planning Proposal – Charing Square Assessment Report



Site 2 – 226 – 232 Bronte Road, Waverley



Site 3 – 284 – 292 Bronte Road, Waverley

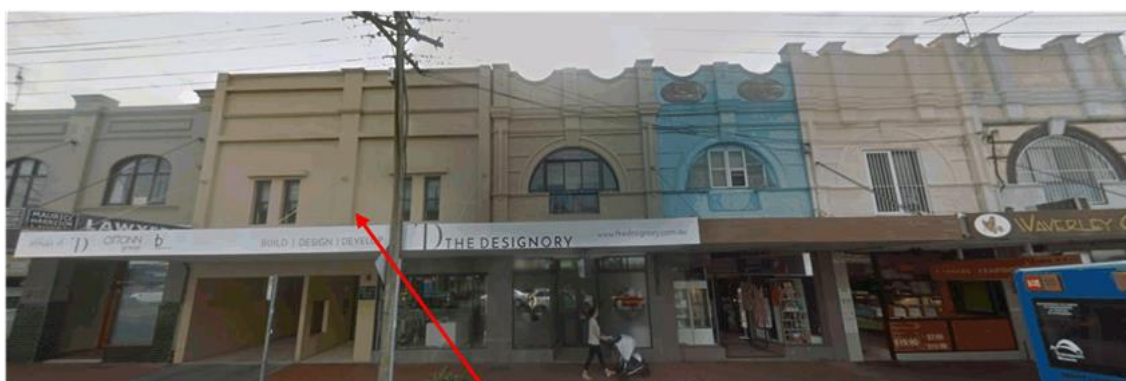


Site 4 – 235 – 239 Bronte Road, Waverley

Planning Proposal – Charing Square Assessment Report



Site 5 – 306 – 312 Bronte Road, Waverley



Site 6 – 314 – 316 Bronte Road, Waverley

Current Planning Controls

The Waverley Local Environmental Plan 2012 (WLEP2012) applies to the subject site.

The aims of the WLEP2012 are as follows:

- (a) to promote and co-ordinate a range of commercial, retail, residential, tourism, entertainment, cultural and community uses to service the local and wider community,
- (b) to maintain and reinforce Bondi Junction as the primary commercial and cultural centre in Sydney's eastern suburbs,
- (c) to provide for a range of residential densities and range of housing types to meet the changing housing needs of the community,
- (d) to provide an appropriate transition in building scale around the edge of the commercial centres to protect the amenity of surrounding residential areas,
- (e) to protect, maintain and accommodate a range of open space uses, recreational opportunities, community facilities and services available to the community,
- (f) to enhance and preserve the natural environment through appropriate planning, protecting the integrity of natural systems and by protecting existing trees,
- (g) to identify and conserve the cultural, environmental, natural, aesthetic, social and built heritage of Waverley.

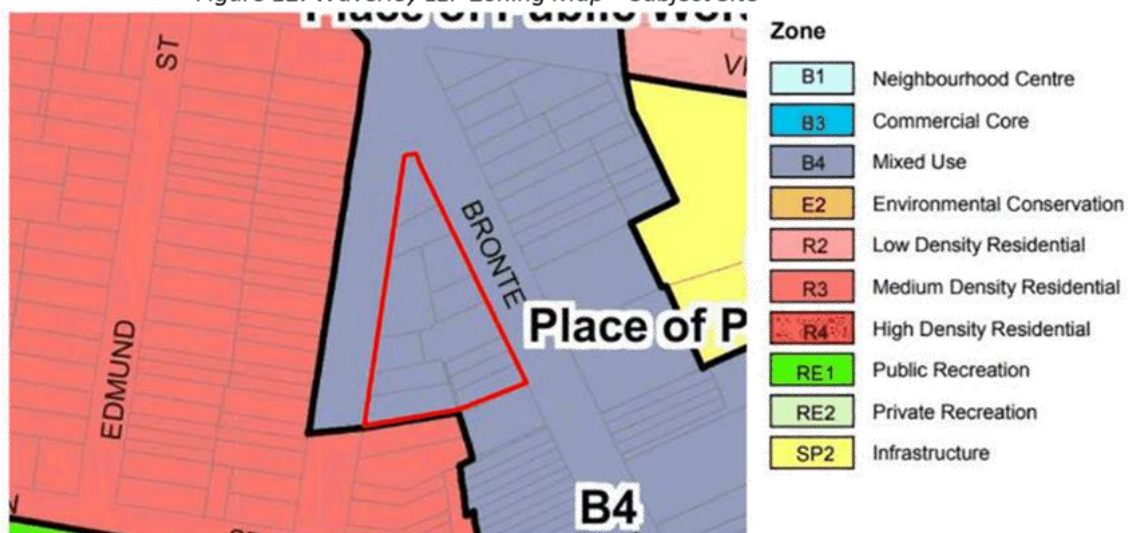
The current development standards pertaining to the site are:

WLEP 2012 Provision	Site
Zoning	B4 Mixed Use
Height of Buildings	9m
FSR	1:1
Heritage	Nil
Heritage Conservation Area	211-213 Bronte Road (Legions Club) 223-227 Bronte Road (Stamatiko Flats) 229-231 Bronte Road (Reece Plumbing)

Zoning: The zoning of the site is B4 Mixed Use. The objectives of the B4 Mixed Use zone are as follows:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage commercial uses within existing heritage buildings and within other existing buildings surrounding the land zoned B3 Commercial Core.

Figure 12: Waverley LEP Zoning Map – Subject Site



Height of buildings: The maximum height of buildings control applying to the site is 9m. This height is consistent with much of the Charing Cross centre and surrounding area. Currently the height of the bottle shop on 203-209 Bronte Road is 5.4m and the height on 223-227 Bronte Road is 11.5m. The height of the Legions Club is 12.3m whilst Reece Plumbing is 9.4m fronting Carrington Road and 9.6m fronting Bronte Road.

Figure 13: Waverley LEP Height of buildings map – Subject site and surrounds

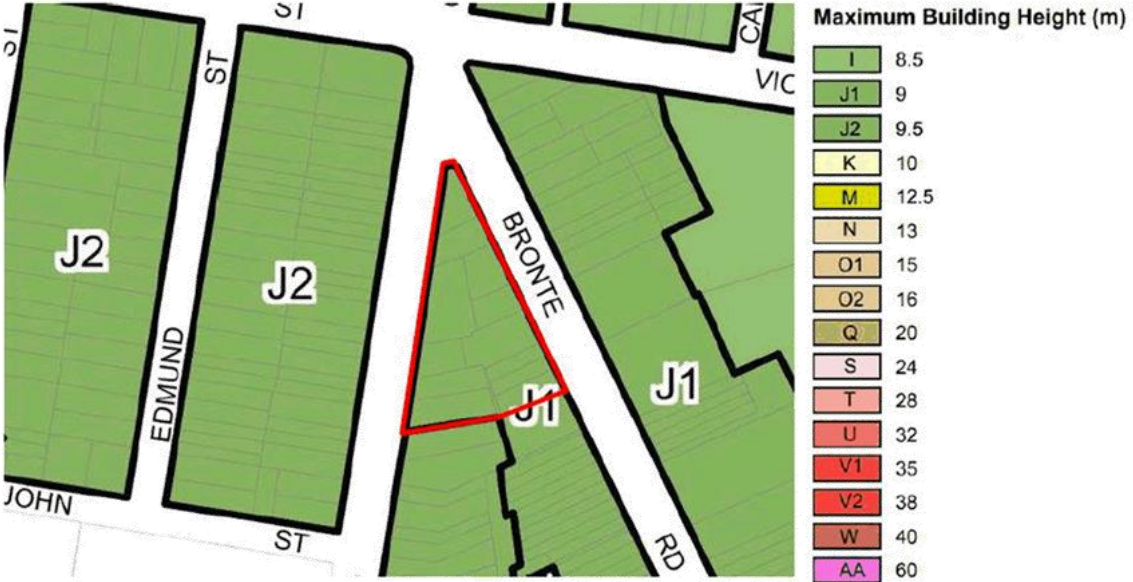


Figure 14: Proposed height of buildings map



FSR: The FSR of the subject site is 1:1. This FSR is consistent with the surrounding area. This conservative FSR helps to create and maintain the fine grain building envelopes seen throughout much of the Charing Cross village centre and especially the built form character of Bronte Road. Figure 15 below shows the FSR for the site and surrounding area.

Figure 15: Waverley LEP FSR map – Subject site and surrounds

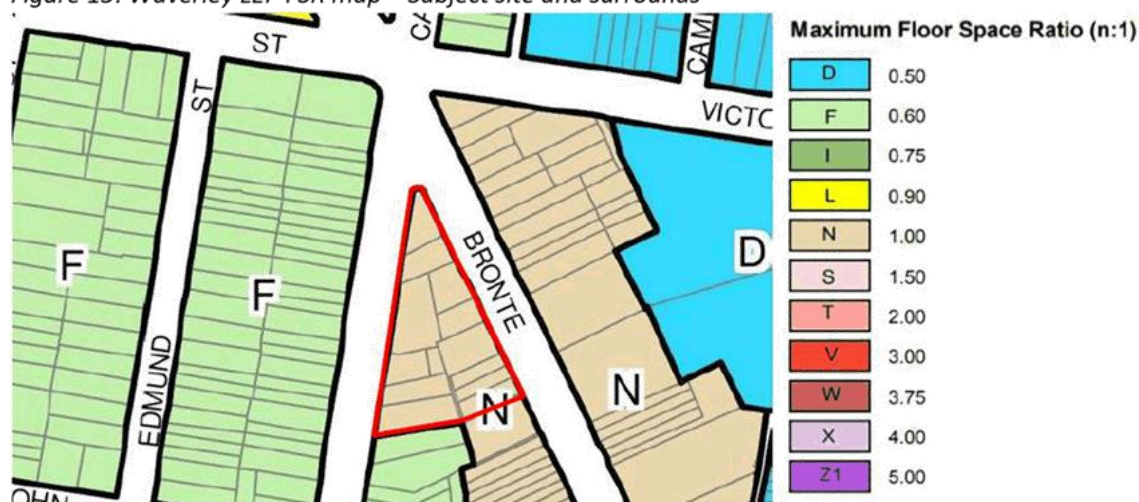
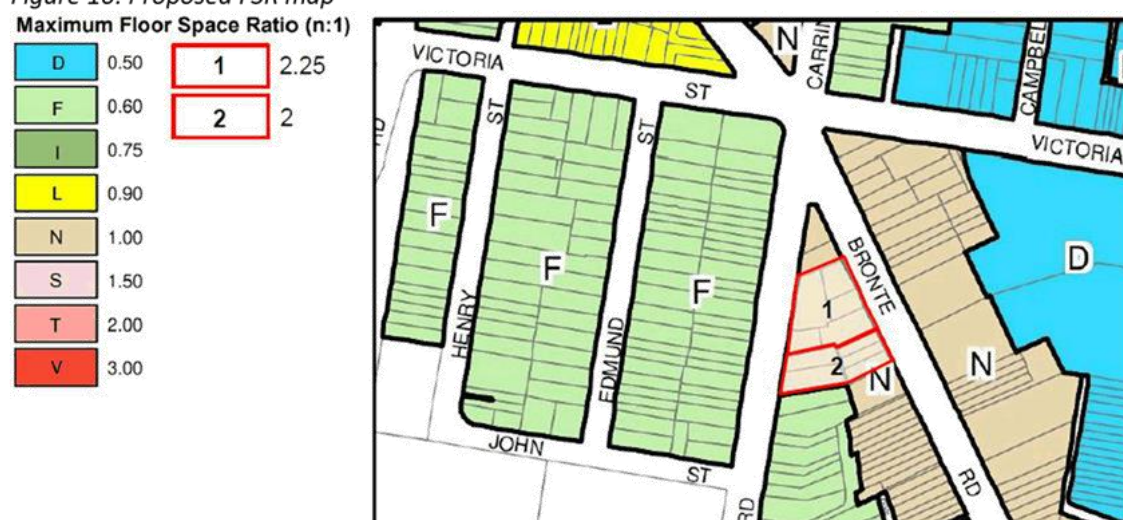


Figure 16: Proposed FSR map



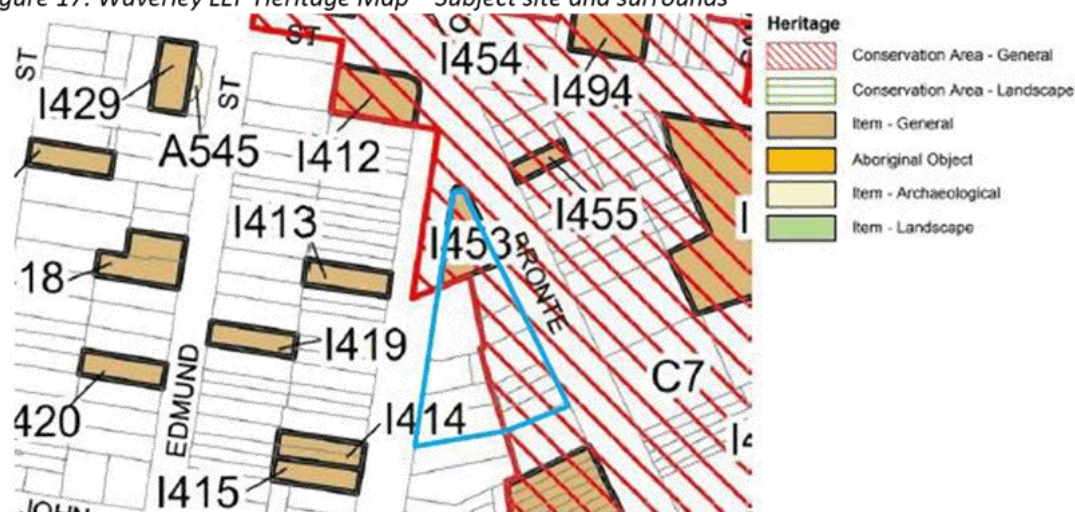
Heritage: Whilst there are currently no heritage items (heritage conservation area to be discussed in the next section) on the subject site, the lots fronting Bronte Road in this PP are all located in a Heritage Conservation Area. The HCA is discussed further below.

Heritage Conservation Area: The shop building at 223-227 Bronte Road is a strong contributing visual element in the Charing Cross Urban Conservation Area, being a well detailed Georgian Revival commercial building with two surviving shopfronts substantially intact. Although simple in detailing, the contrast between the face brick and rendered elements to the upper façade and the strong parapet design make the building stand out from its neighbours, and the buildings' scale serves as a good transition between the contemporary Legion Club building and the Edwardian style shops along this portion of Bronte Road. A site specific DCP would seek to ensure that this transition remains and any additional levels above this should be setback from the street front.

The Charing Cross heritage conservation area is listed for its heritage values in demonstrating late 19th and early 20th century commercial buildings of both state and local heritage significance. The high integrity of built form in the area records the historic evolution of a place from an early village

east of Sydney. The layered fabric dominated by Federation Style buildings indicates a streetscape generated by tram transport beginning in the 1880s.

Figure 17: Waverley LEP Heritage Map – Subject site and surrounds



Background to this Planning Proposal

This Planning Proposal was lodged by Knight Frank on behalf of the land owner and accepted on 24 April 2020. This lodgement followed the unsuccessful appeal of the previous Planning Proposal to the State Planning Panel on 15 November 2020.

The applicant held discussions with Council officers from as early as 2016 and a presentation to Council officers was made on 21 June 2018, the PP was lodged on 22 June 2018. The initial Planning Proposal proposed a height of 24m and an FSR of 2.85:1. Council officers met with the proponent on 3 December 2018 to discuss the initial assessment of the Planning Proposal. Following this meeting the proponent made revisions to the Planning Proposal and submitted an amended Planning Proposal having made changes to both the height of buildings and FSR, reducing the proposed height from 24m to 18m and reducing the FSR from 2.85:1 to 2.65:1. The amended Planning Proposal was submitted to Council on 5 February 2019. On 22 March 2019 the applicant formally lodged a Rezoning Review to be considered by the State Planning Panel.

The rezoning review was held on 15 November 2019. At the rezoning review it was determined that the PP should not be sent to Gateway as it was not found to have site-specific or strategic merit. The State Planning Panel indicated a height of 13m (or thereabouts) would be better suited for this site to ensure that it does not visually overpower the Charing Cross centre. The State Planning Panel also indicated that the Legions Club and other appropriate land be included in the Planning Proposal to improve the strategic merit of the proposal.

This PP was lodged in line with the comments of the State Planning Panel as its heights range from 10m-13.5m and the proposal includes both the Eastern Suburbs Legions Club and the Reece Plumbing sites.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

1.1 Description Statement

The proposal seeks to amend WLEP 2012 by increasing both the FSR and the height of buildings on each of the six sites. The proposal seeks to increase the height of buildings on the sites from 9m to 10m at its lowest height and 13.5m at its highest and intends to increase the FSR on the sites from 1:1 to 2:1 at its smallest ratio to 2.25:1 at its largest ratio. The zoning is to remain as B4 Mixed Use. The Proposal also seeks to implement an Additional Local Provision that will allow for an increase of 10% above the amended height controls to allow for the fall of the land over the sites.

Council officers recognise that the proposed heights are in line with the heights outlined as suitable for the area by the State Planning Panel.

1.2 Intended Outcomes

The intended outcome of the proposal is to increase the height and FSR of the six subject sites to allow for a greater yield of commercial and residential floor space. The proposal intends to create controls on the site that enable the development of four storey buildings. The intention of these four storey buildings is to be able to yield up to 61 residential apartments and 1564m² in retail floor space and 655m² of commercial floor space. The proposal also intends to dedicate 19% of the lot area to create a through site link from Carrington Road to Bronte Road and a public space. The breakdown of apartments to land holdings is located below.

Use	Description	Whitten site	Legion site	Reece site	Total
Residential apartments	1-bed	16	9	6	31
	2-bed	7	14	9	30
	Total	23	23	15	61 apartments
Retail (sqm GFA)		594	330	640	1,564 sqm
Commercial (sqm GFA)		655	-	-	644 sqm

The proposal intends to create a destination for residents and travellers to revitalise the Charing Cross centre. The public space is to be surrounded by cafes and restaurants.

Council officers support the notion of further retail and commercial space in Charing Cross and the creation of a public space for local residents to enjoy.

The concept scheme outlines setback upper levels. This would be enforced in a site specific DCP to help to maintain the existing character and built form of Charing Cross. The reduced building heights improve the positive elements of the public space and reduce negative impacts from a more intensive mixed-use redevelopment of the site. The newly proposed public space provides a more holistic and strategic approach to the use of the sites than the previous iteration of the planning proposal. The inclusion of Reece Plumbing and the Legions Club allows for a larger and more functional public square.

The public square is intended to be secured through the provision of a site specific DCP and an Additional Local Provision within the LEP to secure the space. An Additional Local Provision is also proposed in order to provide for a 10% height exceedance over the site in order to account for the fall in the land on the sites.

PART 2 – EXPLANATION OF PROVISIONS

2.1 Draft Development Standards

This Planning Proposal seeks to amend the Waverley Local Environmental Plan 2012 as follows:

WLEP2012 Provision	Existing Control	Proposal
Zone	B4 Mixed Use	B4 Mixed Use
FSR	1:1	2-2.25:1
Height	9m	10-13.5m
Heritage Conservation Area	211-231 Bronte Road	Maintain*
	Existing Control	Proposal
Through site link	NIL	Yes
Public space	NIL	19%

Site	Development Standard - Existing	Development Standard - Proposed
203-209 Bronte Road (RH Hotel)	FSR: 1:1 HOB: 9m	FSR: 2.25:1 HOB: 13.5m
211-213 Bronte Road (Legions)	FSR: 1:1 HOB: 9m	FSR: 2.25:1 HOB: 13m
223-227 Bronte Road & 94 Carrington Road (Bottleo & Flats)	FSR: 1:1 HOB: 9m	FSR: 2.25:1 HOB: 13.5m
229 Bronte Road (Reece Site)	FSR: 1:1 HOB: 9m	FSR: 2:1 HOB: 10m (next to QE Foods) & 13.5m (lot next to 94 Carrington)
231 Bronte Road (Reece Site)	FSR: 1:1 HOB: 9m	FSR: 2:1 HOB: 10m
98 Carrington Road (Reece Site)	FSR: 1:1 HOB: 9m	FSR: 2:1 HOB: 11m

PART 3 – JUSTIFICATION

3.1 Section A – Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcomes and objectives. The set questions address the strategic origins of the proposal and whether amending the WLEP is the best mechanism to achieve the aims of the proposal.

