



W A V E R L E Y
COUNCIL

COUNCIL MEETING

A meeting of W A V E R L E Y COUNCIL will be held at Waverley Council Chambers,
Cnr Paul Street and Bondi Road, Bondi Junction at:

6.30PM, TUESDAY 16 AUGUST 2016

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

Peter Brown
General Manager

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AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Mayor will read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

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

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

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2. Declarations of Pecuniary and Non-Pecuniary Interests

3. Addresses to Council by Members of the Public

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CONFIRMATION AND ADOPTION OF MINUTES CM/4.1/16.08



WAVERLEY
COUNCIL

Subject: Confirmation of Minutes - Council Meeting - 19 July 2016

TRIM No.: SF16/406

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Council Meetings held on 19 July 2016 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of the Council meeting must be submitted to Council for confirmation, in accordance with section 375 of the *Local Government Act 1993*.

Attachments

1. Council Meeting Minutes - 19 July 2016



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 19 JULY 2016**

Present:

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

Staff in attendance:

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

At the commencement of proceedings at 6.30PM those present were as listed above with the exception of Cr Wakefield who arrived at 6.40PM.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

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

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

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

AT THIS STAGE IN THE PROCEEDINGS THE FOLLOWING MOTION WAS MOVED:

MOTION

Mover: Cr Wy Kanak

Seconder: Cr Masselos

That Council allows the items about the Bondi Pavilion to be recorded by members of the public.

THE MOTION WAS PUT AND DECLARED LOST ON SHOW OF HANDS 5/2

1. Apologies/Leaves of Absence

Apologies were received and accepted from Cr Guttman Jones.

Council granted Cr Strewe leave of absence for this meeting (see item CM/7.4/16.07).

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Kay declared a pecuniary interest in Item CM/8.8/16.07 and informed the meeting that his parents-in-law own property in Beach Road opposite the subject property, and that he would be leaving the chambers for the item.
- 2.2 Cr Goltsman declared a less than significant, non-pecuniary interest in Item CM/7.2/16.07 and informed the meeting that he participated in the program.
- 2.3 Cr Clayton declared less than significant, non-pecuniary interests in the Bondi Pavilion items and informed the meeting that she is a user of the Bondi Pavilion.
- 2.4 Cr Wy Kanak declared less than significant, non-pecuniary interests in the Bondi Pavilion items and informed the meeting that he is a user of the Bondi Pavilion.

3. Addresses to Council by Members of the Public

- 3.1 J Kaldor – CM/8.2/16.07 – Submission to Review of Planning Act about Complying Development Consents.

- 3.2 D Kresner – CM/8.3/16.07 – Synthetic Turf at Waverley Park.
- 3.3 R Harris – CM/8.4/16.07 – Annual Pavilion Community Cultural Centre Concert.
- 3.4 M Glare – CM/8.6/16.07 – Birrell Street Traffic Calming.
- 3.5 T Williams – CM/8.8/16.07 – Extension of Time for Submissions on DA-249/2016.
- 3.6 P McCallum (on behalf of the Waverley Historical Society) – CM/8.9/16.07 – Bondi Pavilion Heritage.

4. Confirmation and Adoption of Minutes

CM/4.1/16.07 Confirmation of Minutes - Council Meeting - 21 June 2016 (SF16/406)

MOTION / DECISION

Mover: Cr Mouroukas

Seconder: Cr Goltsman

That the Minutes of the Council Meeting held on 21 June 2016 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Division

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

Against the Motion: Crs Clayton, Masselos, Wakefield and Wy Kanak.

CM/4.2/16.07 Adoption of Minutes - Waverley Traffic Committee Meeting - 23 June 2016 (SF16/158)

MOTION / UNANIMOUS DECISION

Mover: Cr Kay

Seconder: Cr Mouroukas

That Part 1 of the Minutes of the Waverley Traffic Committee Meeting held on 23 June 2016 be received and noted, and that the recommendations contained therein be adopted.

5. Mayoral Minute

There was one confidential Mayoral Minute (see item CM/10.1/16.07).

6. Obituaries

Bill Symonds

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

7. Reports

CM/7.1/16.07 Investment Portfolio Report - May 2016 (A03/2211)

MOTION / DECISION

Mover: Cr Cusack
Seconder: Cr Burrill

That Council:

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

CM/7.2/16.07 Eat, Pray, Naches: Jewish Community Stories Exhibition in Shanghai, China (A16/0401)

MOTION / UNANIMOUS DECISION

Mover: Cr Goltsman
Seconder: Cr Kay

That Council:

1. Agrees to show its *Eat, Pray, Naches: Jewish Community Stories* exhibition at the Shanghai Jewish Refugees Museum in Shanghai, China.
2. Authorises the Mayor and General Manager to sign and to affix the Council Seal to the necessary documentation.