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

The Planning Proposal is not the result of a strategic study or report.

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

For the PP, going through the gateway process is the only means of achieving their amendments to the Waverley LEP. The proposed variations to the development standards would result in a 50% increase in height and a 125% increase in FSR. It is considered that the size of these variations are too large to be considered as part of a Clause 4.6 variation. As a Clause 4.6 variation to development standards would not be considered, the only means of changing the LEP controls on the site would be through a Planning Proposal.

The B4 Mixed Use zoning allows for a mix of commercial and residential uses that could be developed on the site to help create a retail and residential mix. Under the current controls shop top housing could be developed to create this mix, this development is already existing on 223-227 Bronte Road and could be replicated on the remaining two lots.

The State Planning Panel outlined that a height of 13m or thereabouts would be considered suitable for this site and as such the applicant has lodged this PP with the maximum height being 13.5m. This height and proposed stepping down in heights helps to:

- respect the streetscape and existing heritage character and built form of Charing Cross
- improve residential amenity for dwellings to the south
- create an improved amenity within the public square.

3.2 Section B – Relationship to strategic planning framework.

3.2.1 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Greater Sydney Region Plan and exhibited draft strategies)?

Eastern City District Plan

The *Eastern City District Plan*, prepared by the Greater Sydney Commission, provides actions and strategies to implement the Aims and Objectives of the Region Plan *A Metropolis of Three Cities*. The District Plan is applicable to the proposal. The following objectives set out in the District Plan are applicable to this proposal:

E4: Fostering healthy, creative, culturally rich and socially connected communities

The proposal intends to utilise the open space area for public art – although this would have to be secured via a site specific DCP. As the proposal also intends to retain the façade of 223-227 Bronte Road it could be argued that this would help to ensure that the visual amenity of Bronte Road is maintained, setting back the upper levels will also help to achieve this. It is noted that the maintenance of more than the façade (i.e. retaining some or all of the fabric of the original building) of 223-227 Bronte Road and the setting back of any additional levels would achieve this objective better. The applicant has stated that development on the other sites will ‘seek to complement the Bronte Road streetscape by its use of a podium and incorporating pedestrian access through site’. There are currently no plans to retain the facades of the Reece Plumbing site.

E5: Providing housing supply, choice and affordability, with access to jobs, services and public transport

The proposal will provide housing supply that, given the proximity of the site to Bondi Junction, has good access to jobs, services and public transport. The site has access to various bus routes on Carrington Road and Bronte Road and has proximity to Bondi Junction train station as well.

It is not considered that the proposed residential dwellings will be affordable given their location, views (being on a ridgeline) and the premium of newly built apartments.

E6: Creating and renewing great places and local centres, and respecting the District's heritage

The Charing Cross Heritage Conservation Area is defined by individual buildings rich in detail, presenting focal points of interest. Each shop front commands attention, yet through their cohesiveness of scale and height, provide a rhythm to the facade which presents an impressive vista when viewed along the length of Bronte Road. The proposed controls and setback levels maintain the views along Bronte Road and the prevailing streetscape that is integral to the Charing Cross Conservation Area. Whilst the proposal to maintain the façade of 223-227 Bronte Road is a more positive outcome than demolition, retaining the fabric of the dwelling is also a desirable outcome.

If the public courtyard that is to be created is complemented with good retail offerings it has the potential to create a destination and a public benefit. The proposed heights of buildings are more reasonable than previously proposed heights and provide a sympathetic scale with the surrounds, improving the amenity and making a great place more achievable. For the public plaza to really achieve its full potential the redevelopment of the Reece Plumbing sites (229-231 Bronte Road & 98 Carrington Road) needs to occur as the applicant has placed the bulk of the square on these sites.

The provision of a greater amount of commercial and retail floorspace would assist in reinforcing the commercial / retail role and function of Charing Cross centre by potentially adding greater footfall.

E11: Growing investment, business opportunities and jobs in strategic centres

Not applicable.

E18: Delivering high quality open space

The proposal is intending to provide 19% of the site area for a total of 660m². The idea of an activated public space with cafes and restaurants is supported. If the Reece Plumbing sites are redeveloped and the entirety of the public space is developed, this public space will be a more functional and attractive space for people to visit and spend their time in. This lower scale building wall height creates a more inviting space with greater access to sunlight, daylight and sky-exposure. Sky-exposure is an urban design principle influencing the pedestrian perception of scale of a space, which in turn impacts upon the general perception of the character of a place. If the Reece sites do not redevelop the thoroughfare that will be created as part of the redevelopment of the Whitten family sites will remain low amenity and provide little benefit to the community. If the precinct as a whole is redeveloped and creates the public space in its entirety, this public space would be of high amenity and provide a good public benefit to the community.

A Metropolis of Three Cities

A Metropolis of Three Cities – the Greater Sydney Region Plan (Region Plan) prepared by the Greater Sydney Commission is a high-level strategy applicable to the proposal. The Region Plan sets forward a vision for Greater Sydney of three 'Cities' of which Waverley falls into the 'Eastern Harbour City.' Each city has goals related to Infrastructure and Collaboration, Liveability, Productivity and Sustainability, as well as Ten Directions that relate to the whole of the Greater Sydney Region. Each of the above

objectives within the Eastern City District Plan give effect to objectives within *A Metropolis of Three Cities*, the connections are set out below.

Strategic Merit Test and Site Specific Merit Test

All planning proposals in NSW must be prepared in accordance with the *Guide to preparing Planning Proposals*. The table below assesses the proposal against the strategic merit test as set out in this document.

Guide to preparing Planning Proposals

Strategic Merit Test	
a) Does the proposal have strategic merit? Is it:	
Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or	<p>Including the Reece Plumbing Sites and Eastern Suburbs Legions Club into the PP provides a more holistic and place-based approach to planning as it allows for the creation of a larger, more functional public space and can step building heights to mitigate any adverse visual impacts from the development. This place-based planning approach is in line with Actions 18 and 21 of the Eastern City District Plan.</p> <p>The proposal is also in line with Action 38 of the District Plan as it will help create a safe public realm in the public space through CPTED principles whilst also providing for a diverse mix of uses and night time economy. The proposal will increase the amount of retail and commercial offerings on the sites whilst also providing more dwellings to meet Waverley's housing targets.</p>
Consistent with a relevant local council strategy that has been endorsed by the Department; or	<p>Waverley's Local Strategic Planning Statement was published and endorsed by DPIE in March 2020. Local action 9 for Bondi Junction, Queens Park and Waverley states that Charing Cross should be activated with place making initiatives, including improving the quality and safety of laneways and providing urban space. The PP achieves this action as the proposed public space will provide public open space adjoining cafes and restaurants and various retail offerings.</p> <p>This PP is line with Direction 8 of the LSPS as the mixed use redevelopment of the site will connect people to inspiring and vibrant places with easy access to shops, services and public transport. The residents that live in the residential apartments will be in proximity to both public transport services and recreational spaces such as Queens Park.</p>
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.	There have been no changing circumstances economically, socially or environmentally that apply to the site that are not reflected in the existing planning controls.
Site-specific Merit Test	
b) Does the proposal have site-specific merit, having regard to the following:	
The natural environment (including known significant environmental values, resources or hazards); and	There are no known environmental values that would be diminished as part of this proposal.

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<p>The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and</p>	<p>Currently the uses on the site provide important services to the Charing Cross and wider Waverley community. Reece's Plumbing is one of the few informal industrial uses within Waverley and services the needs of the wider Waverley community. The Robin Hood and attached bottle shop is one of the few offerings Charing Cross has currently to create a night time economy in the Charing Cross centre and is well frequented by members of the wider Waverley community. The Eastern Suburbs Legions Club sees less patronage but still contributes to the night time economy. The Stamatiko Flats on 223-227 Bronte Road are in a dilapidated state and as such remain unoccupied.</p> <p>In terms of the existing uses surrounding the sites, Bronte Road is distinguished by being a village centre of predominantly two-storey commercial buildings (shop-top housing) dating from the late 19th century through to the early 20th century. The centre and surrounds to have some three-storey forms, which tend to be set-back from the street frontage.</p> <p>The heritage and low-density character of this village is highly valued and as such this centre is the subject of strict controls in the LEP and particularly the DCP. Critically, this is why recent development in the past 15 years in this area (Figure 8) has been consistent with the scale of the prevailing low-density neighbourhood and character of the heritage streetscape. Recent development in and around the Charing Cross centre has respected the important heritage and distinctive low-scale character by setting back the top level so that it is less visible to the streetscape and the existing façade can be maintained.</p> <p>The proposed heights and setback upper levels will have a minimal impact on the visual amenity of Bronte Road as the consistency of the streetscape is preserved. There is no distinct streetscape or significant heritage on Carrington Road and as such it is considered the building heights here will not impact on the character of Charing Cross. Whilst the FSR does not reflect the fine grain nature of Charing Cross it can be considered that the creation of the public space is an adequate trade off. It is also considered that due to the large nature of the precinct and there being no other sites within Charing Cross this size, that this PP will not set a regrettable precedent.</p> <p>Maintaining the façade of 223-227 Bronte Road and the Reece Plumbing Sites will also help to protect the importance of the heritage conservation area. This will be considered further at the DA stage.</p>
<p>The services and infrastructure that are or will be available to meet the demands arising from the proposal; and</p>	<p>The site is well located within walking distance to the Bondi Junction Transport Interchange and many bus routes along Bronte Road.</p>
<p>Any proposed financial arrangements for infrastructure provision.</p>	<p>The proposal offers no financial arrangements for infrastructure provision. There are no arrangements for additional infrastructure provision in place from Council or any other government agency for the immediate area. The proposal does offer public space in lieu of a monetary contribution in the form of 19% of the lot area being given for public use.</p>

3.2.2 Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Waverley Local Environmental Plan 2012

Waverley Local Environment Plan 2012	
Objective	Proposal
to promote and co-ordinate a range of commercial, retail, residential, tourism, entertainment, cultural and community uses to service the local and wider community	The proposal intends to co-ordinate a range of commercial and residential uses that will service the local community. The proposed controls can deliver this objective.
to identify and conserve the cultural, environmental, natural, aesthetic, social and built heritage of Waverley	211-231 Bronte Road all sit within the Charing Cross Heritage Conservation Area. The applicant has outlined that any redevelopment of the site will maintain the façade of the 223-227 Bronte Road building. Whilst the proposal to maintain the façade is a more positive outcome than demolition, retaining the fabric of the dwelling is also a desirable outcome. Maintaining the consistency of the Bronte Road streetscape is a very important outcome so it is also considered that the facades of 229-231 also be maintained. The proposed heights and setback upper levels respect the built heritage of Charing Cross as it does not take away from the prevailing streetscape which is integral to the heritage conservation area.

Zoning: B4 Mixed Use	
Objective	Proposal
To provide a mixture of compatible land uses	The proposal does provide a mixture of land uses as it proposes to have a mix of commercial, retail and residential land uses. As much of Charing Cross has a commercial mix of shop top housing it is considered that the proposed uses on the site are compatible land uses.
To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling	The site is in an accessible location to various modes of public transport including bus services and the train station. The site is accessible to cycle paths as well with Queens Park directly opposite the site. The land uses that are proposed are suitable for the area.
To encourage commercial uses within existing heritage buildings and within other existing buildings surrounding the land zoned B3 Commercial Core	Not applicable. The site is not directly surrounded by B3 Commercial Core zoned land.

Height	
Objective	Proposal
To establish limits on the overall height of development to preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views,	The proposed heights create a development scenario that is relatively in keeping with the surrounding built form and does not detract from the Bronte Road streetscape. The buildings do not detract from the visual presence of the Robin Hood and do not diminish views. The setback level on 223-231 is in line with the height of the Legions club and steps down to the neighbouring QE Foods building. The height proposed on 203-209 Bronte Road and 94 Carrington Road has the four levels in line with the parapet of the Robin Hood and steps down to reduce the overshadowing impact on the residential flat building to the South. The idea of the activated space with cafes and restaurants is supported. The lower

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Height	
Objective	Proposal
	scale building wall height proposed creates a more inviting space with greater access to sunlight, daylight and sky-exposure.
To increase development capacity within the Bondi Junction Centre to accommodate future retail and commercial floor space growth,	Not applicable.
To accommodate taller buildings on land in Zone B3 Commercial Core of the Bondi Junction Centre and provide an appropriate transition in building heights surrounding that land,	Not applicable.
To ensure that buildings are compatible with the height, bulk and scale of the desired future character of the locality and positively complement and contribute to the physical definition of the street network and public space.	The height and bulk are sensitive to the surrounding buildings and do not challenge the landmark status of the Robin Hood Hotel or detract from the visual amenity of the Bronte Road streetscape. Given that the grouping of the sites are surrounded by strata, fine grain shops and recently redeveloped lots, it is considered that the proposal is unlikely to create a precedence that will negatively impact Charing Cross as the proposed building height and bulk are in keeping with the surrounding area. The proposed heights will help Charing Cross to maintain its desired future character of being a low-scale centre respecting the existing two-three storey heritage conservation area.

FSR	
Objective	Proposal
To ensure sufficient floor space can be accommodated within the Bondi Junction Centre to meet foreseeable future needs,	Not applicable.
To provide an appropriate correlation between maximum building heights and density controls,	The FSR control and height control proposed are suitable when used together.
To ensure that buildings are compatible with the bulk, scale, streetscape and desired future character of the locality,	The proposed FSR and height, with upper levels past the parapet line set back (subject to a site specific DCP) will be compatible with the desired future character of the locality as the buildings will not visually detract from the Bronte Road streetscape.
To establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality.	The proposed FSR of 2.25:1, whilst larger than the surrounding area, will allow for the creation of the public space and the redevelopment of the sites. This will create a greater amenity in the Charing Cross area as it will provide people a space to visit and dine during day and night and make the centre more of a destination than thoroughfare. Whilst there will be some overshadowing of the roof and the courtyard to the residential flat building to the south the applicant has demonstrated that it is still compliant with the Apartment Design Guidelines.

Heritage	
Objective	Proposal
to conserve the environmental heritage of Waverley,	The PP proposes to maintain the façade of 223-227 Bronte Road, whilst this is a better outcome than no protection it would be considered a stronger outcome if the fabric of the building was maintained too. Similarly, maintaining the fabric and façade of 229-231 Bronte Road would also provide an outcome that protects the significance of the Charing Cross HCA.
to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,	The proposal to maintain the façade of 223-227 Bronte Road will help to maintain the significance of the Charing Cross HCA as this building is a contributory building. The proposal also is maintaining the street frontage height of the parapet and setting back levels above this. The setback levels is a suitable mechanism to help maintain the consistency of the Bronte Road streetscape and to mitigate any visual impact of the development from the streetscape. It is also considered that the proposed heights and setback levels will not undermine the visual significance of the heritage listed Robin Hood Hotel. The heights along Carrington Road are considered acceptable as there is minimal adverse impacts caused to the Charing Cross HCA.
to conserve archaeological sites,	The site does not have any archaeological heritage significance
to conserve Aboriginal objects and Aboriginal places of heritage significance.	The site does not have any Aboriginal objects or is not an Aboriginal place of heritage significance.

The controls listed, along with a site specific DCP to be created in conjunction and an Additional Local Provision that secures the delivery of the public square, allow for a development that does not diminish the visual amenity of the Bronte Road streetscape, the landmark status of the Robin Hood Hotel and is consistent in size with the surrounding development. The Additional Local Provision proposed to provide for a 10% height exceedance over the site will be utilised to account for the fall in the land over the site.

In summary, the proposed amendments to FSR and height would:

- Remain sensitive to the streetscape and existing heritage character and built form of Charing Cross
- Improve commercial, retail and residential offerings in an area in proximity to public transport
- Create provision for a larger, higher amenity and more functional public square

Waverley Community Strategic Plan 2018-2029

Section	Consistency
3.2 Expand the network of parks and open spaces, sporting and recreational facilities	The proposal intends to deliver a functional open space assuming that all sites redevelop. The location of this space to Queens Park will help to create a network between public spaces and open recreational spaces.
4.2 Ensure Bondi Junction and Waverley's villages continue to have a diverse range of businesses, local jobs and services	The proposal will allow for a diverse range of businesses within Waverley villages as the development of each lot for shop top housing means there must be a commercial or retail premises on each.
5.2 Value and embrace Waverley's heritage items and places	The proposal intends to mitigate any impacts on the Charing Cross HCA by setting back levels higher than the parapet to reduce the visual impacts of the development and by maintaining the façade of the 223-227 Bronte Road building.
6.2 Build and maintain streetscapes that have a welcoming sense of place	The proposal setbacks upper levels so as to reduce their impact on visual amenity. Setting back the upper levels will also help to maintain a good human scale. It is considered that the proposed heights are consistent or only slightly above with the existing development and therefore will not interfere with the sense of place as the character of Charing Cross will remain the same.
6.3 Create safe streets and footpaths with fair access to parking	The proposal intends to provide 35 car parking spaces with the possibility of 6 on street car parking spaces to be created.

Local Strategic Planning Statement

Direction	Consistency
6: Facilitate a range of housing opportunities in the right places to support and retain a diverse community	This PP will yield a total of 61 residential apartments in proximity to retail and commercial offerings as well as sufficient levels of public transport. This is in line with direction 6 of the LSPS.
8: Connect people to inspiring and vibrant places, and provide easy access to shops, services, and public transport	This PP is line with Direction 8 of the LSPS as the mixed use redevelopment of the site will connect people to inspiring and vibrant places with easy access to shops, services and public transport. The residents that live in the residential apartments will be in proximity to both public transport services and recreational spaces such as Queens Park.
Local Implementation Plan Bondi Junction, Queens Park, Waverley: Action 9	Local action 9 for Bondi Junction, Queens Park and Waverley states that Charing Cross should be activated with place making initiatives, including improving the quality and safety of laneways and providing urban space. The PP achieves this action as the proposed public space will provide public open space adjoining cafes and restaurants and various retail offerings.

3.2.3 Is the planning proposal consistent with applicable State Environmental Planning Policies?

SEPP	Name	Applicable	Consistent
55	Remediation of Land	Yes	Any demolition occurring on the sites would have ensure the correct safety measures are used to maintain the asbestos, this would be considered at the development application stage. The existing and historical uses on the site have not contaminated the land and as such it is not considered that remediation is needed.
65	Design Quality of Residential Apartment Development	Yes	The design and separation of the buildings is compliant with SEPP 65 with regards to visual privacy, communal space, setbacks and building separation requirements. The height, FSR and context responsiveness are less compliant with SEPP 65, it is considered that these issues would be addressed as part of a development application.
70	Affordable Housing (Revised Scheme)	N/A	Whilst all Greater Sydney Councils are now technically a part of SEPP 70, Council does not yet have the mechanism within the LEP to be enable the use of SEPP 70 to levy developments for affordable housing. This will be considered further as part of the DA stage.

3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Table 8 documents Ministerial Directions that are relevant to the proposal. Overall the proposal is consistent with the applicable s.117 Directions as available on the DPE website.