CM/7.3/16.07 Councillors' Fees – Local Government Remuneration Tribunal Determination for 2016–17 (A03/1343)

MOTION / DECISION

Mover: Cr Cusack
Seconder: Cr Kay

That Council:

1. Receives and notes this report and the attached determination from the Local Government Remuneration Tribunal.
2. In accordance with the Local Government Remuneration Tribunal's determination, endorses the annual fees for the year 1 July 2016 to 30 June 2017 as follows:
 - (a) All Councillors (including the Mayor) – \$18,840.
 - (b) Mayor – \$41,090 in addition to the Councillor fee.
 - (c) Deputy Mayor – \$3,637 in addition to the Councillor fee, and that this amount be paid from the fees paid to the Mayor.

CM/7.4/16.07 Cr Strewe - Leave of Absence (SF16/406)**MOTION / DECISION**

Mover: Cr Masselos
Seconder: Cr Wakefield

That Council grants a leave of absence to Cr Strewe from 1 July 2016 until 29 July 2016.

8. Notices of Motion**CM/8.1/16.07 Establishment of a Certification Business Unit (A16/0429)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Wakefield

That Council:

1. Investigates how to grow its internal private certification service.
2. Actively promotes the benefits of Council's private certification service.

CM/8.2/16.07 Submission to Review of Planning Act about Complying Development Consents (A11/0500)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Cusack

That Council:

1. Notes that the Mayor has already written to Minister Stokes seeking a meeting with Council Officers.
2. Notes that the letter explains the issues relating to the manner in which CDCs are being issued under the Exempt and Complying Development Codes SEPP.
3. Notes that in the letter the Mayor outlines the specific issues relating to different methods of assessing height and calls for the SEPP to be amended to better articulate what can and cannot be built under this legislation.
4. Notes that a copy of the letter to the Minister has been distributed to Councillors.
5. Prepares a report summarising the outcomes of the meeting between Council and the NSW Minister for Planning and Environment for Council's consideration.

CM/8.3/16.07 Synthetic Turf at Waverley Park (A15/0596)**MOTION**

Mover: Cr Masselos
Seconder: Cr Wakefield

That a report about the synthetic grass on Waverley Oval comes to the next Council meeting addressing the following matters:

1. Confirmation that:
 - (a) The life of the synthetic grass currently on Waverley Oval does indeed last for 10 years, and not 8 years as stated in the document *FIFA Quality Programme for Football Turf, October 2015*.
 - (b) Council is NOT seeking FIFA accreditation. If Council is seeking FIFA accreditation, why?
 - (c) The Mayor and / or Councillors were advised of this, and if so which Councillors?
 - (d) Of the reasons why this matter not brought to Council for determination.
2. Confirmation that Council:
 - (a) Is aware of the FIFA suggestion that synthetic turf playing surfaces should generate sufficient revenue to cover the cost of maintenance, staff utilities and supplies, depreciation, and planned replacement or renovation.
 - (b) Has laid synthetic turf because of the reason in 3a.
 - (c) Has ensured that no small clubs / people are missing out on using the field because clubs that can afford to pay are given priority. How has this been ensured?
 - (d) Has been advised that synthetic turf will heat up during warm weather - up to as much as 60 degrees Celsius and which can produce skin burn.
 - (e) Is aware that smoking is strictly prohibited and spilling of food and beverages must be avoided.
3. The *FIFA Quality Programme for Football Turf October 2015* document claims that synthetic turf is maintenance free is a myth and a dangerous concept to embrace as a neglected pitch can be dangerous as it presents a number of hazards to players. Is Council aware of this and the following issues?
 - (a) There are extensive maintenance issues associated with synthetic turf.
 - (b) The longevity of the synthetic turf is significantly reduced if not maintained properly.
 - (c) There is a host of paraphernalia required to keep the pitch maintained e.g. triangle brush, tractor unit, drag net, ball roll ramp.
 - (d) Synthetic turf needs regular brushing - the more the field is used, the more it needs brushing especially to prevent pile lean and flattening.
 - (e) Portable goals should have wheels and not be dragged around on the pitch as this can easily damage the synthetic turf.
 - (f) Infill levels need to be monitored especially in corners and other areas of intensive usage as heavy rain can affect infill levels.
 - (g) Compaction can also occur and will produce variable ball balance if not addressed.
4. How to protect the environment, in and surrounding, Waverley Park and the users of Waverley Park given the following:

- (a) The report advises avoiding locating pitches with synthetic turf close to leafy trees, because they can act detrimentally with the granulate in the synthetic turf if not removed.
- (b) There are mature trees close to the ovals in Waverley Park.
- (c) If the granulate becomes hard there will be poor drainage resulting in moss, algae and weed growth.
- (d) Toxic biocides such as mossicides, algaecides and weed killers have been recommended in the report to remove weeds, moss and algae.
- (e) In order to avoid contamination of the surface of the synthetic field (dirt is not allowed onto the field), a solution is to lay concrete or asphalt around the pitch as "this will stop spectators from dragging soil and dirt on to the pitch".
- (f) The Report recommends leaving a barrier between the natural area and the artificial pitch - such as a vegetation free zone.
- (g) Will Council be laying a concrete apron around the synthetic turf ovals in order to create a vegetation free zone, and are our trees, including our mature trees, at risk?