Ministerial Directions	Comment
1.1 Business and Industrial Zones (1) Objectives <i>(a) encourage employment growth in suitable locations,</i> <i>(b) protect employment land in business and industrial zones, and</i> <i>(c) support the viability of identified centres.</i> (4) A planning proposal must contain provisions that facilitate the conservation of: <i>(a) give effect to the objectives of this direction,</i> <i>(b) retain the areas and locations of existing business and industrial zones,</i> <i>(c) not reduce the total potential floor space area for employment uses and related public services in business zones,</i> <i>(d) not reduce the total potential floor space area for industrial uses in industrial zones, and</i> <i>(e) ensure that proposed new employment areas are in accordance with a strategy that is approved</i>	<p>The proposal will encourage employment growth in a suitable area as the site is located within proximity to the strategic centre of Bondi Junction and many residential areas.</p> <p>The proposal intends to keep the existing B4 Mixed Use business zoning and protect lands that permit business land uses.</p> <p>The proposal will not reduce potential business floor space as in any shop top housing development that is to occur on the site the bottom floor is required to be commercial or retail development, regardless of increase to FSR or height.</p> <p>Maintaining employment floor space is in accordance with the Eastern City District Plan and the Waverley Community Strategic Plan 2018 – 2029.</p>

Ministerial Directions	Comment
by the Secretary of the Department of Planning and Environment.	
<p>2.3 Heritage Conservation</p> <p>(1) Objectives</p> <p>(a) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>(4) A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) Items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p>	<p>The proposal to maintain the façade of 223-227 Bronte Road will help to maintain the significance of the Charing Cross HCA as this building is a contributory building. The proposal is also maintaining the street frontage height of the parapet and setting back levels above this. The setback levels are a suitable mechanism to help maintain the consistency of the Bronte Road streetscape and to mitigate any visual impact of the development from the streetscape. It is also considered that the proposed heights and setback levels will not undermine the visual significance of the heritage listed Robin Hood Hotel. The heights along Carrington Road are considered acceptable as there is minimal adverse impacts caused to the Charing Cross HCA.</p>
<p>3.4 Integrating Land Use and Transport</p> <p>(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	<p>The objective of this direction is to ensure that urban land use locations improve accessibility for active and public transport and reduce car dependence.</p> <p>The site is well-connected to public transport, being a walking distance to heavy rail at Bondi Junction Interchange and being served by frequent bus services along Bronte Road.</p> <p>The proposed zone is for an urban purpose and is located proximate to a Strategic/District Centre.</p>

Ministerial Directions	Comment
<p>(4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p>	
<p>6.1 Approval and Referral Requirements</p> <p>(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	The proposal aims to ensure that the amended WLEP2012 would give effect to the redevelopment of the site and the appropriate assessment of development.
<p>7.1 Implementation of A Plan for Growing Sydney</p> <p>(1) The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</p> <p>(4) Planning proposals shall be consistent with:</p> <p>(a) the NSW Government's A Plan for Growing Sydney published in December 2014.</p>	As indicated above in 3.2 the planning proposal is consistent with the aims and priorities of the Metropolitan Strategy as it protects commercial lands whilst also encouraging residential development and creative and cultural communities.

3.3 Section C – Environmental, social and economic impact

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

It is unlikely that there will be any impact on critical habitat or threatened species as part of this proposal.

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

The proposal will overshadow the buildings to the South as it will stand much taller than the surrounding buildings. This is demonstrated in the shadow diagrams below. The overshadowing modelling demonstrates that the PP is still in line with the ADG and is therefore considered compliant.

Figure 18 Shadow diagrams



3.3.3 Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal aims to create the opportunity for increased residential dwellings within Charing Cross, additional commercial uses and a public square. The proposal intends to create a destination for residents and travellers to revitalise the Charing Cross centre. Council officers support the notion of further retail and commercial space in Charing Cross and the creation of a public space. Furthermore, Charing Cross is a suitable location for residential development given the transport connections to Bondi Junction and proximity to high amenity surrounds of Queens and Centennial Park and beaches.

In terms of social benefits, the proponent argues that the proposed public square is a significant public benefit and as such is using this as the primary justification for any uplift. The proposed scheme allows for a larger and more functional public square.

3.3.4 Is there adequate public infrastructure for the planning proposal?

The proposal is well located near a range of services and is well serviced via public transport, being a short walk from the Bondi Junction Transport Interchange. As such no increases in public transport infrastructure are likely to be required due to the proposal. Additional upgrades with regards to water and power may be required.

PART 4 - CONCLUSION

The Planning Proposal lodged on 203-231 Bronte Rd and 94-98 Carrington Rd, Waverley proposes to increase the FSR on the sites from 1:1 to 2.25:1 and maximum height permissible from 9m to 13.5m. The proposal also proposes an Additional Local Provision that will provide for a 10% exceedance over the site to account for the fall in the land of the site. The sites are well located to public transport services and are within proximity to the strategic centre of Bondi Junction. The proposal intends to maintain retail and commercial floor space whilst also encouraging residential development. The façade of 223-227 Bronte Road is proposed to be retained as part of the proposal.

The notion of further retail and commercial space in Charing Cross and the creation of a public space for local residents to enjoy is supported. Charing Cross is a suitable location for residential development given the transport connections to Bondi Junction and proximity to high amenity surrounds of Queens and Centennial Park and beaches. The proposed scheme allows for a larger and more functional public square and residential and commercial uses. The proposed scheme recommends a scale that does not detract from the significant heritage character of Charing Cross and is sympathetic with the prevailing character by stepping down in height to neighbouring sites.

The controls listed, along with a site specific DCP to be created in conjunction and an Additional Local Provision that secures the delivery of the public square, allow for a development that does not diminish the visual amenity of the Bronte Road streetscape, the landmark status of the Robin Hood Hotel and is consistent in size with the surrounding development.

In summary, the proposed amendments to FSR and height would:

- Remain sensitive to the streetscape and existing heritage character and built form of Charing Cross
- Improve commercial, retail and residential offerings in an area in proximity to public transport
- Create provision for a more functional public square

Recommendation:

That Council support the planning proposal to proceed to Gateway for determination.

REPORT
CM/7.9/20.07

Subject: Bondi Junction to Randwick Cycle Route Options

TRIM No: A19/0771

Author: Genevieve Wilson, Senior Project Manager

Director: Dan Joannides, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Notes the high-level feasibility report and technical report attached to this report, prepared in response to the Transport for NSW (TfNSW) principal bike network draft map (referred to in the Future Transport 2056 Strategy) to inform an updated Waverley Bike Plan and current streetscape projects.
2. Consults key stakeholders on a potential Bronte Road/Carrington Road separated cycleway for inclusion in an updated Waverley Bike Plan and revised TfNSW Principal Bicycle Network.
3. Progresses with the current streetscape upgrade of Spring Street to Ebley Street, Bondi Junction, without incorporating a potential Bronte Road/Carrington Road separated cycleway.
4. Progresses with the current streetscape upgrade of Bronte Road to Albion Road, Charing Cross (works at the Carrington Road and Bronte Road intersection) without incorporating a potential Bronte Road/Carrington Road separated cycleway.

1. Executive Summary

Transport for New South Wales (TfNSW) identified Bronte Road as a potential separated cycleway linking Bondi Junction and Randwick strategic centres in their Principal Bicycle Network draft map, referred to in their Future Transport 2056 strategy. To inform the design development of current streetscape projects, Council sought independent identification and comparison of the cycle route options linking Bondi Junction and Randwick.

A high-level feasibility report was undertaken to compare eight potential cycle routes between Bondi Junction and Randwick, which identified three of the routes for further technical analysis:

- Route 4 – Brisbane Street/Bourke Street.
- Route 5 – Bronte Road/Albion Street.
- Route 7 – Bronte Road/Carrington Road.

A technical report was then undertaken to compare the design and constructability of these three routes. The technical report recommended progressing to consultation with key stakeholders with regards to including Route 7 (Bronte Road/Carrington Road separated cycleway route) in the TfNSW Principal Bike Network and the forthcoming revision of the Waverley Bike Plan due to improved connectivity to cycle way infrastructure and commercial areas, lower cost, less social impacts and high use by cyclists.

As progression is subject to key stakeholder feedback and allocation of funding, it is recommended that Council progress current streetscape projects in Bondi Junction and Charing Cross (works at the Carrington Road and Bronte Road intersection), without incorporating a potential Bronte Road/Carrington Road separated cycleway so as to provide full amenity and aesthetic outcomes in the short to medium term while the proposed cycleway progresses to design, potentially over a much longer timeframe.

2. Introduction/Background

Council is committed to improving cyclist safety and amenity. In accordance with Waverley's transport plan (People, Movement and Places 2017), as well as the Bondi Junction Compete Streets 2013 and the Waverley Bike Plan 2013, Council is seeking to improve the number and proportion of trips made by cycling so as to reduce traffic congestion, parking pressure and greenhouse gas emissions generated in Waverley while improving the health and amenity of our area. Several streetscape improvements are currently under construction in Bondi Junction and design investigations are in progress for Bronte Road, Charing Cross.

TfNSW have released the Principal Bicycle Network draft map which identified Bronte Road as a separated cycleway linking Bondi Junction and Randwick strategic centres. The business case informing the Principal Bicycle Network is not currently available, so Council sought to independently identify and comparatively assess all the options for a separated cycleway linking Bondi Junction and Randwick.

A high-level feasibility report (Attachment 1) was prepared by consultancy Barros van den Dool which identified and assessed eight potential cycleway routes connecting Bondi Junction to Randwick (shown in Figure 1) against the eighteen criteria:

- Directness.
- Network connectivity.
- Suitability for a separated (TfNSW Tier 1) route.
- Corridor width and traffic constraints.
- Constructability and costs.
- Maintenance and revenue.
- Land ownership and government approvals.
- Travel time.
- Gradient.
- Sun protection / tree coverage.
- Safety and personal security.
- Parking impacts.
- Bus impacts.
- Business community impacts.
- Construction impacts.
- Impacts on events.
- Impacts on Council initiatives.
- Place.

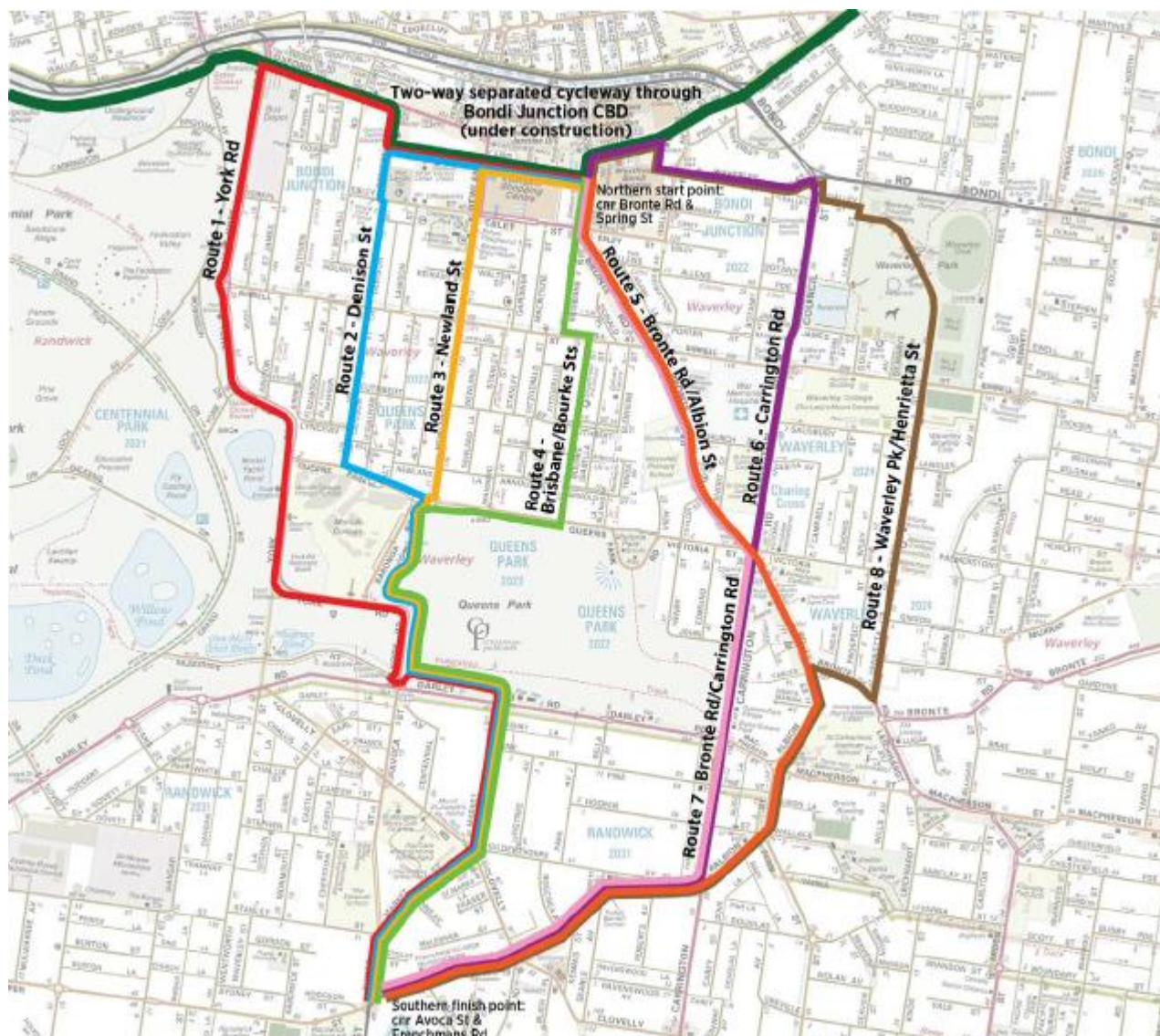


Figure 1. Map of potential cycle routes linking Bondi Junction and Randwick assessed in the feasibility study.

The high-level feasibility report identified three of the routes for further assessment and technical analysis:

- Route 4 – Brisbane Street/Bourke Street.
- Route 5 – Bronte Road/Albion Street.
- Route 7 – Bronte Road/Carrington Road.

The technical report undertaken by consultancy GHD (Attachment 2) assessed these three routes, focusing on connectivity, usage and construction impacts including lane widths, footpath widths, parking, bus stops, trees and other infrastructure. This assessment assumed that the proposed cycleway will be located on one side of the road only and will consist of two 1.2 m wide lanes with a 0.4 m wide median for separation from the road. Such detail would need to be further investigated should the preferred route progress to design development.

3. Relevant Council Resolutions

Nil.

4. Discussion

The technical report quantified the impacts, where possible, of the top three routes based on a worst-case scenario. Should any of these cycleway routes progress to design, different design treatments could be utilised to minimise loss of trees and/or car parking spaces. Excerpts are shown in Table 1. Two options were costed for the technical report. Option A prefers realignment of the kerb and the relocation of services over the removal of parking spaces. Option B prefers the removal of parking spaces over kerb realignment. Further investigations are also required during design development for improved cost accuracy and inclusion of the following costs:

- Relocation of subsurface services e.g. stormwater, sewer, gas etc.
- Application and approval fees e.g. road, electrical and roads permits etc.
- Planting of trees and/or vegetation.
- Contractor's preliminaries, establishment costs etc.
- Council project management costs
- Contingency.

Table 1. Quantified route impacts and cost comparison – Based on worst case scenario.

	Route 4 – Brisbane St/Bourke St	Route 5 - Bronte Rd / Albion St	Route 7 – Bronte Rd / Carrington Rd
Length of route (m)	1780	1510	1330
Option A – Prefers realignment of kerb and services			
Removal of parking spaces (No.)	13	97	50
Removal of large trees (No.)	25	89	33
Realignment of road (m)	610	1370	710
Total construction costs (note exclusions)	\$455,196	\$1,713,404	\$1,327,400
Construction costs (\$ per m)	\$256	\$1,135	\$998
Option B – Prefers removal of parking spaces			
Removal of parking spaces (No.)	13	193	150
Removal of large trees (No.)	25	70	0
Realignment of road (m)	450	880	310
Total construction costs (note exclusions)	\$326,456	\$1,020,796	\$717,180
Construction costs (\$ per m)	\$183	\$676	\$539

The advantages and disadvantages of each route, including non-quantifiable costs and benefits, are listed in Table 2.

Table 2. Advantages and disadvantages of cycle route options

	Route 4 – Brisbane St / Bourke St	Route 5 - Bronte Rd / Albion St	Route 7 – Bronte Rd / Carrington Rd
Advantages	<ul style="list-style-type: none"> ▪ Connects with proposed Darley Rd cycleway ▪ Utilises Queens Park ▪ Lowest \$/m ▪ Small commercial area ▪ Existing priority to link to UNSW ▪ Lower volume of large tree removal ▪ Lowest volume of parking space removal 	<ul style="list-style-type: none"> ▪ Higher volume cyclist usage ▪ Connects to other cycle way infrastructure ▪ Connects to commercial area 	<ul style="list-style-type: none"> ▪ Shortest length ▪ Utilises Queens Park ▪ Connects with proposed Darley Rd cycleway ▪ Connects with other cycleway infrastructure ▪ Connects to commercial area ▪ Higher volume cyclist usage ▪ Lower volume of large tree removal ▪ Mid volume of parking space removal (Option A)
Disadvantages	<ul style="list-style-type: none"> ▪ Lower volume cyclist usage ▪ Lacks connection to commercial areas ▪ Large tree removal impacting streetscape, visual character, canopy cover/shading 	<ul style="list-style-type: none"> ▪ Longest length ▪ Highest \$/m cost ▪ Space constraints in some sections of Charing Cross resulting in reduced footpath width ▪ Extensive commercial area ▪ Higher volume of large tree removal ▪ Highest volume of parking space removal 	<ul style="list-style-type: none"> ▪ Large area of commercial area ▪ Requires realignment of large sections of Carrington Rd

In the opinion of GHD, Route 4 (Brisbane Street/Bourke Street) has the lowest cost and a lower volume of tree removal, but these large trees provide considerable streetscape character and amenity. This route also lacks connectivity to commercial areas. Route 5 (Bronte Road/Albion Street) has higher cyclist usage and connectivity but also the highest costs and space constraints that would significantly impact on footpath width. Route 7 (Bronte Road/Carrington Road) has high cyclist usage, high connectivity and lower volume of tree removal.

GHD recommended Route 7 (Bronte Road/Carrington Road) as the preferred route. It was noted that as Carrington Road is a NSW Government road and bus route that also adjoins neighbouring Centennial Parklands and Randwick Council, consultation would be required with key stakeholders. This consultation would inform the inclusion (or not) of the preferred route in Council's impending updated Waverley Bike Plan, which is currently being developed, and TfNSW's Principal Bicycle Network.

Consideration was also given to how this preferred route may impact current Council streetscape upgrade projects. It is recommended that Council proceed with current streetscape projects in Bondi Junction (Spring Street to Ebley Street) and Charing Cross (Bronte Road to Albion Street; works at the Carrington Road and Bronte Road intersection), without incorporating a potential Bronte Road/Carrington Road separated cycleway. This will provide for the full amenity and aesthetic benefits of those projects in the short-to-medium-term while the proposed cycleway progresses to design, potentially over a much longer timeframe. The cycleway project is subject to key stakeholder feedback and allocation of funding.

5. Financial impact statement/Time frame/Consultation

The updated Waverley Bike Plan is currently being developed internally by Council's Urban Planning Policy and Strategy team.

Current streetscape upgrade projects for Spring Street to Ebley Street, Bondi Junction, and Bronte Road to Albion Road, Charing Cross, do not incorporate funding for separated cycleway infrastructure in relation to the proposed Bronte Road/Carrington Road route.

Currently, no funding is allocated to design or construction of any additional separated cycleways in Council's Long Term Financial Plan. Funding priorities and sources will be identified as part of the updated Waverley Bike Plan.

6. Conclusion

To inform the design development of streetscape projects, Council sought independent identification and comparison of the separated cycle route options linking Bondi Junction and Randwick.

A high-level feasibility report identified three of the routes for further assessment and technical analysis:

- Route 4 – Brisbane Street/Bourke Street.
- Route 5 – Bronte Road/Albion Street.
- Route 7 – Bronte Road/Carrington Road.

A technical report was then undertaken to compare the design and constructability of these three routes. The technical report recommended progressing to consultation with key stakeholders with regards to the Bronte Road/Carrington Road separated cycleway route due to improved connectivity to cycleway infrastructure and commercial areas, lower cost, less social impacts and it currently being a popular route for cyclists.

Current streetscape projects in Bondi Junction and Charing Cross (works at the Carrington Road and Bronte Road intersection) should continue to be delivered without incorporating the potential Bronte Road/Carrington Road separated cycleway so as to provide full amenity and aesthetic outcomes in the short-term while the proposed cycleway progresses to design over a potentially much longer time frame—subject to key stakeholder feedback and allocation of funding.

7. Attachments

1. Feasibility report (under separate cover) [⇒](#)
2. Technical report (under separate cover) [⇒](#)

**REPORT
CM/7.10/20.07**

Subject: Coastal Risk Management - Diamond Bay Reserve and Coastal Cliff Edges

TRIM No: A19/0573

Author: Jordan Lavery, Project Manager

Director: Dan Joannides, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Receives and notes the findings and recommendations of the independent coastal risk assessment.
2. Notes that a number of recommendations from the risk assessment have been addressed via the remediation works undertaken at the Diamond Bay Reserve boardwalk and Eastern Avenue Reserve, including installation of mesh infill panels to the existing balustrade and installation of hoarding beneath the boardwalk to further deter and restrict access to the cliff edge in 'hotspot' locations.
3. Endorses ongoing implementation of the risk treatment plans set out in the coastal risk assessment report in accordance with the recommended priorities.
4. Notes that it has provided for the design and reconstruction works of the Diamond Bay Reserve and Eastern Avenue boardwalks in its Capital Work program.
5. Notes the actions undertaken to date in relation to coastal safety risks in Table 1 of this report.

1. Executive Summary

As part of its wide-ranging response to behavioural and safety issues and fatalities at Diamond Bay and Eastern Reserves, Council authorised a coastal risk assessment to be undertaken.

This report presents the findings and works arising out of the risk assessment. It also outlines the recent remediation works on the boardwalks at Diamond Bay and Eastern Avenue Reserves which address some recommendations from the risk assessment, as well as outlining all works undertaken in relation to previous Council resolutions.

Council is asked to endorse implementation of the risk treatment plans set out in the coastal risk assessment report.

2. Introduction/Background

Behavioural and safety issues and fatalities at Diamond Bay and Eastern Reserves have lead Council, over the last year, to undertake a significant number of actions to mitigate and reduce risks to public safety. These actions have included physical works, compliance action and education and communication.

As part of these actions, Council authorised a coastal risk assessment to be undertaken with reference to both Diamond Bay and Eastern Reserves, and the wider Waverley coastline.

Previous reports to Council have addressed a range of the works being undertaken. This report presents the findings and works arising out of the risk assessment. It also outlines the recent remediation works on the boardwalks at Diamond Bay and Eastern Avenue Reserves which address some recommendations from the risk assessment, as well as updating Council on all of the works undertaken in relation to previous Council resolutions.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 18 February 2020	CM/7.10/20.02	<p>That Council:</p> <ol style="list-style-type: none"> 1. Treats the attachment to this report as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as it relates to a matter specified in section 10A(2)(e) of the <i>Local Government Act 1993</i>. The attachment contains information that would, if disclosed, prejudice the maintenance of law. 2. Receives and notes the current status of actions to improve safety along the coastal cliff edge outlined in this report. 3. Expresses its sympathy and sadness at the tragic loss of life that occurred at the Eastern Avenue Reserve on Sunday, 12 January 2020. 4. Notes that officers have undertaken an interim risk review in January and February 2020 to assess continuing risk at Diamond Bay Reserve and to assess risk associated with the expanded geographical focus area of Eastern Avenue Reserve. 5. Notes the ongoing examination and minor upgrades to measures already implemented, including modifications and additions to signs and the ongoing repairs and improvements to existing balustrades and fences. 6. Notes that further significant investments at Diamond Bay Reserve and Eastern Avenue Reserve other than those previously endorsed by Council will be further considered when the independent coastal risk assessment is received in April 2020.
Council 19 November 2019	CM/7.14/19.11	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes the current status of actions to improve safety along the coastal cliff edge outlined in this report. 2. Undertakes remediation works on the Diamond Bay and Eastern Avenue boardwalks as per condition assessment

		<p>findings, noting cost estimates outlined in this report, with works to be funded from the SAMP reserve.</p> <ol style="list-style-type: none"> Proceeds to the design stage of reconstructing the Diamond Bay Reserve and Eastern Avenue boardwalks, noting cost estimates outlined in this report, with works to be funded in the 2020–21 capital works program. Includes the possibility of a viewing platform as part of the design of the reconstructed boardwalk. Does not install CCTV cameras at Diamond Bay Reserve at this stage until the final design is completed. Acknowledges the heritage significance of the existing stone archway, wall and steps at Diamond Bay Reserve, and commences proceedings to heritage list them in order to protect and maintain these items as part of any future design and works.
Council 17 September 2019	CM/7.5/19.09	<p>That Council:</p> <ol style="list-style-type: none"> Notes the current status of actions to improve safety along the coastal cliff edge outlined in this report. Considers and investigates the cost and feasibility of installing a viewing platform at Diamond Bay Reserve as part of any works proposed on the Diamond Bay boardwalk, following consideration of the boardwalk condition assessment. Officers report back to Council with the results of the investigation.
Council 20 August 2019	CM/11.4/19.08	<p>That Council:</p> <ol style="list-style-type: none"> Treats this report as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as it relates to a matter specified in section 10A(2)(g) of the <i>Local Government Act 1993</i>. 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. Expresses its sympathy and sadness at the tragic loss of life that occurred at the Diamond Bay Reserve on Saturday, 17 August 2019. Notes the action taken and underway in response to Council resolution CM/8.3/19.06. Notes the additional action undertaken by Council following the tragic events of 17 August 2019.

		<ol style="list-style-type: none"> 5. Notes the legal advice and summary of issues set out in the report. 6. Endorses the carrying out of an independent coastal risk review by suitably qualified assessors to guide further decision making on risk management along the Waverley local government area coastline. Diamond Bay Reserve is to be a priority, with an interim report to be presented to Council as soon as possible. 7. Urgently explores and takes appropriate action related to: <ol style="list-style-type: none"> (a) Installing additional temporary barriers. (b) Signage. (c) Social media messaging, including on WeChat, Weibo and similar channels. (d) Internet sites, tourist sites and other PR outlets, including TripAdvisor. (e) Compliance action. (f) Investigating legal remedies, including trespass. 8. Investigates action related to: <ol style="list-style-type: none"> (a) Community education. (b) Licensing and other legal options. (c) CCTV. (d) Identifiable commercial operators, such as photographic businesses. (e) Parking regulations in the immediate vicinity. (f) Activities by other Councils in managing similar locations. 9. Contacts the State Member for Vacluse, Gabrielle Upton, MP, to seek assistance in this matter. 10. Requests the Diamond Bay/Vacluse and Dover Heights Precincts to provide input.
Council 18 June 2019	CM/8.3/19.06	<p>That Council:</p> <ol style="list-style-type: none"> 1. Officers investigate measures to restrict or deter movement from the Diamond Bay Reserve and the

		<p>Coastal Boardwalk to the cliff ledge. Such measures to include:</p> <p>(a) Appropriate multilingual signage</p> <p>(b) Further physical barriers to restrict or hinder movement to the cliff ledge.</p> <p>2. Investigates the cost and appropriateness for CCTV and consults the local police area command.</p> <p>3. Officers report back to Council by September 2019 with a further investigation to consider the appropriateness and cost of installing a viewing platform from the coastal boardwalk.</p> <p>4. Increases the frequency of ranger patrols in the area, in particular on weekends.</p> <p>5. Installs an additional bin in Diamond Bay Reserve.</p> <p>6. Informs the Vaucluse/Diamond Bay Precinct of Council's decision.</p> <p>7. As part of the investigation Council officers liaise with Sydney Water and groups representing recreational fishermen about the access taken along the edge of the cliff to Sydney Water infrastructure by local fishermen.</p>
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4. Discussion

Coastal risk assessment

Council engaged an independent and qualified consultant to undertake an assessment of best-practice approaches for managing risk along the coastline. The objectives of the coastal risk assessment include:

- Assess best-practice controls for high risk areas on Waverley's coastline in line with relevant Australian Standards, Work, Health and Safety (WHS) legislation, codes of practice, and public safety guidelines
- Provide information and recommendations on best practice risk mitigation, including the above items. It is also noted that from a legal perspective, accessing a cliff edge would fall into the category of obvious risk.
- Clarify responsibilities for managing safe access for high-risk recreational activities at locations such as the coastline and shoreline cliff areas

The coastal risk assessment has been undertaken to enable Council to identify, consider and implement appropriate controls for high risk areas on Waverley's coastline in line with relevant Australian Standards, Work Health and Safety legislation, codes of practice, and public safety guidelines. In addition, this project assists in guiding appropriate approaches for signage, risk isolation measures and responsibilities for managing safe access on coastline and shoreline cliff areas.

The scope of the risk assessment project includes all publicly accessible coastal land along Council's coast such as walkways and parks from Clark Reserve Vaucluse to Waverley Cemetery, Bronte. The scope of works does not include activity on patrolled beaches.

The assessment has now been completed by the appointed consultants Centium and considered by Council officers. The assessment report covers both the Diamond Bay Reserve and Eastern Reserve areas as well as broader risks along the Waverley coastline. An interim set of recommendations (incorporated in the main report) on the Diamond Bay Reserve and Eastern Reserve areas was provided to staff earlier so that they could be addressed within the scope of the remediation works undertaken on the Diamond Bay Reserve Boardwalk between March and June of 2020. A copy of the detailed risk assessment report has been provided to Councillors separately.

The findings of the risk assessment were broken down into eight key areas. The key findings include

Fencing

- Install appropriate height 'Coast Fence' or bollard and wire type fencing to indicate safe set-back in areas with high cliffs, known unsafe access areas as per individual Risk Treatment Plans. Fencing upgrades are recommended for the following locations:
 - Clarke Reserve.
 - Diamond Bay Reserve.
 - Eastern Reserve.
 - Rodney Reserve.
 - Bondi Golf Course.
 - Ben Buckler Point.
 - The Boot.
 - Mackenzies to Tamarama Beach.
 - Tamarama Beach to Calga Reserve.

Signage

- Replace, install and upgrade signage to ensure consistency and compliance with Australian Standards and best practice guides. Signage improvements have been recommended for all locations within the scope of this assessment.

Responsibilities

- Ensure reasonably foreseeable risks are managed via a range of measures appropriate to each location including fencing, compliance officer patrols/presence, signage 'as remote supervision', education and working with other responsible parties on controls and strategy.
- Note that Council's duty of care liability does not extend to activities that inherently have obvious risks associated with them.

Strategy

- Consider developing a Cliff Hazard Strategy consistent with the Australian Coastal Public Safety Guidelines and other relevant standards/guidelines.

Access infrastructure and signage

- Ensure access tracks, signage and fencing are functional and maintained to appropriate standards.
- Implement periodic inspection regime to assess adequacy and integrity.

Rock fishing

- Work with NSW DPIE and the relevant fishing groups to examine the possibility of installing life rings at popular rock fishing locations.

Public Domain Technical Manual

- Update Council's Public Domain Technical Manual (PDTM) to include specifications for the engineered 'Coast Fence' and compliant signage.

Compliance

- Consider increasing compliance presence at 'hotspots'.
- Liaise with NSW Police to develop action response plan for unauthorised events where large numbers of users may be at risk from unsafe access.

A total of 25 risk treatment plans have been recommended in the Coastal Risk Analysis and Signage report, across eleven locations along the Waverley coastline. The priority index for risk treatment plans includes a suggested 'traffic light' rating for location-specific risk treatment plans and signage recommendations. An action plan for implementation is being developed with treatment plans with high priority ratings to be addressed first.

Diamond Bay Reserve and Eastern Avenue boardwalk works

Recommendations relating to the Diamond Bay and Eastern Avenue Reserves were provided to officers earlier in the year so that they could be incorporated within remediation works programmed for those areas. The remediation works on the boardwalks at Diamond Bay and Eastern Avenue Reserves were completed in June 2020. The works included:

- Secure timber balustrades.
- Replace some stair treads and walkway timbers.
- Replace some infill wires on balustrades.
- Replace bolts, screws and nails as required.
- Repair steel posts.
- General repairs.

An independent structural engineer has certified the works completed, with inspections at six monthly intervals to be undertaken until construction of new boardwalks provided for within Council's capital works program.

Diamond Bay Reserve boardwalk – Additional works

As part of the boardwalk remediation works at Diamond Bay Reserve, an access assessment was undertaken. This report was used to inform the installation and location of mesh panel infills and hoarding beneath the boardwalk to increase the difficulty of accessing the cliffs edge. Examples of the works completed can be seen in the below image.



Figure 1. Example of mesh infill panel and hoarding installed on the boardwalk at Diamond Bay Reserve.

Next steps

The Coastal Risk PCG will oversee the ongoing implementation of the risk treatment plans in accordance with the recommended priorities set out in the coastal risk assessment report. An action plan for implementation is being developed due to length of coastline and breadth of recommendations. Implementation will consider the level of risk, accessibility of the area and existing capital works programs, with treatment plans with high priority ratings to be addressed first.

Procurement for design services of the proposed new boardwalks at Diamond Bay Reserve and Eastern Reserve is set to be released for quote in July 2020. A viewing platform at the 'archway' adjacent to the Diamond Bay Reserve boardwalk will be investigated as part of the design.

Update on other works undertaken

The table below outlines the current status of actions taken at Diamond Bay Reserve and the coastal cliff edges in response to relevant Council motions.

Table 1. Current status of actions taken at Diamond Bay Reserve and coastal cliff edges.

Item #	Action	Status	Comment
1	Consider and investigate cost and feasibility of installing a viewing platform at Diamond Bay Reserve as part of any future works.	COMPLETE	The cost to replace the boardwalk at Diamond Bay Reserve is estimated at \$1.2M. A viewing platform will be investigated as part of the design process. This work has been provided for by Council in the physical works program.
2	Undertake a Coastal Risk Assessment by independent, suitably qualified assessors.	COMPLETE	See this report for information.
3	Install temporary fencing at Diamond Bay boardwalk to further deter access.	COMPLETE	Temporary fencing was installed and has since been removed following the installation of a permanent balustrade.
4	Install additional permanent balustrade at Diamond Bay Reserve boardwalk to further deter access.	COMPLETE	Additional permanent balustrade has been installed, further restricting access to the archway at Diamond Bay Reserve.
5	Install additional temporary compliance signage to deter access and reinforce compliance messaging.	COMPLETE	Temporary signage was installed and has since been removed following the installation of permanent signage.
6	Install permanent compliance and advisory signage at Diamond Bay.	COMPLETE	<p>This was completed some months ago. Following the death at Eastern Avenue Reserve, additional permanent signage has been installed in the area. A total of thirty-eight permanent compliance or advisory signs (designed in accordance with AS2156.1 and AS2342) and eight 'danger keep out' signs have been installed on the fencing/balustrade of the coastal walk between the northern entrance to the Eastern Avenue Reserve Boardwalk and MacDonald Street, Vaucluse.</p> <p>Advisory A1 coreflute signs were installed at all entries to the Eastern Avenue Reserve and Diamond Bay Reserve boardwalks. In addition, A1 coreflute signs have been installed at the end of Oceanview Avenue, Eastern Avenue and Bulga Road (entries to Eastern Avenue Reserve). These signs are advisory as their locations means that enforceable compliance signs would not have legal effect.</p>
7	Awareness campaign/education on risky behaviours through appropriate channels (e.g. Social Media).	ONGOING	Social media campaigning and messaging has commenced and is ongoing. This includes utilising Instagram, Weibo and Wechat to communicate messaging. Comms team have reached out to social media influencers, with three sharing awareness posts on Diamond Bay to date including on Weibo. Advertised in 'This Week in Sydney' (produced yearly) which is translated into Mandarin and

			distributed at the Sydney international airport arrivals terminal, visitor centres, hotels, information kiosks, etc is being taken up. Education and awareness campaigns are ongoing via Council's social media platforms.
8	Review internet/tourism sites and other outlets promoting the site and take appropriate action.	ONGOING	Research is ongoing and commercial operators promoting this site are being contacted as identified.
9	Investigate legal remedies to manage access to the cliff edge and high-risk recreational activities.	COMPLETE	Infringement notices for disobeying local government signs are available but are sometimes difficult to use. Staff working with Police on enforcement. Fines have been issued by both staff and Police. Trespassing is not a viable option as space is public land.
10	Identify commercial operators and review legal/licensing options to manage issue.	ONGOING	Commercial users have been identified. Contact is being made as they are identified, and appropriate conditions have been added to permits relating to cliff access.
11	Investigate the installation of CCTV at Diamond Bay Reserve.	COMPLETE	<p>Officers have investigated options for installing mobile or temporary CCTV units at Diamond Bay. Multiple units would be required to provide sufficient coverage of the area, which would look unsightly and the units would be prone to vandalism. While wireless units would capture the risky activities taking place in the area, it may be costly and difficult for the cameras to be continually monitored. Without monitoring, the cameras would therefore only act to record risky behaviours to be viewed retrospectively. Even if risky behaviour is detected, it would require a human response which Council is providing through Rangers for a significant periods with only partial success.</p> <p>There is no evidence to suggest that the presence of CCTV cameras act as an effective deterrent to risky or antisocial behaviours in this type of location. The Risk assessment has not recommended this measure. The installation of CCTV at Diamond Bay is not recommended at this time.</p>
12	Parking regulations in the immediate vicinity.	COMPLETE and ONGOING	Parking surrounding Diamond Bay currently unrestricted. Changes to be investigated as part of the Resident Parking Scheme review.
13	Activities undertaken by organisations currently managing similar risks.	COMPLETE	National Parks, Sutherland Shire Council and Randwick City Council have provided information on how they manage similar risks.
14	Contact Gabrielle Upton, MP to seek assistance on this matter.	UNDERWAY	Council officers have written to Gabrielle Upton, MP seeking a total of \$96,317 to assist with the coastal risk assessment and boardwalk remediation works. This will be followed up further now that works have advanced. Further assistance is likely to be requested.
15	Seek input from Diamond	COMPLETE	Survey sent to each precinct. Some responses were

	Bay/Vaucluse and Dover Heights Precincts.		received. This has been considered and has inform the risk assessment work.
16	Increased compliance action.	ONGOING	Ranger patrols and presence are being provided based on season/weather and visitor numbers. Ranger presence has been partially effective with some visitors evading Rangers to get access to the cliff edge. Frequency will be reviewed following boardwalk remediation works. It is difficult to issue infringements as some people refuse to produce ID when asked by Rangers. Police involvement is being sought as appropriate. Effectiveness and ongoing cost of this enforcement activity will be kept under review. Ranger patrols in late-March 2020 ceased due to the COVID-19 pandemic and closure of the boardwalk for remediation works. Patrols have re-commenced.
18	Meet with Sydney Water to determine access requirements at Diamond Bay.	COMPLETE and ONGOING	Officers are meeting Sydney Water representatives regularly. Sydney Water confirmed they do not require access down cliff edge at Diamond Bay nor do they own the stairs/assets in this location.
19	Consult with recreational fishing representatives.	COMPLETE	Correspondence with a safety officer from Recreational Fishing Alliance received and being considered. Those fishing are not main risk groups.
20	Independent condition assessment of Diamond Bay boardwalk.	COMPLETE	Final report received from independent structural engineer, recommending 'urgent' remediation works within 6 months, and full rebuild to follow in 12-18 months. Remediations works have since been completed.
21	Investigate viewing platform at Diamond Bay.	UNDERWAY	To be included as part of boardwalk re-design. Initial thinking includes lowering part of the Boardwalk down to the level of the archway/ledge and building around it, although feasibility will need to be tested through design. Subject to site investigations, including geotechnical investigations. Procurement for design services is set to be released in July 2020.
22	Installation of bin enclosure at Diamond Bay.	COMPLETE	Two new bin enclosures have been installed at Diamond Bay Reserve.
23	Undertake Heritage Assessment on the existing stone archway, stairs and wall at Diamond Bay Reserve	COMPLETE	Heritage Planners have undertaken a preliminary review of these structures and advised that Council should ideally conserve them. They are not on any heritage register. Following Council decision to preserve heritage, protection measures will be undertaken.
24	Repairs to damaged fences and balustrade at Diamond Bay Reserve and Eastern Avenue Reserve	COMPLETE	Works to repair fences and balustrades at these locations have been completed. Further works have now been completed as part of remediation project.
25	Diamond Bay Reserve and Eastern Avenue Boardwalks remediation works	COMPLETE	Works are complete, including installation of additional mesh infill panels on the balustrade and hoarding beneath the boardwalk at Diamond Bay Reserve, making access to the cliffs edge more difficult in this location.
26	Minor upgrades to	ONGOING	Council Officers and Ranger Patrols are regularly

	measures already implemented		walking and inspecting the area. Repairs to damaged balustrades and fences have been undertaken and modifications and addition to signage is ongoing, with recommendations from the community being investigated and implemented as appropriate.
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5. Financial impact statement/Time frame/Consultation

The cost to complete the independent coastal risk assessment was approximately \$52,000, which was less than initially expected.