AT THIS STAGE IN THE PROCEEDINGS CR WAKEFIELD MOVED A PROCEDURAL MOTION THAT THE MOTION BE NOW PUT.

THE PROCEDURAL MOTION WAS PUT AND DECLARED LOST.

Division

For the Procedural Motion: Crs Clayton, Masselos, Wakefield and Wy Kanak.

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

THE SUBSTANTIVE MOTION WAS PUT AND DECLARED LOST.

Division

For the Substantive Motion: Crs Clayton, Masselos, Wakefield and Wy Kanak.

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

CM/8.4/16.07 Annual Bondi Pavilion Community Cultural Centre Concert (A15/0455)

MOTION

Mover: Cr Wy Kanak

Seconder: Cr Wakefield

That Waverley Council as part of its Cultural Programs support (or alternatively investigates the feasibility of) an annual Bondi Pavilion Concert showcasing the many music, dance and theatrical community activities and classes that take place at Bondi Pavilion.

AMENDMENT 1

Mover: Cr Burrill

Seconder: Cr Goltsman

That the Motion be adopted subject to it reading as follows:

‘That Waverley Council as part of its Cultural Programs investigates the feasibility of an annual Bondi Pavilion Concert showcasing the many music, dance and theatrical community activities and classes that

take place at Bondi Pavilion.'

THE AMENDMENT WAS PUT AND DECLARED CARRIED.

Division

For the Amendment: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Kay, Masselos, Mouroukas, and Wakefield.

Against the Amendment: Cr Wy Kanak.

THE AMENDMENT NOW BECAME THE SUBSTANTIVE MOTION.

A FURTHER AMENDMENT WAS MOVED:

AMENDMENT 2

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the Substantive Motion be adopted subject to it reading as follows:

'That Waverley Council as part of its Cultural Programs initiates an annual Bondi Pavilion Concert showcasing the many music, dance and theatrical community activities and classes that take place at Bondi Pavilion.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Masselos, Wakefield and Wy Kanak.

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

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

For the Substantive Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Kay, Masselos, Mouroukas, and Wakefield.

Against the Substantive Motion: Cr Wy Kanak.

CM/8.5/16.07 Name of Future Council (A16/0054)

MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council:

1. Notes that it has not formally resolved on a submission to the Minister regarding naming the proposed future Council.
2. Resolves to submit two proposed names for the future merged Council to the Minister for Local Government.

THE MOTION WAS PUT AND DECLARED LOST.

CM/8.6/16.07 Birrell Street Traffic calming (A03/0042-04)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconder: Cr Mouroukas

That Council investigates traffic calming measures along Birrell Street in the area between Watson Street and Tamarama Street, and a report be prepared for the consideration of the Traffic Committee.

CM/8.7/16.07 Bondi Pavilion Plan of Management (A15/0272)

Subsequent to the meeting a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the next Council Meeting.

MOTION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council appoints an external consultant to determine the extent to which the current proposal to re-develop the Bondi Pavilion is supported by the Statutory Plan of Management. This report to be completed coincidental with the current community consultation process.

THE MOTION WAS PUT AND DECLARED LOST.

Division

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

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

CM/8.8/16.07 Extension of Time for Submissions on DA-249/2016 (DA-249/2016)

Cr Kay declared a pecuniary interest in this item and informed the meeting that his parents in law own property in Beach Road near the Bondi Pacific. Cr Kay was not in, or in sight of, the chamber for Council's discussion and vote on this matter.

MOTION / DECISION

Mover: Cr Wy Kanak
Seconder: Cr Cusack

That Council extends the submission response period for DA 249/2016, 182 Campbell Parade, Bondi Pacific (old Swiss Grand) for another 28 days from the proposed close of public submissions on or about 14 July 2016.

Division

For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Masselos, Wakefield and Wy Kanak.

Against the Motion: Cr Mouroukas.

CM/8.9/16.07 Bondi Pavilion Heritage (A15/0272)

Subsequent to the meeting a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the next Council Meeting.

MOTION

Mover: Cr Wakefield
Seconder: Cr Masselos

Council appoints an independent external heritage consultant to appraise the proposed architectural and

functional usage of the Pavilion. The appraisal will consider the proposed treatment of the Pavilion against best practice considerations for places of cultural significance. This report to be completed coincidental with the current community consultation process.

THE MOTION WAS PUT AND DECLARED LOST.

Division

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

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

9. Urgent Business

CM/9.1/16.07 Coastal Walk Project - Evaluation of Tender (A16/0368)

Council resolved to deal with this item as an item of urgent business.

MOTION / DECISION

Mover: Cr Kay

Seconder: Cr Betts

That Council:

1. Treats the Evaluations of Findings report attached to Council's file as confidential as it contains information specified in section 10A(2)(c) of the Local Government Act 1993.
2. Enters into a contract under clause 178 of the *Local Government (General) Regulation 2005* with Hibernian Contracting for Principal Landscape Services for the Coastal Walk Project.
3. In accordance with clause 179 of the *Local Government (General) Regulation 2005* notifies unsuccessful tenderers of the decision.

CM/9.2/16.07 Establishment of Councillor Transition Reference Group (A16/0054)

Council resolved to deal with this item as an item of urgent business.

Subsequent to the meeting a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the next Council Meeting.

MOTION

Mover: Cr Goltsman

Seconder: Cr Burrill

That:

1. Council establishes a Councillor Transition Reference Group on the terms outlined in this report.
2. Council appoints two Councillors, being the Mayor Cr Sally Betts and Deputy Mayor Cr Tony Kay, to the Councillor Transition Reference Group, similar to the number suggested in the Department of Premier and Cabinet (DPC) Guidelines for post proclamation.
3. Council notes that updates on the activities of the Councillor Transition Reference Group will be included as part of the General Manager's regular Transition Update reports to Council.
4. The General Manager seeks advice under the *Local Government Act* on these procedures.

AMENDMENT 1 (WITHDRAWN)

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

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

‘All Councillors receive notice by e-mail of the same notice sent to the appointed Councillors, including any attachments.’

AMENDMENT 2

Mover: Cr Wakefield

Seconder: Cr Masselos

That the Motion be adopted subject to clause 2 reading as follows:

‘Council appoints all Councillors to the Councillor Transition Reference Group, similar to the number suggested in the Department of Premier and Cabinet (DPC) Guidelines for post proclamation.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Masselos, Wakefield and Wy Kanak.

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

AMENDMENT 3

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the Motion be adopted subject to all other Councillors being invited to all meetings of the group as observers.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Cusack, Masselos, Wakefield and Wy Kanak.

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

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

Against the Substantive Motion: Crs Clayton, Masselos, Wakefield and Wy Kanak.

CM/9.3/16.07 Outstanding Motions Report

Council resolved to deal with this item as an item of urgent business.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Wakefield

That:

1. Status reports be compiled detailing all the Council motions of the last 4 years requiring action and/or follow up.

2. These reports be presented incrementally at the next and subsequent Council meetings for discussion.
3. These report also be distributed to Councillors (or former Councillors, should amalgamation proceed in the interim) under separate email prior to the Council meeting.
4. The list of outstanding motions be placed on a Council agenda for the administrator's consideration.

Cr Wy Kanak was not present for the debate and vote on this item.

CM/9.4/16.07 Supporting Cultural Diversity

Council resolved not to deal with this item at this meeting as an item of urgent business.

10. Closed Session

CM/10/16.07 Closed Session

Before the motion to close the meeting was put, the Chair provided an opportunity for members of the public to make representations as to whether this part of the meeting should be closed and none were received.

MOTION / DECISION

Mover: Cr Goltsman

Seconder: Cr Kay

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

CM/10.1/16.07 CONFIDENTIAL REPORT - Extension of General Manager's Employment Contract

This matter is considered to be confidential in accordance with Section 10A(2)(a) of the Local Government Act, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

2. Pursuant to Section 10A(1), 10(2) and 10A(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) of the Local Government Act 1993.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the Local Government Act 1993.

Cr Wy Kanak was not present for the vote on this item.

At 10.56PM Council moved into closed session.

CM/10.1/16.07 CONFIDENTIAL REPORT - Extension of General Manager's Employment Contract (P13/080)**MOTION / DECISION**

Mover: Cr Betts
Seconder: Cr Kay

That Council:

1. Treats this report as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2)(a) of the Local Government Act 1993. The report contains personnel matters concerning particular individuals (other than councillors).
2. Extends the term of the current employment contract between Council and Peter Brown until 29 March 2017, pursuant to s 3.3 of the contract, on the same terms except with the addition of a 4 week notice period by both parties.

Cr Wy Kanak was not present for the vote on this item.

11. Resuming in Open Session**CM/11/16.07 Resuming in Open Session****MOTION / DECISION**

Mover: Cr Kay
Seconder: Cr Mouroukas

That Council resumes in Open Session.

Cr Wy Kanak was not present for the vote on this item.

At 10.58PM Council resumed in Open Session.

Resolutions from Closed Session made public

In accordance with Clause 253 of the Local Government (General) Regulation 2005, when the meeting resumed in open session the Chair announced the resolution made by Council, including the names of the movers and seconders, while the meeting was closed to members of the public and the media.

12. Meeting Closure

THE MEETING CLOSED AT 10.58PM.

.....
SIGNED AND CONFIRMED
MAYOR
16 AUGUST 2016

CONFIRMATION AND ADOPTION OF MINUTES CM/4.2/16.08



Subject: Confirmation of Minutes - Extraordinary Council Meeting -
2 August 2016

TRIM No.: SF16/406

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Extraordinary Council Meeting held on 2 August 2016 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of the Council meeting must be submitted to Council for confirmation, in accordance with section 375 of the *Local Government Act 1993*.