The remediation works on the Diamond Bay Reserve and Eastern Avenue Reserve boardwalks was completed in June 2020 for a total cost of approximately \$300,000. This includes the installation of the mesh infill panels on the Diamond Bay boardwalk detailed above.

The cost to undertake the design and construction of new boardwalks at Diamond Bay Reserve and Eastern Avenue Reserve are estimated to be \$2.02 million, with construction proposed to be funded in the 2020–21 and 2021–22 capital works programs. Procurement for design services is set to be released to the market in July 2020.

There will be additional costs associated with the implementation of risk treatment plans. These costs will be estimated through the implementation plan and programmed within budgets, both existing and future year. It is noted that responses to date, aside from walkway remediation include physical works, balustrade and signage works, are approximately \$35,000. Costs associated with additional Ranger patrols and presence are approximately \$45,000 to date. The need for and frequency of Ranger patrols at Diamond Bay is being evaluated in the context of the recent additional physical works undertaken, however some level of patrols will be maintained.

Council is in the process of seeking state funding assistance (via Gabrielle Upton, MP) for physical works and assistance from Sydney Water as part of the 'Refresh Vaucluse' project. Sydney Water are estimating construction to commence on this project in July 2021.

6. Conclusion

Council has previously authorised a coastal risk assessment to be undertaken. This report presents the findings and recommended works arising out of the risk assessment. It also outlines the recent remediation works on the boardwalks at Diamond Bay and Eastern Avenue Reserves which address recommendations from the risk assessment, as well as outlining all works undertaken in relation to previous Council resolutions.

Council is asked to endorse implementation of the risk treatment plans set out in the coastal risk assessment report.

7. Attachments

Nil.

REPORT
CM/7.11/20.07

Subject: Bronte Cutting Safety Upgrade

TRIM No: A20/0015

Author: Amanda Tipping, Project Manager, Major Projects

Director: Dan Joannides, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Receives and notes the outcome of the options analysis study for the Bronte Cutting Project.
2. Endorses Option 1B (2.5–3 m wide footpath, Calga Place) as the preferred option for Bronte Cutting Project, as detailed in the attachment to this report.
3. Develops Option 1B to a concept design suitable for informing the community.
4. Notes that the developed Option 1B will be reported back to Council prior to informing community.

1. Executive Summary

The purpose of this report is to summarise the outcomes of the options analysis for the Bronte Cutting project carried out by GHD Pty. Ltd. and to seek approval to proceed to concept design development on the preferred option: Option 1B, 2.5–3 m wide footpath, Calga Place.

A further report will be prepared for the Council summarising the concept design and seeking approval to inform the community.

This report includes outcomes of the assessment of two design options that will improve pedestrian and vehicle movement on Calga Place, as well as improve pedestrian user safety through the cutting. The report will discuss the following two design options:

- Provision of a separated path for pedestrians along the eastern side of Calga Place from Bronte Road to Macpherson Street. This footpath will replace the temporary path installed by Waverley Council in 2018 in the cutting area.
- Upgrade of the existing road to a shared space that facilitates the safety of both pedestrians and vehicles. The shared space or 'zone' will change the colour of the asphalt on Calga Place and widen the road corridor for pedestrians and vehicles to share.

2. Introduction/Background

Bronte Cutting forms part of one of the most significant coastal walks in the world. The Bondi to Bronte coastal walk attracts an estimated one million walkers per year and during peak times (such as when the Sculpture by the Sea event is held in Spring each year), as many as 500 pedestrians per hour. This causes a conflict between pedestrians and vehicles, as there are no pedestrian facilities in place within the Cutting to accommodate such high pedestrian numbers.

This conflict is referenced in several Waverley Council strategic documents and other studies, such as the Bronte Plan of Management (PoM), People Movement and Places (WPMP), Bronte Park Universal Access Study, as well as in Council resolutions. The local community have also mentioned the problem in public consultation for the Bronte PoM and for the Bronte Access Study. During previous consultation with the community, safety concerns were raised for pedestrians through the Cutting due to conflict between traffic flow, parking and pedestrians walking on the road. A continuous dedicated pedestrian walkway was requested, linking Bronte Park and the Coastal Walk.

In March 2018, Council requested Council officers to report to the Strategic Planning and Development Committee with options for the improved pedestrian connection in the Bronte Cutting, consistent with the recommendations contained in WPMP and Bronte PoM, including a stakeholder consultation strategy.

As a result, in September 2018 Council endorsed a pilot project to pedestrianise part of the Bronte Cutting by temporarily removing 22 car spaces in order to connect the existing footpath with Calga Reserve and the Coastal Walk. The pilot project was installed in November 2018.

While the pilot project was in place, Council consulted with the community and other relevant stakeholders to communicate options for the future and seek feedback on the pilot project. For this, Council organized intercept surveys, an information session and a community workshop. The consultation reached over 500 people with a high number of responses expressing support for the temporary footpath solution.

The key concerns about a future solution from the ideas presented to the community were mainly related to the impact on the heritage significance of the Bronte Cutting, impacts on biodiversity and loss of parking. The majority of the engaged community want to preserve the natural landscape and heritage of Bronte Cutting, as well as to not impact local biodiversity.

In April 2019, a meeting was held with the Mayor, Councillors and Council officers to clarify the scope of works for the project in conjunction with approval of funding requirements.

In May 2020, Council engaged GHD Pty Ltd to carry out assessment of future options through an options analysis study for Calga Place, including Bronte Cutting.

A Project Control Group (PCG) meeting with GHD Pty Ltd was held on 2 July 2020 to discuss the outcome of the options analysis study for the project. A consensus on a preferred option for the future was reached.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 February 2019	CM/7.13/19.02	That: <ol style="list-style-type: none"> Council pursues a 10 km/h zone as soon as possible by preparing a report for the Waverley Traffic Committee's consideration. Council further investigates the following options for the Bronte Cutting Pedestrian Link Project: <ol style="list-style-type: none"> A formalised pedestrian footpath. Drop-off/pick-up zones. The investigation include design development to resolve disability access issues that respond to the Bronte Plan of Management priorities for the Cutting.

		<ol style="list-style-type: none"> 4. Council extends the temporary pilot project until the above investigation has been undertaken and a permanent solution is approved by Council. 5. Council investigates whether additional parking spaces can be identified through standardisation of existing parking bays.
Strategic Planning and Development Committee 9 October 2018	PD/5.4/18.10	<p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the pilot project for an on road pedestrian pathway in the Bronte Cutting carpark/Calga Place for a two-month trial period. 2. Approves the installation of a lane separator with wands similar to that used for the light rail along the outer edge of the proposed separated pedestrian path on the eastern side of the Bronte Cutting car park, subject to any changes being delegated to the Executive Manager, Creating Waverley. 3. Converts parking space 55 into a disabled person's parking space to replace the existing disabled parking space which is to be removed to make way for the pathway. 4. Investigates a parking configuration in Bronte Cutting to determine whether the 20 spaces forgone by this initiative can be re-accommodated and a report come to Council.
Traffic Committee 27 September 2018		<p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the pilot project for an on road pedestrian pathway in the Bronte Cutting carpark/Calga Place for a two-month trial period. 2. Approves the installation of a lane separator with wands similar to that used for the light rail along the outer edge of the proposed separated pedestrian path on the eastern side of the Bronte Cutting car park, subject to any changes being delegated to the Executive Manager, Creating Waverley. 3. Converts parking space 55 into a disabled person's parking space to replace the existing disabled parking space which is to be removed to make way for the pathway.
Strategic Planning and Development Committee 4 September 2018	PD/5.4/18.09	<p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the Bronte Cutting Pedestrian Link pilot project, which involves removing 20 car spaces along

		<p>the eastern side of the Bronte Cutting car park to create a pedestrian footpath connection linking the existing footpath in the Bronte Cutting and the Coastal Walk at Calga Reserve, for a minimum period of two months.</p> <p>2. Approves a stakeholder engagement program, to be undertaken during the period of time the pilot project is in place, and presents the following additional options for consideration:</p> <ul style="list-style-type: none"> (a) Segregated pedestrian pathway in the Bronte Cutting. (b) Elevated walkway on the top of the eastern side of Bronte Cutting headland. (c) Widening the Bronte Cutting to permit a footpath to be constructed with no loss of parking. (d) Creating a 10 km/h shared zone for the entire length of the Bronte Cutting carpark. <p>3. Notes that a report will be submitted to the Strategic Planning and Development Committee following the stakeholder engagement period, summarising the outcomes of the feedback and including a preferred option for future action.</p>
Council 20 March 2018	CM/4.2.2/18.03	<p>That:</p> <ul style="list-style-type: none"> 1. Council notes the officer's report to the Traffic Committee relating to the Bronte Cutting Pedestrian Project, including consideration of alternative options including a 10 km/h shared zone. 2. Council requests Council officers to report to the Strategic Planning and Development Committee with options for the improved pedestrian connection in the Bronte Cutting, consistent with the recommendations contained in the People, Movement and Places report and all the options in the draft Bronte Park and Beach Plan of Management. 3. The options presented to the Strategic Planning and Development Committee also include a stakeholder consultation strategy.

4. Discussion

As part of the options analysis, following factors were assessed:

Pedestrians

One million people use the Coastal Walk from Bronte to Bondi every year, and during peak times, as many as 500 pedestrians per hour use Calga Place.

The previous arrangement of Bronte Cutting, prior to the installation of the temporary walkway, where pedestrians were required to walk along the road, created the following problems:

- On-road conflict between pedestrians and vehicles.
- Car doors opening onto pedestrians.
- Cars reversing into car parking spaces in high pedestrian activity area.
- 'Jay-walking' occurs to a high degree across Bronte Road, suggesting that infrastructure in the area does not cater well for pedestrians.
- Pedestrians having to move to the side to let cars through.
- Pedestrians not having 'right of way', including having to wait while cars are parking.
- High stress environment for pedestrians with mobility issues including those using wheelchairs, mobility aides and parents/carers using pushers and walking with children.

The implementation of a temporary footpath, shown in Figure 1, has assisted with the issues outlined above.



Figure 1. Temporary footpath.

Cyclists

It is likely that most cyclists will use the Bronte Road and Macpherson Street route, due to the route being shorter:

- 280 m on the Macpherson/Bronte route.
- 500 m on the Calga Place route.

However, Calga Place is likely to be used as an alternative route for cyclists who prefer a quieter and less steep road.

Vehicles

The annual average daily traffic (AADT) count for vehicles across the three counter locations is 588 and falls within the $\pm 2\%$ difference of the actual recorded counts. The signposted speed at Calga Place is 40 km/h, however the average vehicle speeds recorded through this area are lower and have been summarised below:

- The entry of Calga Place showed the lowest speed of 17 km/h.

- The middle of Calga Place showed the highest mean speed of 21 km/h.
- The exit of Calga Place showed a mean speed of 19 km/h.

Parking study

An analysis was undertaken on the parking occupancy rates after the construction of the temporary walkway. On a 'normal' high season weekend there is an abundance of parking available with just 50% of parking being occupied. During the Sculpture by the Sea period, parking occupancy peaks to being in excess of 95% occupied. Usually, an 85% occupancy rate is considered ideal.

While not explicitly covered in the study, Council has received feedback that parking occupancy rates can be very high when activities such as Nipper programmes run by the Bronte Surf Life Saving Club are being held on weekend mornings.

Safety

Over the last five years, only three crashes were recorded, with none resulting in fatalities.

Lighting

Currently, there is no lighting along Calga Place, reducing the experience of the coastal walkway for pedestrians. An objective of this project is to provide lighting to enhance the pedestrian experience in the early morning and late afternoon to evening.

Heritage

The site is located within the curtilage of the South Bronte Headland Landscape Conservation Area and is in the vicinity of a number of other heritage items. Advisian was engaged to provide preliminary advice on the heritage aspects of the site and the impacts that each option would have. The main heritage items to be considered in the design are:

- The local heritage conservation area, which includes the sandstone cutting through Calga Place.
- The visual impacts of light poles and other structures on the heritage conservation area.

In previous Council reports discussions have been raised around providing a path on top of the cutting with a viewing platform. This option proved to be infeasible due to the visual and construction impacts on the heritage conservation area.

Parking offset options

An internal investigation was carried out to look at parking feasibility in the area to offset the loss of 22 parking spaces in the cutting, due to the temporary footpath. Trafalgar Street could potentially accommodate parking on the Waverley Cemetery side; however, a large amount of tree removal and substantial capital works would be required. It would look and function similar to the 90-degree parking on the corner of St Thomas Street and Trafalgar Street.

Options for Bronte Cutting Project

Refer to Attachment 1, which includes sketches of option 1 and option 2 only.

Seven options were considered as part of the options analysis, shown in the following table.

Table 1. Options.

Option	Description
Option 1	1.8 – 2m wide footpath from the cutting to Macpherson St
Option1A	1.8 – 2m wide footpath, Calga Place
Option1B	2.5 – 3m wide footpath, Calga Place
Option 2	Shared zone, Calga Place, replacing existing pavement surface
Option 2A	Shared zone, Bronte Road to coastal walk entrance
Option 2B	Shared zone, Calga Place coating existing pavement surface
Option 2C	Shared zone, Calga Place, angled parking

Option 1B, 2.5–3 m wide footpath, Calga Place (Project Control Group and GHD Pty Ltd recommendation and preferred option)

Option1B proposes to reduce the trafficable lane width to 3 m for the full length of Calga Place and realign a 50 m section of the existing kerb and retaining wall along the western edge of the road near the steps from Bronte Road, shown in Figure 2. This will allow the installation of a new 3 m wide concrete footpath through the cutting, and widening of the existing footpaths north of the cutting to 2.5-3 m. Option 1B also allows for the installation of a 1.2 m wide footpath to the south of the cutting to connect to Macpherson Street, while also retaining the 17 parking spaces through this section. The risk of pedestrians using the road for travel is reduced for this option due to the reduced traffic lanes and the widened footpaths.



Figure 2. Widening required for Option 1B.

Traffic and parking

Option 1 will have the following impacts on traffic:

- Reduced lanes widths where the existing footpaths are widened could result in reduced traffic speeds.
- Permanent removal of 22 parking spaces, in keeping with current existing conditions, along the eastern side of Bronte Cutting.

Key risks

The key risks associated with this option are:

- Pedestrians not using the footpath provided and choosing to walk on the road.

The recommendation is based on the significant risks that Option 2 has with regards to vehicle safety and embankment stability, which could also have significant cost implications for the project. Although Option 1B is slightly more expensive than the other Option 1 alternatives, it reduces the risks of pedestrians walking within the road by providing a much wider footpath and also reduces the width of the traffic lanes. It also retains the 17 parking spaces to the south of the cutting while installing a 1.2 m footpath to connect the cutting to Macpherson Street, resulting in no further parking loss to the existing conditions.

Option comparison

Table 2. Advantages and disadvantages of options.

Option 1, Option 1A and Option 1B	
Advantages	Disadvantages
Existing temporary walkway has been tested and for the most part is working	People can still be seen to walk on the road at times even with the implementation of the temporary walkway
Widening of existing footpaths should incentivise pedestrian use	Option 1B requires permanent removal of 22 parking spaces, resulting in no further parking loss to existing conditions
Cheaper construction costs than Option 2	
Removal of parking spaces will lower the risk of car related damage to the side of the cutting area (heritage)	
Option 1B retains the parking spaces (17) between the cutting and Macpherson Street	
Provides clear separation between pedestrians and vehicles	
Option 2, Option 2A and Option 2B	
Advantages	Disadvantages
Increased safety for pedestrians who currently choose to walk on the road rather than use the temporary walkway provided	Requires replacement of a significant area of road pavement with paving / other textured material - recolouring of large amounts of pavement
Increased number of parking spaces *Council officers and GHD Pty Ltd recommend reviewing the option of permanently removing 22 spaces in the cutting for safety reasons due	Will require night works / road closure to replace pavement.
	Most expensive to construct

	Requires guard rails or traffic barriers along the eastern edge of the road
	Requires retaining walls or capping beams to stabilise embankment
	Will require slope stability analysis
	Will increase travel time along Calga Place for vehicles with pedestrians taking priority within the road

Construction cost estimates

Final accurate costings of the proposal have not been determined at this stage and will depend on the outcome of design development.

Table 3. Construction cost estimates.

Option	Construction Cost Estimate
Option 1B: 2.5 – 3m wide footpath, Calga Place	\$916,810
Option 2: Shared zone, Calga Place, replacing existing pavement surface	\$1,809,126 (including provisional sums for traffic barriers and slope stabilisation)

Alternative options

The following information outlines further detail in relation to the other options from the options analysis study:

Option 1 (1.8–2 m wide footpath from the cutting to Macpherson St) and Option 1A (1.8–2 m wide footpath, Calga Place)

These options looked at implementing a 2 m footpath where the existing temporary footpath is and either extending the footpath to Macpherson Street and/or widening the footpath north of the cutting towards Bronte Road. The footpath requirement is 3 m due to pedestrian volume in this area, the minimum requirement would be 2.5 m, which neither of these options could achieve. Due to proposed footpath width, the main risk for these options is pedestrians not using the footpaths and deciding to walk on the road.

Option 2 (Shared zone, Calga Place, replacing existing pavement surface)

Option 2 Considers formalising a shared zone on Calga Place (Bronte Cutting) to manage pedestrian/vehicle conflicts in this low vehicle and high pedestrian activity area. The shared zone would feature a 10 km/h speed limit and require traffic calming devices to cause drivers to reduce their speed when travelling along Calga Place. Within a shared zone, pedestrian users have right of way over vehicles. This option requires the changing of the pavement colour and surface type, as well as the removal of all the existing footpaths along the eastern edge of the road. Option 2 would provide a shared zone corridor width of 4m through the cutting and 4-5.8m to the north of the cutting in which pedestrians and vehicles can move freely. Option 2 is the most expensive option of all the options, and has the most significant risks.

Traffic

A shared zone will have the following impacts on the existing traffic conditions along Calga Place:

- A reduction of the existing speed limit (40 km/h) to 10 km/h would be required through the extent of the shared zone. Existing traffic speeds are between 17 and 21 km/h.
- Pedestrians will have right of way, which will increase travel time along Calga Place.
- Relocation of parallel parking spaces along the eastern side of the road closer to the edge of the embankment. This will not impact the number of spaces available for parking (139 spaces).