Attachments

1. Extraordinary Council Meeting Minutes - 2 August 2016



**MINUTES OF THE WAVERLEY EXTRAORDINARY COUNCIL MEETING
HELD AT THE WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION
ON TUESDAY, 2 AUGUST 2016**

Present:

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

Staff in attendance:

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

At the commencement of proceedings at 6.30 pm, those present were as listed above, with the exception of Cr Strewe, who arrived at 6.34 pm, and Cr Wakefield, who arrived at 6.35 pm.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

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

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

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

1. Apologies/Leaves of Absence

Apologies were received and accepted from Cr Cusack.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

3. Addresses to Council by Members of the Public

There were no addresses to Council by members of the public.

4. Reports

CM/4.1/16.08E Gilgandra Reserve Zoning Assessment (PP-2/2015)

MOTION / UNANIMOUS DECISION

Mover: Cr Betts
Seconder: Cr Goltsman

That Council:

1. Prepares a Planning Proposal to amend *Waverley Local Environment Plan 2012* to:
 - (a) Rezone 27-29 Gilgandra Road, North Bondi (Gilgandra Reserve) from R1 Low Density Residential to RE1 Public Recreation.
 - (b) Note 27-29 Gilgandra Road, North Bondi on the Land Reservation Acquisition Map.
2. Requests the Department of Planning and Environment to amend the Gateway Determination for 21-23 Niblick Street, North Bondi to include the rezoning of 27-29 Gilgandra Road, North Bondi.
3. Requests the Department of Planning and Environment to grant to Council the authority to exercise the delegations issued by the Minister under section 59 of the *EP&A Act 1979* in relation to the making of the amendment.

Division

For the Motion: Crs Betts, Burrill, Clayton, Goltsman, Guttman-Jones, Kay, Masselos, Mouroukas, Strewe, Wakefield and Wy Kanak.

Against the Motion: Nil.

5. Notices of Motion

CM/5.1/16.08E RESCISSION MOTION – Council Meeting 19 July 2016 – CM/8.7/16.07 – Bondi Pavilion Plan of Management (A15/0272)

Immediately following the meeting, a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the next Council Meeting.

Notice of Motion submitted by Crs Masselos, Wakefield and Wy Kanak.

MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its meeting on 19 July 2016. Subsequently, the following Notice of Rescission was submitted by Crs Masselos, Wakefield and Wy Kanak:

‘We the undersigned Councillors wish to rescind the following decision made by Council at its meeting on Tuesday 19 July 2016:

CM/8.7/16.07 – Bondi Pavilion Plan of Management

Councillors Masselos, Wakefield and Wy Kanak’.

BELOW IS THE MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 19 JULY 2016:

CM/8.7/16.07 Bondi Pavilion Plan of Management (A15/0272)

Subsequent to the meeting a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the August Council Meeting.

MOTION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council appoints an external consultant to determine the extent to which the current proposal to re-develop the Bondi Pavilion is supported by the Statutory Plan of Management. This report to be completed coincidental with the current community consultation process.

THE MOTION WAS PUT AND DECLARED LOST.

Division

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

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

FORESHADOWED MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council appoints an external consultant to determine the extent to which the current proposal to redevelop the Bondi Pavilion is supported by the Statutory Plan of Management. This report to be completed coincidental with the current community consultation process.

THE RESCISSION MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

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

DECISION: That the Rescission Motion be adopted.

THE FORESHADOWED MOTION NOW BECAME THE SUBSTANTIVE MOTION.

THE MOVER AND SECONDER OF THE SUBSTANTIVE MOTION ACCEPTED AN AMENDMENT TO THE MOTION SUCH THAT IT NOW READ AS FOLLOWS:

That Council appoints an external consultant to determine the extent to which the current proposal to redevelop the Bondi Pavilion is supported by the Statutory Plan of Management and the Conservation Management Plan 2015 prepared by TKD Architects and adopted in full by Council. This report to be completed coincidental with the current community consultation process.

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

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

DECISION: That the Substantive Motion be adopted.

CM/5.2/16.08E RESCISSION MOTION – Council Meeting 19 July 2016 – CM/8.9/16.07 – Bondi Pavilion Heritage (A15/0272)

Immediately following the meeting, a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the next Council Meeting.

Notice of Motion submitted by Crs Masselos, Wakefield and Wy Kanak.

MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its meeting on 19 July 2016. Subsequently, the following Notice of Rescission was submitted by Crs Masselos, Wakefield and Wy Kanak:

‘We the undersigned Councillors wish to rescind the following decision made by Council at its meeting on

Tuesday 19 July 2016:

CM/8.9/16.07 – Bondi Pavilion Heritage

Councillors Masselos, Wakefield and Wy Kanak’.

BELOW IS THE MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 19 JULY 2016:

CM/8.9/16.07 Bondi Pavilion Heritage (A15/0272)

Subsequent to the meeting a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the August Council Meeting.

MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

Council appoints an independent external heritage consultant to appraise the proposed architectural and functional usage of the Pavilion. The appraisal will consider the proposed treatment of the Pavilion against best practice considerations for places of cultural significance. This report to be completed coincidental with the current community consultation process.

THE MOTION WAS PUT AND DECLARED LOST.

Division

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

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

FORESHADOWED MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council appoints an independent external heritage consultant to appraise the proposed architectural and functional usage of the Pavilion. The appraisal will consider the proposed treatment of the Pavilion against best practice considerations for places of cultural significance. This report to be completed coincidental with the current community consultation process.

THE RESCISSION MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

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

DECISION: That the Rescission Motion be adopted.

THE FORESHADOWED MOTION NOW BECAME THE SUBSTANTIVE MOTION AND WAS PUT AND DECLARED CARRIED.

Division

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

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

DECISION: That the Substantive Motion be adopted.

**CM/5.3/16.08E RESCISSION MOTION – Council Meeting 19 July 2016 – CM/9.2/16.07 –
Establishment of Councillor Transition Reference Group (A16/0054)**

Immediately following the meeting, a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the next Council Meeting.

Notice of Motion submitted by Crs Masselos, Wakefield and Wy Kanak.

MOTION

Mover: Cr Wakefield
Seconder: Cr Masselos

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its meeting on 19 July 2016. Subsequently, the following Notice of Rescission was submitted by Crs Masselos, Wakefield and Wy Kanak:

‘We the undersigned Councillors wish to rescind the following decision made by Council at its meeting on Tuesday 19 July 2016:

CM/9.2/16.07 – Establishment of Councillor Transition Reference Group

Councillors Masselos, Wakefield and Wy Kanak’.

BELOW IS THE MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 19 JULY 2016:

CM/9.2/16.07 Establishment of Councillor Transition Reference Group (A16/0054)

Council resolved to deal with this item as an item of urgent business.

Subsequent to the meeting a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the August Council Meeting.

MOTION

Mover: Cr Goltsman
Seconder: Cr Burrill

That:

- 1. Council establishes a Councillor Transition Reference Group on the terms outlined in this report.*
- 2. Council appoints two Councillors, being the Mayor Cr Sally Betts and Deputy Mayor Cr Tony Kay, to the Councillor Transition Reference Group, similar to the number suggested in the Department of Premier and Cabinet (DPC) Guidelines for post proclamation.*
- 3. Council notes that updates on the activities of the Councillor Transition Reference Group will be included as part of the General Manager’s regular Transition Update reports to Council.*
- 4. The General Manager seeks advice under the Local Government Act on these procedures.*

AMENDMENT 1 (WITHDRAWN)

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

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

‘All Councillors receive notice by e-mail of the same notice sent to the appointed Councillors, including any attachments.’

AMENDMENT 2

Mover: Cr Wakefield

Seconder: Cr Masselos

That the Motion be adopted subject to clause 2 reading as follows:

‘Council appoints all Councillors to the Councillor Transition Reference Group, similar to the number suggested in the Department of Premier and Cabinet (DPC) Guidelines for post proclamation.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Masselos, Wakefield and Wy Kanak.

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

AMENDMENT 3

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the Motion be adopted subject to all other Councillors being invited to all meetings of the group as observers.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Cusack, Masselos, Wakefield and Wy Kanak.

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

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

Against the Substantive Motion: Crs Clayton, Masselos, Wakefield and Wy Kanak.

FORESHADOWED MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

That:

1. Council establishes a Councillor Transition Reference Group on the terms outlined in this report.
2. Council appoints two Councillors, being the Mayor Cr Sally Betts and Deputy Mayor Cr Tony Kay, to the Councillor Transition Reference Group, similar to the number suggested in the Department of Premier and Cabinet (DPC) Guidelines for post proclamation.
3. Council notes that updates on the activities of the Councillor Transition Reference Group will be included as part of the General Manager's regular Transition Update reports to Council.

4. The General Manager seeks advice under the *Local Government Act* on these procedures.
5. All Councillors receive notice by e-mail of the same notice sent to the appointed Councillors, including any attachments.

THE RESCISSION MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

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

DECISION: That the Rescission Motion be adopted.

THE FORESHADOWED MOTION NOW BECAME THE SUBSTANTIVE MOTION.

THE MOVER AND SECONDER OF THE SUBSTANTIVE MOTION ACCEPTED AN AMENDMENT TO THE MOTION SUCH THAT IT NOW READ AS FOLLOWS:

That:

1. Council establishes a Councillor Transition Reference Group on the terms outlined in this report.
2. Council appoints all Councillors to the Councillor Transition Reference Group.
3. Council notes that updates on the activities of the Councillor Transition Reference Group will be included as part of the General Manager's regular Transition Update reports to Council.
4. The General Manager seeks advice under the *Local Government Act* on these procedures.
5. All Councillors receive notice by e-mail of the same notice sent to the appointed Councillors, including any attachments.