Key risks

The key risks associated with this option are as follows:

- With the removal of the existing footpath, converting the area to a shared zone, and relocation of parking, vehicles will drive and will park close to the edge of the embankment on the eastern side of Calga Place. The embankment is not currently required to support these vehicle loadings, and parking vehicles in this zone could cause stability issues.
- Based on the visual site investigation undertaken by GHD's geotechnical engineer, during which settlement of the existing footpaths in localised areas were noted, the design for Option 2 will have to consider the installation of a retaining wall or capping beam along the eastern edge of Calga Place to mitigate the risk of embankment failure. A provisional sum of \$500,000 has therefore been included in the cost for Option 2 to allow for the construction of these mitigation measures. If selected as a preferred option, GHD will undertake intrusive investigations of the eastern edge of the road to determine the extent of the retaining wall or capping beam required;
- There is the risk that vehicles could drive over the embankment, which means barriers, bollards or other protection measures will also be required along the eastern edge of Calga Place to mitigate this risk. Due to the significant risk for users, GHD have allowed for a provisional sum of \$100,000 to be included in the cost of this option. The full extent of the traffic barrier or bollards would be confirmed in further design development stages were this option to be chosen.
- Due to the width of cutting there is a safety risk associated with travel width and high pedestrian volumes through this area. Council officers and GHD Pty Ltd recommend reviewing the option of permanently removing 22 spaces in the cutting for safety reasons were this option to be chosen.

Option 2A (Shared zone, Bronte Road to coastal walk entrance)

Shared zone starting at Bronte Road and finishing at the end of the existing temporary walkway section. Although dealing with less pedestrians, this option leaves the pedestrian safety issue between the coastal walk entry and Macpherson Street.

Option 2B (Shared zone, Calga Place coating existing pavement surface)

Similar to Option 2 (in terms of issues), but instead of replacing the existing wearing course with a coloured wearing course, the option allows for a colour coating/paint to be applied to the existing pavement surface. This is a much cheaper solution, but is less permanent and might require regular maintenance as the colour of the paint fades.

Option 2C (Shared zone, Calga Place, angled parking)

Shared zone along the eastern side of Calga Place. A number of options were investigated in relation to angled parking to increase parking spaces, however due to road widths angled parking did not provide benefits in this option.

5. Financial impact statement/Time frame/Consultation**Financial impact statement**

2020/21 Budget Bronte Cutting project
 Budget \$155,000 (including carry over)

Should Council approve to proceed, a Q1 adjustment of \$50,000 will be required to continue with consultant design work, project management and contingency for the project in the current year.

At the current time, there is no capital works budget provided for the construction of the project (estimated cost \$916,810). Council can address this at a future time when it has considered the design.

Proposed time frame (subject to decision making)

Table 4. Time frame.

Activity	Time frame
Concept development	August 2020
Council meeting	September 2020
Inform community	October 2020
Council meeting	November 2020
Detailed design	December 2020 – February 2021
Traffic Committee meeting and Council meeting	March 2021
Procurement	April 2021
Construction	May 2021 onwards

Consultation

Should Council approve, officers will develop Option 1B to a concept design suitable for informing the community. The concept design will be reported back to Council prior to informing the community.

6. Conclusion

It is recommended that Council endorses Option 1B (2.5–3m wide footpath, Calga Place) as the preferred option, and develops this option to a concept level to inform community.

7. Attachments

- Options Assessment Report (under separate cover) [⇒](#)

REPORT
CM/7.12/20.07

Subject: North Bondi Mosaic Artwork Recommission

TRIM No: A18/0752

Author: Matthew Fallon, Manager, Cultural Programs

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

RECOMMENDATION:

That:

1. In consideration of the estimated and market-tested budget projection, Council does not progress the recommission of the North Bondi Mosaic Artwork
2. Council initiates an open market request for quotation process for a new artwork to be installed on the site, as outlined in this report.
3. Council officers prepare and submit a report to Council on the outcomes of the request for quotation process referred to in clause 2.
4. Council officers submit a report to a future Council meeting outlining options for the most appropriate deaccessioning avenues for those remaining parts of the original mosaic artwork, comprising 112 salvaged pieces from the original artwork, currently held in storage.
5. Council officers ensure the detailed photographic and written documentation of the original mosaic artwork and its creation is collected and retained in Waverley Council's Local Studies Library for community access and archive
6. Council thanks the original artists for their contribution to the Waverley Community.

1. Executive Summary

This report provides an update on the proposed recommission of the North Bondi Mosaic Artwork, which is a component of the North Bondi Civil Infrastructure Asset Renewal (NBCIAR) project. It provides an explanation of the reasons the recommission of the artwork is no longer considered viable, in particular noting the total budget required to deliver that recommission is now estimated to be in the range of \$560,000 to \$708,000.

The report recommends that Council authorise staff to commence the process for deaccessioning the existing salvaged pieces of mosaic and commence a request for quotation (RFQ) for a new artwork.

2. Introduction/Background

In the late 1980s, several Council officers and local artists installed a community-made mosaic artwork on the western face of the stormwater culvert at North Bondi Beach. By 2018, however, large sections of mosaic were beginning to fail due to underlying concrete cancer in the culvert wall.

A report on the NBCIAR project submitted to the Council meeting on 20 November 2018 included options in relation to the mosaic wall. In accordance with the related resolution, International Conservation Services (ICS) was engaged in February 2019 and provided a condition and significance assessment of the mosaic noting areas of damage/loss.

Subsequent to this assessment a report was submitted to the Council meeting on 16 July 2019 which included advice that funds for the recommission were part of the overall budget for the NBCIAR project. It was resolved, in part, that Council:

1. Recommissions the North Bondi mosaic as a restoration of the original artwork in line with guidance from the conservator.
2. Convenes a workshop with all the artists involved in the original commission so that the original artists can provide feedback and input to the draft CAD plans for the recommissioned work.

In accordance with Council's resolution a design workshop with the original artists took place in September 2019. The artists put forward Selena Seifert as their preferred mosaic contractor for the fabrication and installation of the background tiling work and the installation of salvaged pieces from the original artwork.

Selena Seifert was engaged to provide expert opinion on a construction program. Her quote indicated it would take approximately 18 months to recommission the mosaic at a cost of \$558,000.

In accordance with the advice of ICS, 112 elements of the original mosaic were removed and stored for reintegration into a fully restored mosaic work. However, an inspection of salvaged pieces of the original artwork on 20 November 2019 revealed that due to deterioration resulting from the environmental conditions including saltwater and concrete erosion, the salvaged pieces are unusable. As many of these items were hand-built from clay, their detailed replication would be complex and time consuming, and introduce further cost and time impacts. Jenny Orchard, the original artist who inspected the salvaged pieces, recommended re-making the entire mosaic wall including the individual pieces. The additional costs associated with the recreation of these 112 pieces is estimated at \$150,000.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 16 July 2019	CM/7.16/19.07	<p>That Council:</p> <ol style="list-style-type: none"> 1. Recommissions the North Bondi mosaic as a restoration of the original artwork in line with guidance from the conservator. 2. Convenes a workshop with all the artists involved in the original commission so that the original artists can provide feedback and input to the draft CAD plans for the recommissioned work. 3. Ensures all intellectual property and copyright is attributed properly to the original artists in the recommissioned work. 4. Where sections of mosaic artwork, including the conjoining background tiles or individual feature pieces, need to be recommissioned, officers engage the original artists to create the work, where possible. 5. In the event that construction is delayed, makes all

		attempts to minimise disruption during the summer school holidays.
Council 20 November 2018	CM/7.2/18.11	<p>That Council:</p> <ol style="list-style-type: none"> 1. Proceeds with like-for-like upgrade of the North Bondi civil and coastal infrastructure including: <ol style="list-style-type: none"> (a) Full reconstruction of North Bondi Stormwater Culvert. (b) Upgrades to North Bondi Toddlers' Pool. (c) Upgrades to North Bondi Accessible Ramp to Toddlers' Pool. (d) Reconstruction of seawall adjacent to the accessible ramp. 2. Approves the project budget of \$3,500,000 including a Q1 adjustment of \$1,500,000 to cover the funding required for this financial year, with the remainder to be included in the draft 2019–20 Capital Works budget. 3. Undertakes a media and public awareness campaign about the intended works. 4. Notes that the North Bondi mosaic mural was installed 30 years ago with significant community participation. 5. Notes that Council officers have commenced discussions with the original artist, Lloyd Kellerman, regarding the project and the subsequent options for the art work. 6. Notes that Council officers will engage the services of an art/artefacts conservationist to survey and document the existing mural and provide recommendations on feasibility of conserving all or part of the mural. 7. Approves Council officers to work with the original artist and local indigenous community to prepare a scoping document for the commissioning of a new artwork if the full restoration is not feasible. 8. Officers refer the scoping document to the Public Art Committee.

4. Discussion

Council officers sought to test Selena Seifert's quote in the market to be sure it was a fair and reasonable assessment of time and costs.

Acknowledging that there is a limited number of suppliers in the market for mosaic works, Council officers sought benchmarking quotes from three suitably qualified alternate suppliers. Two of these suppliers declined to quote on the recommission. One further quote from an alternate supplier was received at \$410,000, and although the quotes are significantly different, they substantially exceed the allocated budget.

Based on the two quotes received and including the work to remake the 112 pieces of the mosaic, the estimated cost of recommission is in the range of \$560,000 to \$708,000.

It should be noted that two alternate suppliers who chose not to provide a quotation indicated that in their view the original work had run the course of its natural life due to concrete cancer, and that the creation of a new artwork that reflects the current social and cultural values of Waverley is preferable to the recommission of the old work.

Preparing a full costing for the replication work has only been possible following extended engagement work with the original artists and a detailed assessment process by the artist's preferred mosaic specialist. These factors have contributed to a cost profile for the project that has revealed itself to be greater than the funds available within the project budget.

Given the costs associated with recommission are now fully understood as significantly higher than allowed for in the original budget, the previous Council resolution to recommission the artwork must be revisited.

In view of this cost and the prominence of the site, the creation of a new artwork within available funds is considered to be a worthy and appropriate alternate option. It is highlighted that in conjunction with consideration of this matter at its meeting on 18 November 2018, a brief regarding a potential new artwork was presented to Council. This brief included that, a new artwork at the site should respond to the history of the site with strong consideration given to the demographic of children and young families that frequent the North Bondi Kids Pool and that designs should that contain references to the oceanic environmental context.

It is proposed that an open market RFQ process be undertaken for a new artwork. In addition to specifying the key elements to be incorporated into the design, as outlined above, the following requirements would also be specified:

- All LEP controls for the site must be adhered to in the design processes.
- No marketing, advertising, or product placement to appear anywhere within the design.
- Design proposals must evidence strong consideration to sustainability in the materiality and ongoing maintenance of the artwork.
- Design proposals that incorporate aspects of Indigenous local history and can draw on established relationships with local Indigenous artists and permissions from appropriate Indigenous authorities will be highly regarded.

It is considered that the opportunity for a new artwork to be created, in the spirit of the previous artwork, has the potential to drive tremendous positive community engagement, much as the original artwork did in the 1980s.

5. Financial impact statement/Time frame/Consultation

An amount of \$300,000 for public art in the upgraded culvert, which was proposed to fund the recommission of the original mosaic artwork, was a component of the budget allocation for the structural renewal of Bondi Promenade and Seawalls, within the NBCIAR project.

Out of this budget, a sum of \$102,246 of this has been spent on two mural artworks over the Children's Pool (Temporary work by George Rose) and the Wally Weeks Pool ('Bondi' Mural by Luke Kennedy) at North Bondi, as well as recommission design plans and advice and an artist's recommission workshop.

Given the original project budget of \$300,000, \$197,754 remains in the NBCIAR project budget for Public Art.

Based on the two quotes received and including the work to restore the remaking of 112 pieces of the mosaic, the estimated cost of recommission is in the range of \$560,000 to \$708,000. In addition to the two received quotes, two further entities declined to quote on the recommission.

If a recommission were to proceed, the projected timeframe for the work ranges from between 18 months and two years. This would include finalisation of the design map, community workshops, fabrication of background tiling, remaking of salvaged pieces and installation of the mosaic wall in full.

Given the foregoing analysis, including the budget shortfall identified in effectively delivering a recommission of the original artwork and the deterioration of the salvaged pieces, it is recommended that the North Bondi Mosaic Artwork recommission not proceed. As an alternative, it is considered that the remaining \$197,754 in the project budget would be more than sufficient for the commissioning and installation of an appropriate new artwork.

6. Conclusion

It is recommended that Council initiates an open market request for quotation (RFQ) process for a new artwork on the site in keeping with the spirit of the original mosaic.

Should Council support this approach, a report on submissions received in response to the RFQ would be prepared and submitted to Council for consideration.

Artists involved in creating the original mosaic would be welcome to apply to an RFQ for the creation of a new work.

In relation to the options for deaccessioning the remaining parts of the original mosaic artwork, comprising 112 salvaged pieces held in storage, it is proposed that a further report be prepared and submitted to Council separately. It should be noted that these pieces and the original mosaic artwork and its creation would be the subject of detailed photographic and written documentation for addition to the Waverley Council Local Studies Collection. It is further noted that the salvaged pieces have deteriorated due to environmental factors.

7. Attachments

Nil.

REPORT

CM/7.13/20.07



Subject: Venue Hire Grant Program - Outdoor Venues

TRIM No: A17/0227

Author: Chris Giles, Co-ordinator, Community Venues

Director: Dan Joannides, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council notes that the existing Venue Hire Grant Program is available to hirers of both Council's outdoor and indoor venues.

1. Executive Summary

The Venue Hire Grant Program has been in operation since 2017. The program is available to local not-for-profit community groups wishing to seek further financial support from Council when hiring Council venues, beyond that offered through the not-for-profit rate published in Council's annual Fees and Charges.

This report confirms that the Venue Hire Grant Program is available for community hirers of both indoor and outdoor venues.

2. Introduction/Background

In December 2013, officers undertook a comprehensive review of Council's venue hire service. The report addressed various aspects of venue hire such as the centralising of the booking process to improve the customer experience, procurement of a new booking system to more effectively and efficiently administer bookings, the benchmarking of fees to ensure fees were applied equitably and that Council was receiving an appropriate return.

In April 2017, Council introduced a Venue Hire Grant Program as a means by which Council could provide support to not-for-profit community groups wishing to seek further financial support beyond that offered through the 50% discount on the standard rate of hire, as published in Council's annual Fees and Charges.

In March 2018, Council resolved to investigate how the indoor Venue Hire Grant Program could be extended to the hire of outdoor spaces.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 20 March 2018	CM/8.12/18.03	That: 1. Council investigates how Council's current indoor Venue Hire Grant Program can be extended to the hire of outdoor spaces. 2. Council officers prepare a report to come to Council with recommendations that include, but are not limited to:

		<p>(a) Feasibility.</p> <p>(b) The outdoor locations that would be appropriate.</p>
Council 12 April 2017	CM/7.10/17.04	<p>That Council:</p> <ol style="list-style-type: none"> 1. Introduces a Venue Hire Grant Program under s 356 of the <i>Local Government Act</i> to provide financial assistance to community groups to support the cost of hiring Council's community venues, commencing 1 July 2017. 2. Under s 356 of the <i>Local Government Act</i>, provides the financial assistance as set out in Attachment 1 to this report to support those listed organisations with venue hire costs until 30 June 2017.
Council 10 December 2013	1312.12.11	<p>That Council:</p> <ol style="list-style-type: none"> 1. Give preliminary endorsement to the revised fee structure and fee levels as set out in this report. 2. Note that the revised fee structure and fee levels will be included in the Draft Operational Plan Pricing Policy, Fees and Charges which will come to Council for approval and public exhibition in 2014. 3. Note that any finally approved changes to fee structure and fee levels will come into effect 1 July 2014. 4. Conduct a review of fee structure and fee levels for hiring our public open spaces for events and promotions, and that if possible this review be completed in time for inclusion within Council's Pricing Policy, Fees and Charges document for the 2014/15 financial year.

4. Discussion

The Venue Hire Grant Program was introduced to provide a means by which Council was able to provide additional financial assistance for Not for Profit groups wishing to hire both its indoor and outdoor venues.

The majority of the Venue Grant Applications that have been received since the program's introduction have related to the hire of indoor venues. However, from time to time Council does receive applications from groups wishing to receive financial support for their hire of outdoor venues.

Eligible groups that meet the assessment criteria of the program are able to receive support for activities taking place at outdoor venues such as parks and reserves, or Council sports fields.

5. Financial impact statement/Timeframe/Consultation

The Council website has been updated to make it clearer to community groups wishing to apply for financial assistance, that the current Venue Hire Grant Program is available to community groups wishing to hire both Council's indoor as well as outdoor venues.

6. Conclusion

Council notes that the Venue Hire Grant Program established in 2017 is available to hirers of both its indoor and outdoor venues.

7. Attachments

Nil.

**REPORT
CM/7.14/20.07**

Subject: High Impact Events 2020-21

TRIM No: A20/0361

Author: Shaun Munro, Manager, Events

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

RECOMMENDATION:

That Council:

1. Approves the following program of high-impact events scheduled for the period 1 July 2020 to 30 June 2021, subject to the requirements of any applicable NSW Public Health Orders:
 - (a) Festival of the Winds.
 - (b) Bondi Festival (including extended tenure of Ferris wheel).
 - (c) City2Surf and Council Marquee Program.
 - (d) Sculpture by the Sea.
 - (e) Bondi to Bronte Swim.
 - (f) Carols by the Sea.
 - (g) Dudley Page New Year's Eve.
 - (h) Flickerfest.
 - (i) Outdoor Cinema.
 - (j) Latin American Festival.
 - (k) Ocean Lovers Festival.
 - (l) North Bondi RSL ANZAC Day Dawn Service Ceremony.
 - (m) Bondi Blitz.
 - (n) Global Table.
2. Notes that all scheduled high-impact events outlined in Attachment 1 to this report are required to submit a COVID-19 Safety Plan and comply with Council's Events Policy and Event Management Guidelines.
3. Notes that approval of the Flickerfest temporary venue and Outdoor Cinema will require a prolonged

period of occupation in North Bondi Park.

4. Approves an extended tenure of the Bondi Vista Ferris wheel for the period 26 September to 15 November 2020.

1. Executive Summary

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

This report provides to Council the list of high-impact events currently scheduled for the period 1 July 2020 to 30 June 2021 and identifies a number of unique challenges related to COVID-19 Public Health Orders and the Bondi Pavilion Restoration and Conservation Project that require consideration in approving high-impact events in 2020-2021, with ongoing considerations into 2022.

It is recommended that the events in the schedule for the period 1 July 2020 to 30 June 2021 be approved subject to the requirements of NSW Health Public Health Orders and the submission of COVID-19 Safety Plans. Events may be subject to modification, postponement or cancellation depending on Public Health Orders and restrictions in place at any given time.

As a result of the Bondi Pavilion Restoration and Conservation Project, Flickerfest Short Film Festival and the outdoor cinema operator will need to move their operations to North Bondi Park in 2021 and 2022. While it is recommended that the outdoor cinema proceed, the social and economic benefits of hosting both the Flickerfest and Outdoor cinema events in North Bondi Park should be considered alongside impacts on recreational park users.

2. Introduction/Background

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

The purpose of the Policy is to:

- Ensure all events are assessed using the same criteria and the required conditions applied.
- Remove any ambiguity as to what events are and are not covered by the policy.
- Consolidate and ratify the operational practices applied to high-impact events.

The Events Management Guidelines detail the conditions required to be met by event organisers to ensure events are safe, accessible and sustainable and respectful to their location.

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

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

In granting high-impact event approvals in 2020-21, Council needs to consider a number of unique circumstances related to the impacts of COVID-19 Public Health Orders and the Bondi Pavilion Restoration and Conservation Project.

High-impact event approvals must be subject to submission of COVID-19 Safety Plans. NSW Health Public Health Orders will determine whether the events will be able to proceed or not, and what conditions may need to be imposed.

The unavailability of the Bondi Pavilion will require some events to relocate to various sections of Bondi Beach and Bondi Parks where impacts on recreational park users need to be considered alongside social and economic benefits to the local community.