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

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

DECISION: That the Substantive Motion be adopted.

6. Closed Session**CM/6/16.08E Closed Session**

Before the motion to close the meeting was put, the Chair provided an opportunity for members of the public to make representations as to whether this part of the meeting should be closed. None were received.

MOTION / DECISION

Mover: Cr Goltsman

Seconder: Cr Kay

That:

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

CM/6.1/16.08E **CONFIDENTIAL REPORT – Purchase of 21-23 Niblick Street, North Bondi and Licence Agreement for 27-29 Gilgandra Road, North Bondi**

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

5. Pursuant to section 10A(1), 10(2) and 10A(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) of the *Local Government Act 1993*.
6. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act 1993*.

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

At 7.15 pm, Council moved into closed session.

CM/6.1/16.08E CONFIDENTIAL REPORT – Purchase of 21-23 Niblick Street, North Bondi and Licence Agreement for 27-29 Gilgandra Road, North Bondi (A14/0493)

MOTION / UNANIMOUS DECISION

Mover: Cr Betts

Seconder: Cr Goltsman

That Council:

1. Treats this report as confidential as it relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Agrees to the purchase of Lot 4 DP 9486 & Lot 1 DP 613758, 21-23 Niblick Street, North Bondi, from Sydney Water on the terms and conditions contained in this report and noted in Table 1 of this report.

3. Approves the entering into a 99 year licence agreement with Sydney Water for Gilgandra Reserve, Lot 23 DP 7758 & Lot 24 DP 654616, 27-29 Gilgandra Road, North Bondi, on the terms and conditions contained in this report and noted in Table 2 of this report.
4. Authorises the Mayor and General Manager to negotiate the final terms and conditions for the licence for 27-29 Gilgandra Road and do all things necessary to execute all documents associated with both the Gilgandra Licence and the purchase of 21-23 Niblick Street, North Bondi, including the application of the Council seal where necessary.

Division

For the Motion: Crs Betts, Burrill, Clayton, Goltsman, Guttman-Jones, Kay, Masselos, Mouroukas, Strewe, Wakefield and Wy Kanak.

Against the Motion: Nil.

7. Resuming in Open Session

CM/7/16.08E Resuming in Open Session

MOTION / DECISION

Mover: Cr Kay
Seconder: Cr Goltsman

That Council resumes in open session.

At 7.20 pm, Council resumed in open session.

Resolutions from closed session made public

In accordance with clause 253 of the Local Government (General) Regulation 2005, when the meeting resumed in open session the Chair announced the resolutions made by Council, including the names of the movers and seconders, while the meeting was closed to members of the public and the media.

8. Meeting Closure

THE MEETING CLOSED AT 7.20 PM.

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SIGNED AND CONFIRMED
MAYOR
16 AUGUST 2016

CONFIRMATION AND ADOPTION OF MINUTES CM/4.3/16.08



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 28 July 2016

TRIM No.: SF16/158

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That Part 1 of the Minutes of the Waverley Traffic Committee Meeting held on 28 July 2016 be received and noted, and that the recommendations contained therein be adopted.

Introduction/Background

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

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

Part 1 of the minutes of Waverley Traffic Committee meetings must be submitted to Council for adoption in accordance with 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 - 28 July 2016

**MINUTES OF THE WAVERLEY TRAFFIC
COMMITTEE MEETING HELD AT WAVERLEY
COUNCIL CHAMBERS, CNR PAUL STREET AND
BONDI ROAD, BONDI JUNCTION ON
THURSDAY, 28 JULY 2016**



Voting Members Present:

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

Also Present:

Cr B Mouroukas	Waverley Council (Alternate Chair)
Mr B Gidiss	Sydney Buses (Eastern Region)
Sgt N Rutgers	NSW Police – Traffic Services, Eastern Suburbs Local Area Command
Mr D Joannides	Waverley Council – Executive Manager, Creating Waverley
Mr G Garnsey	Waverley Council – Manager, Transport and Development
Mr K Wells	Waverley Council – Traffic Engineer

At the commencement of proceedings at 10.06 am, those present were as listed above.

Apologies

Apologies were received and accepted from Mr B Morson of Roads and Maritime Services.

Declarations of Pecuniary and Non-Pecuniary Interests

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

1. Cr T Kay declared a pecuniary interest in Item TC/TEAV.01//16.07, and informed the meeting that his parents-in-law own property in Beach Road adjacent to the Pacific Bondi Beach site. Cr Kay advised that he will leave the meeting for the discussion and vote on this item.

Adoption of previous Minutes by Council – 23 June 2016

The recommendations contained in Part 1 – Matters Proposing that Council Exercise its Delegated Functions – of the Minutes of the Waverley Traffic Committee meeting held on 23 June 2016 were adopted by Council at its meeting on 19 July 2016.