Benefits to the community and the potential impacts upon Bondi Park are canvassed in detail in the discussion below.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 17 March 2020	CM/7.7/20.03	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.
Council 16 July 2019	CM/7.13/19.07	<p>That Council:</p> <ol style="list-style-type: none"> Approves the following program of high-impact events scheduled for the period 1 July 2019 to 30 June 2020: <ul style="list-style-type: none"> (a) Bondi Winter Magic. (b) City2Surf. (c) Festival of the Winds. (d) Sculpture by the Sea. (e) Bondi to Bronte Swim. (f) Carols by the Sea. (g) Dudley Page New Year's Eve. (h) Flickerfest. (i) Open Air Cinema. (j) Bowl-A-Rama. (k) Latin American Festival. (l) Ocean Lovers Festival. (m) North Bondi RSL ANZAC Day Dawn Service

		<p>Ceremony.</p> <p>(n) Bondi Blitz.</p> <p>(o) Global Table.</p> <p>2. Notes that all scheduled high-impact events outlined in Attachment 1 to this report are required to comply with Council's existing Events Policy and Event Management Guidelines.</p> <p>3. Commences negotiations with the relevant event organisers regarding future contractual and/or procurement arrangements for the delivery of approved high-impact events from 2019 onwards in accordance with the next steps outlined in Attachment 1 to this report.</p>
Council 12 December 2017	CM/5.2/17.12	<p>That:</p> <p>1. Council officers review all high-impact events delivered since the introduction of the Events Management Policy and Guidelines in 2015 in terms of compliance with the Policy and Guidelines, with a particular focus on waste, noise and traffic management.</p> <p>2. Council receives a report on the Review including any recommendations for changes to and compliance with the current restrictions.</p> <p>3. Council officers provide a quarterly report to the Strategic Planning Committee including:</p> <p>(a) Numbers of requests for events.</p> <p>(b) Number of events held in the previous quarter, including related issues and outcomes of events held.</p> <p>4. All future proposed high-impact events (as defined in the Events Management Policy) be submitted to Council for approval.</p>

4. Discussion

Council officers co-ordinate an annual program of high-impact events which are delivered in accordance with Council's Events Policy and Event Management Guidelines.

This report aims to improve Council's understanding of future events in relation to NSW Health Public Health Orders and highlights issues and impacts upon Bondi Beach and Parks related to the Bondi Pavilion Restoration and Conservation Project.

The unavailability of the Bondi Pavilion due to the Bondi Pavilion Restoration and Conservation Project will require some events to relocate to various sections of Bondi Beach and Bondi Parks where impacts on recreational park users and the broader community need to be considered alongside the social and economic benefits to the local community.

Flickerfest Short Film Festival and Outdoor Cinema

Flickerfest Short Film Festival and Outdoor Cinema will provide significant social and economic benefits to the local community, local businesses and the creative industries. The combined event occupation period for these events in North Bondi Park will be 8–10 weeks throughout the months of January to March (2021 and 2022). During this time sections of the park will be inaccessible to recreational park users. Attachment 2 provides a draft site plan for the park based on the anticipated event programs for these events.

The table below outlines dates, operating hours and the limitations to recreational park users.

Table 1. Flickerfest Short Film Festival and Outdoor Cinema.

Event	2021 Dates and Duration	Operating Hours	Park Open to Public
Flickerfest bump in	11 to 14 Jan	All day	No public access to recreational park users
Flickerfest event	15 to 24 Jan	2pm to 11pm	No public access to recreational park users
Flickerfest bump out	25 to 29 Jan	All day	No public access to recreational park users
Outdoor Cinema bump in	8 to 11 Feb	All day	No public access to recreational park users
Outdoor Cinema event	12 Feb to 14 Mar	6pm to 11pm daily	Access open to recreational park users every day until 6pm
Outdoor Cinema bump out	15 to 18 Mar	All day	No public access to recreational park users

Council officers note that these outdoor events provide considerable social and economic benefits to the local community. These benefits should be considered alongside the residential amenity impacts and restrictions on access to North Bondi Park whilst these events are operating.

Bondi Vista Ferris wheel

The 2020 Bondi Festival recently approved by Council is planned to run from 26 September to 10 October, with the Bondi Vista Ferris wheel scheduled to be in place until 25 October as part of the Festival program.

In consultation with the Chamber of Commerce and the Economic Development team, an opportunity to extend the tenure of the Bondi Vista Ferris wheel has been identified as a positive initiative to support to local businesses. To that end, it is recommended that the tenure of the Bondi Vista Ferris wheel be extended to 15 November 2020.

The extended tenure poses no issues for other upcoming events, has minimal impact on recreational park users and provides approximately \$20,000 in additional revenue by way of commission on ticket sales. Ferris wheel operators have developed and approved COVID-19 Safety Plans that are currently operational at Darling Harbour and Sydney Western Plains Zoo.

Other events

Attachment 1 to this report provides a list of the high-impact events currently scheduled for 1 July 2020 to 30 June 2021.

The 1 July 2020 to 30 June 2021 program is made up of three types of events:

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

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

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

5. Financial impact statement/Time frame/Consultation

Financial impact statement

All high-impact events proposed in this report are included in the 2020/21 budget.

Bondi Vista Ferris wheel

In July 2019, the Bondi Vista Ferris wheel was granted a four-week occupation as a part of Bondi Winter Magic for which Council received \$26,267.45 commission on ticket sales. An extended tenure for the Bondi Vista Ferris wheel will provide increased income to Council of approximately \$20,000.

Time frame

This report is for the approval of high-impact events for the period 1 July 2020 to 30 June 2021.

Flickerfest

Planning for the Flickerfest temporary event site is a complex project requiring six months lead time, and, as such, planning has commenced.

Outdoor Cinema

An Outdoor cinema expression of interest process will require 6–8 weeks to complete and should be undertaken in the next two months to give an appointed operator sufficient time to coordinate planning.

Consultation

Internal stakeholder consultation meetings will be held with Communications and Engagement, Cultural Programs, Lifeguards, Parks staff, Major Projects, Sustainability, Parking, Resource Recovery, Economic Development, Facilities and Properties.

To communicate impacts on recreational park users, Council officers will consult with the Bondi Beach Precinct and send stakeholder notification letters to affected residents, relevant Surf Clubs and Commercial Fitness Trainers.

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

6. Conclusion

It is recommended that the high-impact events in the attached schedule for the period 1 July 2020 to 30 June 2021 and the extended tenure of the Bondi Vista Ferris wheel be granted conditional approval subject to NSW Health Public Health Orders and the submission of COVID-19 Safety Plans.

It is recommended that Council considers the noted social and economic benefits of hosting both the Flickerfest and Outdoor Cinema events in North Bondi Park alongside impacts on recreational park users.

7. Attachments

1. High-impact schedule of events for 2020-21 [↓](#)
2. North Bondi Park site plan [↓](#)

Attachment 1 – Waverley Council High Impact Schedule of Events for 2020-21

All events in the annual schedule are subject to public health orders.

Date	Event Type	Name	Description	Approval Process/Next Steps
13 September 2020 Annual Event	Council Managed Event	Festival of the Winds	<p>2020 is the 42nd year of this much loved kite festival. Due to Public Health (COVID-19 Restrictions on Gathering and Movement) Order the community facing outdoor aspect of the event has been cancelled for 2020.</p> <p>To mark the occasion of the Festival in light of its historic legacy in Waverley, and to celebrate the multicultural links between communities, digital kite flying content will be developed through a standalone Festival of the Winds website.</p> <p>A film permit will be issued to a film production company to create a short documentary of the kite's flying and the Australian Kiteflyers Society members. Kite flying and filming will take place two weeks before the event with no advertising and promotion.</p> <p>Target Demographic: Families – All ages</p>	<p>Current Status: The community facing outdoor aspect of the event has been cancelled for 2020. Ensure compliance with Procurement and Event Management Guidelines.</p> <p>Next Steps: Risk assessment, operational plan and COVID-19 Safety Plan developed for filming. Ensure Procurement and Ongoing event delivery management to ensure events are delivered in accordance with Council's Events Policy and Event Management Guidelines and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order. Consider impacts of Bondi Pavilion Heritage Restoration Project.</p>
26 September - 10 October 2020	Council Managed Event	Bondi Festival	<p>The delivery of the postponed Bondi Festival will be designed to comply with all current Public Health Orders. Council Officers have carefully considered how to operate a COVID-safe Festival environment, according to government advice.</p> <p>Proposed Festival programming is intentionally flexible, allowing for a quick response to any changing public health orders or other circumstances that could impact presentation.</p>	<p>Current Status: Ensure compliance with Procurement and Event Management Guidelines.</p> <p>Next Steps: Risk assessment, operational plan and COVID-19 Safety Plan developed. Ensure Procurement and Ongoing event delivery management to ensure events are delivered in accordance with Council's Events Policy and Event Management Guidelines and subject to Public Health</p>

Date	Event Type	Name	Description	Approval Process/Next Steps
				(COVID-19 Restrictions on Gathering and Movement) Order. Consider impacts of Bondi Pavilion Heritage Restoration Project.
18 October 2020 Annual Event	Venue Managed Event	City2Surf Fun Run	<p>City2Surf Fun Run incorporating Council Marquee program – This is a large annual fun run event, starting in the City and ending at Bondi Beach. 2020 will be the events' 50th year. The event has raised tens of millions of dollars for charity since its inception and is categorised by the NSW Department of Premier and Cabinet as a Category B Hallmark event.</p> <p>At the time of writing the event organisers are planning for maximum entrant participation of 20,000. Approval will be subject to the Public Health Order at the time.</p> <p>Organisers may apply for an exemption through NSW Health.</p> <p>Estimated Audience: 20,000 pending Public Health Order (PHO) restrictions Target Demographic: All ages</p>	<p>Current Status: This will be the second year of a five year license agreement with the event producers Iron Man Events.</p> <p>Next Steps: Stakeholder meetings with Major Events in the NSW Department of Premier and Cabinet.</p> <p>Ongoing event delivery management to ensure events are delivered in accordance with Council's Events Policy and Event Management Guidelines and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order. Consider impacts of Bondi Pavilion Heritage Restoration Project.</p>
18 October 2020 Annual Event	Council Managed Event	City2Surf Council Marquee Program	<p>Alongside the principal event, Council runs a Marquee Program for organisations to provide post-run hospitality to staff, customers and patrons who have participated in the run. Originally established as a management plan to control drinking and anti-social behaviour after the event, the marquee program now provides a safe environment to control post-event functions and provides Council with revenue. In 2017, Council conducted a tender process that was granted to Exponet to provide the Marquees for the program for five years.</p> <p>Estimated Audience: 2,500 pending PHO restrictions Target Demographic: All ages</p>	<p>Current Status: This is a program run by Council officers with the marquees subject to a five year tender with Exponet ending in 2021. In March 2020 Patti's Hire acquired the marquee division of Exponet.</p> <p>Next Steps: Council to investigate contractual implications of Patti's Hire acquisition of Exponet.</p> <p>Ongoing event delivery management to ensure events are delivered in accordance</p>

Date	Event Type	Name	Description	Approval Process/Next Steps
				with Council's Events Policy and Event Management Guidelines and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order. Consider impacts of Bondi Pavilion Heritage Restoration Project.
24 October - 10 November 2020 Annual Event	Venue Managed Event	Sculpture by the Sea	<p>The Sculpture by the Sea event is an outdoor sculpture exhibition over 18 days at the end of October to beginning of November each year. Running since 1997, the event is categorised by the Department of Premier and Cabinet as a Category B Hallmark event. Hallmark events are recognised for enhancing awareness, appeal and profitability of a destination at a particular time. Hallmark events typically have an international and/or national audience and provide significant economic and social benefits. Sculptures are installed in Marks Park and along the coastal walk from Bondi to Tamarama Beach.</p> <p>Estimated Audience: 500,000 pending PHO restrictions Target Demographic: All ages</p>	<p>Current Status: A new license agreement has been negotiated with the event producers for a further five years.</p> <p>Next Steps: Ongoing event delivery management to ensure events are delivered in accordance with Council's Events Policy and Event Management Guidelines and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order.</p>
2 December 2020 Annual Event	Venue Managed Event	Bondi to Bronte Swim	<p>This event has been running since 2001 and is a large annual swim event co-delivered in alternating years by North Bondi and Bronte SLSC's. The Bondi to Bronte swim is one of Sydney and Australia's most iconic ocean swims. Each year the majority of funds raised is allocated to purchasing valuable lifesaving equipment for both Surf Clubs.</p> <p>Estimated Audience: 5,000 pending PHO restrictions Target Demographic: All ages</p>	<p>Current Status: Approved through event application process.</p> <p>Next Steps: Approved through event application process and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order.</p>
11 December 2020 Annual Event	Council Managed Event	Carols By the Sea	A community carol singing event that takes place in the Dolphin Court area of Bondi Park and is a popular celebration of the festive season. The event is held on the second	Current Status: Ensure compliance with Procurement and Event Management Guidelines.

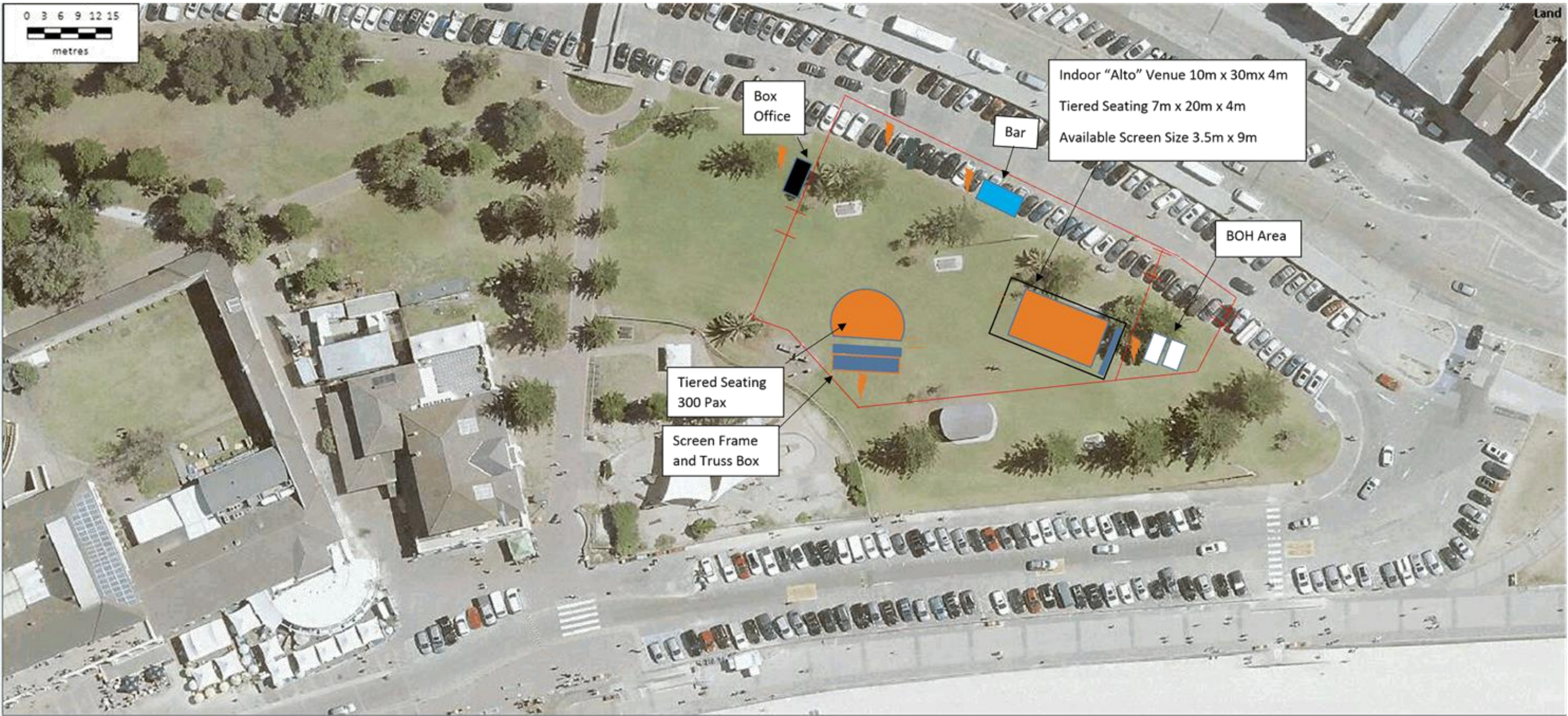
Date	Event Type	Name	Description	Approval Process/Next Steps
			<p>Wednesday of December each year. The event features a guest choir, children's entertainment as well as a special guest each year.</p> <p>Estimated Audience: 1,500 pending PHO restrictions Target Demographic: Families – All ages</p>	<p>Next Steps: Ensure Procurement and Event Management Guidelines are adhered to and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order. Report to Council as required (Quarterly Report on Events). Consider impacts of Bondi Pavilion Heritage Restoration Project.</p>
31 December 2020 Annual Event	Council Managed Event	Dudley Page New Year's Eve	<p>A ticketed family friendly New Year's Eve event held at Dudley Page Reserve in Dover Heights. Originally established as a management plan to control drinking and anti-social behaviour in the park, the event is now popular with Waverley families who wish to view the world famous Sydney fireworks but avoid the crowds in the City. The event features children's entertainment, a music stage, food and beverage offerings including a licensed bar.</p> <p>Estimated Audience: 1,500 - 3,500 pending PHO restrictions Target Demographic: Families – All ages</p>	<p>Current Status: Regular annual event developed as part of Council's event calendar.</p> <p>Next Steps: Ensure Procurement and Event Management Guidelines are adhered to and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order. Report to Council as required (Quarterly Report on Events).</p>
15 - 24 January 2021 (dates TBC) Annual Event	Co-Produced Event with Flickerfest	Flickerfest	<p>Flickerfest International Short Film Festival – The event is an Academy and BAFTA accredited international short film competition. The 2020 festival will celebrate the 30th year of the event.</p> <p>The festival historically runs for ten days. Due to the unavailability of the Bondi Pavilion, the Events team will scope, plan and build a short-term temporary facility in North Bondi Park to accommodate the Flickerfest Short Film Festival in January 2021 and 2022.</p>	<p>Current Status: Events team scoping and planning temporary event in North Bondi Park.</p> <p>Next Steps: Work with event organisers to plan and deliver an event site within budget that is fit for purpose. Ensure Procurement Guidelines are adhered to and ensure event is delivered in accordance with Council's Events Policy and Event Management Guidelines and</p>

Date	Event Type	Name	Description	Approval Process/Next Steps
			<p>Council partners with the organiser through the provision of in-kind support for the event such as provision of flagpoles on Campbell parade for banners.</p> <p>Estimated Audience: 5,000 pending PHO restrictions Target Demographic: All ages</p>	<p>subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order. Report to Council as required (Quarterly Report on Events).</p>
January - March 2021 (dates TBC) Annual Event	Venue Managed Event	Outdoor Cinema	<p>The outdoor cinema was relocated within the Bondi Pavilion Courtyards in 2019. The cinema has been operated by Fairfax Media Publications Pty Ltd for several years and a two year agreement expired in March 2020.</p> <p>Bondi Beach has been the venue for an outdoor cinema for over 15 years. This includes first seven years inside the Bondi Pavilion. Due to increased patronage the following seven years were in the Dolphin Court.</p> <p>Due to the unavailability of the Bondi Pavilion, the Events team are developing plans to accommodate the event in North Bondi Park.</p> <p>Estimated Audience: 17,000 pending PHO restrictions Target Demographic: All ages</p>	<p>Current Status: The current licence agreement for an outdoor cinema operator expired in March 2020.</p> <p>Next Steps: A procurement process is being prepared by officers to go to market for an outdoor cinema operator in Bondi Park.</p> <p>Ongoing event delivery management to ensure events are delivered in accordance with Council's Events Policy and Event Management Guidelines and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order.</p>
March – April 2021 TBC	Co-Produced Event with Bondi Association of Arts and Music	Latin American Festival	<p>Latin American Festival – is a ticketed cultural festival featuring music, dance workshops and food stalls held at the Bondi Pavilion. Council has delivered an annual South American Festival at the Bondi Pavilion for around 30 years. In recent years the event has been co-produced with the Bondi Association of Artists and Musicians (BAAM).</p> <p>Estimated Audience: 2,000 pending PHO restrictions Target Demographic: Families – All ages</p>	<p>Current Status: Event was cancelled in 2020 due to the COVID-19 pandemic. Council agreed to in kind and financial support for the 2020 festival.</p> <p>Next Steps: Due to the unavailability of the Bondi Pavilion work with organisers to identify a suitable new event location. In kind support for 2021 event to be sought via report to Council.</p>

Date	Event Type	Name	Description	Approval Process/Next Steps
				Ongoing event delivery management to ensure events are delivered in accordance with Council's Events Policy and Event Management Guidelines and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order.
March – April 2021 TBC	Venue Managed Event	Ocean Lovers Festival	<p>The Ocean Lovers Festival has an overarching environmental and conservationist theme that brings together over a period of four days, water sport demonstrations by renowned sports stars, films, workshops and talks on ocean conservationism by internationally respected conservationists as well as performances by local and international musicians. Events took place at a number of locations in the Bondi Beach area, the Bondi Pavilion was the hub for the event with the majority of events taking place in the theatre and various other rooms, as well as an eco-market in the courtyards.</p> <p>Estimated Audience: TBC Target Demographic: All ages</p>	<p>Current Status: Event successfully delivered in April 2019 with significant benefits to Council via strong alignments with Community Strategic Plan. Event was cancelled in 2020 due to the COVID-19 pandemic.</p> <p>Next Steps: Due to the unavailability of the Bondi Pavilion work with organisers to identify a suitable new event location. In kind support for 2021 event to be sought via report to Council. Ongoing event delivery management to ensure events are delivered in accordance with Council's Events Policy and Event Management Guidelines and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order.</p>
25 April 2021 Annual Event	Venue Managed Event	Anzac Day Dawn Service	Anzac Day Dawn Service – The Dawn Service takes place on ANZAC Day each year in front of the memorial on Ramsgate Avenue at Bondi Beach. The event is organised by Tobruk House and the North Bondi RSL club. The event has grown annually and in 2018 attracted more than 15,000 people and is venue managed by the Outdoor Events team in consultation with police, Sydney Buses and Council's traffic team.	<p>Current Status: Event was cancelled in 2020 due to the COVID-19 pandemic. Ensure Procurement and Event Management Guidelines are adhered to.</p> <p>Next Steps: Ongoing event delivery management to ensure events are delivered in accordance with Council's</p>

Date	Event Type	Name	Description	Approval Process/Next Steps
			Estimated Audience: 15,000 pending PHO restrictions Target Demographic: All ages	Events Policy and Event Management Guidelines and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order.
April 2021 Annual Event (Date to be confirmed)	Co-Produced Event by Caring Waverley and Waverley Action Youth Services	Bondi Blitz	<p>Bondi Blitz – is a daytime Youth Music Event run in conjunction with NSW Youth Week and takes place in the Dolphin Court area of Bondi Park. The event is co-produced by Council’s Caring team and Waverley Action Youth Services. The event provides young local musicians the opportunity to perform to a live audience and showcase their talents. Organisers currently apply for a small grants and venue hire grant to assist with operational costs and venue hire.</p> <p>Estimated Audience: 1,000 pending PHO restrictions Target Demographic: Local youth</p>	<p>Current Status: Ensure compliance with Procurement and Event Management Guidelines. Event was cancelled in 2020 due to the COVID-19 pandemic.</p> <p>Next Steps: Ongoing event delivery management to ensure events are delivered in accordance with Council’s Events Policy and Event Management Guidelines and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order.</p>
2 May 2021 Annual Event	Council Managed Event	Global Table	<p>A Multicultural Food Festival held in Oxford Street Mall in Bondi Junction, the event features an entertainment stage with cultural dance and performance from a wide range of nations. The event also features one long table through the centre of the mall where the community can come together and sample food offerings from around the globe.</p> <p>Estimated Audience: 5,000 pending PHO restrictions Target Demographic: All ages</p>	<p>Current Status: Regular annual event developed as part of Council’s event calendar.</p> <p>Next Steps: Ensure Procurement Guidelines are adhered to and ensure event is delivered in accordance with Council’s Events Policy and Event Management Guidelines and subject to Public Health (COVID-19 Restrictions on Gathering and Movement) Order.</p>

Attachment 2 – North Bondi Park Site Plan



NOTICE OF MOTION CM/8.1/20.07



Subject: Inquiry into State Government Grants including the Stronger Communities Fund

TRIM No: A19/0224

Submitted by: Councillor Keenan
Councillor Wy Kanak

MOTION:

That Council:

1. Notes that analysis of the \$250 million Stronger Communities Grants Scheme operated by the NSW Liberal Government from 2017 to 2019 shows that 80% of the funds were sent to councils wholly in Coalition-held state electorates and only 2% to those wholly in non-government-held state electorates. The balance was to councils that straddled government and non-government electorates.
2. Notes that there was no public call for submissions from councils to the Stronger Communities Fund after guidelines were secretly changed by the government in June 2018. That change greatly expanded eligibility for the scheme from councils that were newly created as a result of the government's merger proposals to all councils that were either newly created or had ever been the subject of a merger proposal regardless of whether it had proceeded or been withdrawn.
3. Notes that public money should be allocated where it is needed and not for producing a political advantage and what money is available as grants to local councils should be provided on a needs-based non-partisan manner.
4. Notes that the Premier Gladys Berejiklian 'directly approved more than \$100 million in council grants in Coalition-held electorates before last year's state election' (SMH, 3 July 2020).
5. Makes a submission to the Public Accountability Committee inquiry as to how best to ensure the integrity of grants of public money and to provide Council's perspective on the Stronger Communities Grants Scheme.
6. Calls upon the NSW Government to co-operate fully with the inquiry.

Background

As recently reported in the Sydney Morning Herald, Council received funds for the Clarke Reserve playground and the North Bondi Surf life Saving Club as part of the NSW Stronger Communities Fund. It was reported that these funds were provided to Council without the need for a funding application and because the Waverley local government area was within a Coalition-held seat.

The NSW Parliament's Public Accountability Committee has established an inquiry into the integrity, efficacy and value for money of NSW Government grant programs. Many of the NSW Government's grants programs directly relate to Local Government.

In particular, the inquiry will examine:

- The range and availability of funding programs, including:
 - Local government funding such as the Stronger Communities Fund.
 - Arts funding such as the Regional Arts Fund.
 - Sports funding such as the Greater Sydney Sports Facility Fund, and Regional Sports Infrastructure Fund.
- The manner in which grants are determined, including:
 - The oversight of funding determinations.
 - The transparency of decision making under grants schemes.
 - The independence of the assessment of projects.
 - The role of Members of Parliament in proposing projects for funding.
 - The scope of Ministers' discretion in determining which projects are approved.
- Measures necessary to ensure the integrity of grants schemes and public confidence in the allocation of public money.
- Any other related matter.

The integrity of grant funding must be preserved and not used for the purpose of 'pork barrelling'. It is important then that as a recipient of funds from the Stronger Communities Fund that Council informs the community, and the inquiry, how such funds were received and Council's position on receiving funds that there was no application made and the impact on Council's program of works when such funds are received.

General Manager's comment

More detailed information on the Council's interaction with the Stronger Communities Fund Grants process is included in the agenda in response to several questions with notice. Most of that information is not repeated here.

In terms of the grant process, Council made applications for the grants received via the process indicated and funding agreements prepared by the Office of Local Government (OLG). It is noted that Council's project partners (supported by Council) were actively seeking funding for public-private partnership projects in the lead up to the funding agreements being supplied to Council.

Ross McLeod
General Manager

NOTICE OF MOTION CM/8.2/20.07



Subject: Naming of Laneway between Victoria Street Car Park and Bronte Road, Waverley

TRIM No: A02/0424

Submitted by: Councillor Keenan
Councillor Wy Kanak

MOTION:

That Council:

1. Notes that two resolutions, CM/8.5/18.07 and OC/5.10/19.03, in relation to co-naming of local government area streets with Aboriginal names, have not resulted in any co-naming of streets/areas.
2. Notes that the Geographical Names Board Aboriginal place naming initiative by the State Government has been providing guidance for local governments.
3. Investigates co-naming the lane (footway) that sits between the Victoria Street car park and 276–278 Bronte Road.
4. Commences a process of consultation with the strata owners, Charing Cross community and the local Aboriginal community/stakeholders.
5. Officers prepare a report back to Council with recommendations.

Background

The 'lane' is not land owned by Council; it comprises two private properties. The lane is 4 m wide and is made up of a 2 m wide right of footway over strata plan SP21301 (276–278 Bronte Road) and a 2 m wide right of footway over strata plan SP70813 (280–282 Bronte Road).

Council owns shops 1–4 in lot 9 of SP21301 (the shop spaces on the ground floor and four parking spaces on the property at the rear). Lots 1 to 8 are owned by the Department of Housing. Council is subject to the operation of the owners corporation. Council would need the corporation's approval

To name a right of way, Council would be required to consult the owners and other members of the community who directly use the laneway.

General Manager's comment

If Council so resolves, this initiative can be investigated. The work involved will need to be programmed within and alongside existing Operational Plan work programme commitments.

Ross McLeod
General Manager

NOTICE OF MOTION CM/8.3/20.07



Subject: Community Hub at Shop 4/276-278 Bronte Road,
Waverley

TRIM No: A20/0384

Submitted by: Councillor Keenan
Councillor Wy Kanak

MOTION:

That Council:

1. Investigates the option of using Council-owned shop 4 in lot 9 (SP 21301) at 276–278 Bronte Road, Waverley, as a community ‘hub’ for the community for various ‘pop-up’ type events or for use by local groups such as the local heritage society
2. Officers prepare a report back to Council with recommendations.

General Manager’s comment

The proposal for a community hub does not align with what is proposed for the shop, which is:

- Holding for displaced tenants or staff from the Bondi Pavilion project. It is likely that the shop may be used for this purpose in the near future.
- Holding for possible use by one of our community tenants following the completion of the Community Tenancy Review (to be finalised later this year). Moving a community tenant to this space may free up other opportunities where they are currently based, leading to better outcomes for them and Council.
- Re-letting on a commercial basis, as it is classified as an investment property. The shop was previously leased to our tenant for nearly 8–10 years, who has moved into our shop 2–3 next door.

On the basis of the above, officers are unable to support the motion.

Dan Joannides
Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.4/20.07



Subject: Dover Heights Coastal Reserves - Tree Maintenance

TRIM No: A14/0059

Submitted by: Councillor Nemesh
Councillor Betts

MOTION:

That Council:

1. Immediately removes the African olive shrub at the southern end of Weonga Reserve.
2. Notes that the removal of this plant is specified in the Weonga, Rodney and Raleigh Reserve Biodiversity Action Plan 2014–2020.
3. Removes the tall species of ficus located on an incline towards the cliff at Rodney Reserve opposite Dover Road and replaces the plants with low-growing shrubs.

Background

The Dover Heights Precinct has requested that the following sensible suggestions be carried out.

General Manager's comment

Council officers discussed the removal of vegetation in Weonga Reserve and Rodney Reserve with a representative of the Dover Heights Precinct earlier this year.

The vegetation in question was buddleja, which is growing through the fence line between Weonga and Rodney Reserve (as opposed to African olive). The growth of the plant is encroaching on an informal track in the reserve.

The other vegetation previously discussed is *Acacia longifolia*, as opposed to a *Ficus* species. The *Acacia* had been planted by Council to protect remnant vegetation located further down the cliff from encroachment of weeds.

Notes on these respective plantings are provided below.

Buddleja

Buddleja is a weed species. However, in this location it is helping to keep the embankment stable and providing some habitat value. This species could be removed, but it is recommended that a staged approach be taken to ensure stability of the slope. Likewise, if the removal of the African olive is the intention, it also should also be removed, ensuring succession planting.

The removal of the buddleja or African olive have not been prioritised, as they are not presenting a threat to the health of remnant vegetation located nearby. As such, work to this area has not been allocated a

budget in this year's bushcare works. Council would be able to accommodate the pruning of the buddleja within operational works. It is expected that the removal of these species would take place in later years while other priority works are completed.

In the figure below, the pink circles are the approximate location of the African olive; the blue illustrates buddleja.



Acacia longifolia

It is recommended that the *Acacia longifolia* not be removed to continue its function as buffer planting. This plant can be pruned to improve views to the ocean.

As previously agreed with the precinct, pruning of the *Acacia* has commenced and will continue when the contract for this financial year's work commences. A *Ficus* species has not been able to be located; however, further investigations can take place.

Note in the figure below the location of *Acacia* within the mixed planting (shown in orange) and the mixed planting, predominately *Banksia* species, in yellow.



It is suggested that site investigations take place to confirm the intent of plant removal.

Dan Joannides
Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.5/20.07



Subject: First Nations Calendar

TRIM No: A14/0173

Submitted by: Councillor Wy Kanak

MOTION:

That Council:

1. Includes an extended First Nations calendar of marked days and events in its current and/or next version of Council's Reconciliation Action Plan (RAP).
2. Contributes through the discussions at the Eastern Region Local Government Aboriginal and Torres Strait Islander Forum (ERLGATSIF) and other local government and First Nation forums to the proposal that 22 August 2020, and hereafter annually, be marked and celebrated as First Nation Sovereignty Day, as a day to focus on Lieutenant James Cook's 1770 action of claiming for English King George III parts of the east coast of 'Australia' on or about 22 August 1770 without 'the consent of the natives', contrary to Cook's 'secret orders' from that King.
3. Officers tasked with related RAP actions mark, participate in and celebrate 22 August 2020 with desktop focus on the various perspectives of what 'sovereignty' means for the First Nations community and in the context of the phrase often used in official government parliamentary addresses: 'Always was, always will be Aboriginal land'.
4. RAP and children's services officers focus on Aboriginal Torres Strait Islander Children's Day (4 August) and International Day of Indigenous Peoples (9 August) in proposing/implementing specific actions for the RAP 2019–2021 and Council's next version of its RAP.

Background

The Aboriginal Torres Strait Islander calendar for August includes the following events:

4 August 1988

National Aboriginal and Torres Strait Islander Children's Day (Children's Day) officially started in 1988 and is now the largest day to celebrate Aboriginal children. Authorities recorded 4 August as the birthday of many children they took away from their parents. Today, the day focuses on Aboriginal children's themes like poverty, education access and celebrates their strengths, pride and culture. 'We want [Aboriginal kids] to flourish, achieve their greatest potential and enjoy the same quality of life as all other Australian children', says the Secretariat of National Aboriginal and Islander Child Care (SNAICC) chair Murial Blamlett. See aboriginalchildrensday.com.au/. (World Children's Day is celebrated on 20 November, marking the anniversary of the United Nation's Declaration of the Rights of the Child in 1959.)

9 August 1994

First declared by the United Nations in 1994, the International Day of Indigenous Peoples aims to strengthen international awareness and cooperation for solutions to the problems faced by Aboriginal people in areas such as human rights, development, the environment, education and health. The day marks the first meeting of the United Nations Working Group on Indigenous Populations, held in Geneva in 1982. There are an estimated 370 million indigenous peoples in some 90 countries around the world. They make up less than 5% of the world's population, but account for 15% of the poorest. They speak an overwhelming majority of the world's estimated 7,000 languages and represent 5,000 different cultures.

14 August 1963

Bark petition from Yirrkala to Parliament.

16–30 August 1928

Conniston massacre, Northern Territory.

24 August 1966

Gurindji walk-off, Wave Hill Station, NT.

Source: Creative Spirits, 2020 Aboriginal calendar of significant events <creativespirits.info/aboriginal-culture/history/aboriginal-calendar>.

Discussions/presentations at the Bondi Pavilion Community Cultural Centre Stakeholder Committee and Combined Precinct Meetings raised RAP and Aboriginal Cultural issues relevant to this motion.

Discussions and support for this proposal have occurred with metro LALC and ISAIN and EORA NAIDOC.

General Manager's comment

Should Council so resolve, staff will incorporate the dates, perspectives and focus areas outlined above into the RAP and associated work programmes. Council representatives will be authorised to contribute to the discussions mentioned.

Given the short time until the dates in August, there may be some constraints on what can be achieved in 2020 with respect to Aboriginal Torres Strait Islander Children's Day (4 August) and International Day of Indigenous Peoples (9 August) in proposing/implementing specific actions.

Ross McLeod
General Manager

QUESTION WITH NOTICE

CM/9.1/20.07



Subject: Stronger Communities Fund Allocation

TRIM No: A19/0224

Submitted by: Councillor Keenan
Councillor Wy Kanak

QUESTION

The following questions were submitted by Crs Keenan and Wy Kanak:

1. Were formal Council applications made for the grant funds received for Clarke Reserve playground and North Bondi Surf Club?
2. How and when and by whom was Council informed of the allocation of the grant funds for Clarke Reserve and the surf club?
3. What contact was made with the then local member to discuss/accept the funds?
4. What assessment was made by Council officers/NSW government to justify the allocation of the funds?

General Manager's answers:

Background information

The Stronger Communities Fund was originally established by the NSW Government in May 2016 to provide 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.

Staff have identified that the second round of funding for the Stronger Communities Fund was established in 2017 and provided funding for specific projects, identified by the NSW Government, within new councils and councils previously subject to merger proposals.

It appears that Council was made aware by Office of Local Government OLG staff during routine contact that funding was likely to be available for Council projects in the months leading up to the grants being allocated in February and March 2019.

At the time of the grants being made, Council had two public-private partnership projects for which its project partners (with Council support) were actively seeking Government funding: The North Bondi Surf Life Saving Club Advanced Rescue Storage Facility project and the Bronte Surf Life Saving Club and Community Facilities project. It is also noted that Council officers generally look to capitalise on any Government funding sources available – the KPIs for the General Manager include an objective to *'work to enhance the Council's grant raising capability.'*

There were two separate grants made to Council: one for the public-private partnership in conjunction with the North Bondi Surf Life Saving Club and one for a group of projects including the Bronte Surf Life Saving

Club and Community Facilities project as well as a range of other Council projects.

Across both grants, the following allocations of funds were received:

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

1. Were formal Council applications made for the grant funds received for Clarke Reserve playground and North Bondi Surf Club?

In respect of the grant for the North Bondi Surf Club Partnership project, Council was advised by letter from the Member for Vaucluse that it may be entitled to receive funding for the project. By way of application, a funding agreement prepared by OLG accompanied Ms Upton's letter for Council to complete and submit for consideration. The General Manager signed the agreement and submitted it to OLG for consideration.

A similar process (provision of a funding agreement from OLG) was followed in respect of the second grant which included a grant for Clarke Reserve. A letter from the Chief Executive of the OLG provided Council with a funding agreement relating to identified projects, *'which includes the application form and relevant guidelines.'* The agreement was signed by the General Manager and submitted to OLG for consideration.

In summary, applications were made via the submission of the funding agreements.

2. How and when and by whom was Council informed of the allocation of the grant funds for Clarke Reserve and the surf club?

Council was notified of the allocation of grant funds by OLG staff via the return of the funding agreements executed by the OLG Chief Executive. The executed funding agreement for the North Bondi SLSC PPP project was received shortly after 5 February 2019, and the funding agreement for the second allocation of grant funding (including for Clarke Reserve) was received with a letter from the Manager, Program Delivery, OLG dated 5 March 2019.

3. What contact was made with the then local member to discuss/accept the funds?

In terms of contact by Council staff, Council cannot find any record of specific contact with the local member(s) other than the aforementioned letter from Ms Upton. All contact regarding uplift of funds and subsequent reporting requirements has been with staff from OLG. Periodic reports on progress on projects for which grant funding was received have been provided to Council as a requirement of the funding agreement.

4. What assessment was made by Council officers/NSW government to justify the allocation of the funds?

Council did not undertake formal assessments to justify allocation of grant funds as Council was not adjudicating on allocation of grant funds. Council does not hold any information on the NSW Government's assessment processes.

Ross McLeod
General Manager

URGENT BUSINESS
CM/10/20.07**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/11/20.07

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.