PART 1 – MATTERS PROPOSING THAT COUNCIL EXERCISE ITS DELEGATED FUNCTIONS

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

TC/C STATE ELECTORATE OF COOGEE**TC/C.01/16.07 Bronte Road, Waverley – Relocation of Bus Zone (A02/0225-02)****COUNCIL OFFICER'S PROPOSAL:**

That Council relocates the bus zone on the eastern side of Bronte Road and reinstates the parking restrictions that were in place in 2014 and as shown in attachment 1.

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.02/16.07 Santa Marina Avenue, Waverley – Alteration to Timed Parking Restrictions (A03/2581)**COUNCIL OFFICER'S PROPOSAL:**

That Council alters the existing parking restrictions in Santa Marina Avenue to '1P 6am-10pm Permit Holders Excepted Area 25'.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/C.03/16.07 O'Dowd Street, Waverley – 'No Parking' at Driveway (A02/0637-02)**COUNCIL OFFICER'S PROPOSAL:**

That Council Installs a 2.5 m long 'No Parking' zone adjacent to the northern side wing of the driveway at 15–17 O'Dowd Street, Waverley.

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.04/16.07 Arden Street at Macpherson Street, Waverley – Upgrading of Existing Pedestrian Refuge (A03/2061)**COUNCIL OFFICER'S PROPOSAL:**

That Council reconstructs the existing pedestrian refuge on Arden Street at the intersection of Macpherson Street in accordance with Drawing No. 8858 attached.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to it reading as follows:

'That Council reconstructs the existing traffic island on Arden Street at the intersection of Macpherson Street in accordance with Drawing No.8858 attached to the report subject to the following amendments:

1. The northern separation island be increased in length from 1.5 m to 2.0 m, and the southern island be relocated accordingly.
2. "Keep Left" signs be reduced in height so they do not obscure children crossing.'

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

TC/C.05/16.07 Bon Accord Avenue, Bondi Junction – Road Closure (A02/0216)**COUNCIL OFFICER'S PROPOSAL:**

That Council approves the closure of Bon Accord Avenue, Bondi Junction, as per the Transport Management Plan (TMP) and Traffic Control Plan (TCP) attached to the report subject to the following conditions:

1. Closures are to take place only during the following periods:
 - Monday, 3 October 2016 8.30 am – 1.45 pm
 - Tuesday, 4 October 2016 8.30 am – 1.45 pm
 - Tuesday, 11 October 2016 4.45pm – 10.15 pm

- Wednesday, 12 October 2016 8.30 am – 9.00 pm

2. The Event Organiser shall:

- Provide Public Liability Insurance for the event;
- Obtain NSW Police approval; and
- Cover all costs associated with Traffic Control.

3. The Council shall:

- Issue a Schedule of Conditions, with any additional conditions that may be placed by the NSW Police, Roads and Maritimes Services and the Executive Manager, Creating Waverley;
- Submit a TMP to the RMS for approval of the TMC;
- Notify the NSW Ambulance Service and NSW Fire & Rescue (Bondi, Woollahra & Randwick Fire Stations) seven days prior to the event;
- Notify local residents and businesses seven days prior to the event; and
- Only use RMS-accredited Traffic Controllers.

4. The Executive Manager, Creating Waverley, and their representative(s) are delegated authority to:

- Inspect the TMP;
- Audit the implementation of the TMP; and
- Cancel this approval, without notice or refund.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to the addition of a clause 5 to read as follows:

'Unauthorised vehicles are not to be used to block the roadway.'

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

TC/C.06/16.07 Kenneth Street, Tamarama – Installation of 'P Disability Only' Zone (A02/0273-02)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs a 3.2 m wide, 90° angled, 'P DISABILITY ONLY' parking zone outside 9 Kenneth Street, Waverley.
2. Reviews the 'P DISABILITY ONLY' zone on an annual basis.
3. Removes the zone when the approved off-street hardstand and associated driveway is constructed.

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.07/16.07 Fletcher Street, Sandridge Street and Alexander Street, Tamarama – Intersection Treatment (A03/0042-04)

COUNCIL OFFICER'S PROPOSAL:

That Council constructs traffic islands and associated linemarking on Fletcher Street, Tamarama, in accordance with Plan 8875 attached.

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/V STATE ELECTORATE OF VAUCLUSE

TC/V.01/16.07 Warners Avenue, Bondi Beach – Temporary Road Closure for Bike Week Event (A02/0216)

COUNCIL OFFICER'S PROPOSAL:

That Council:

- (a) Approves the temporary closure of a section of Warners Avenue, Bondi Beach, between Campbell Parade and Wairoa Avenue on Sunday 18 September 2016 between 8 am and 2 pm in accordance with the attached Traffic Control Plan subject to:
- Obtaining NSW Police approval;
 - Submitting the Transport Management Plan to the Roads and Maritime Services for the approval of the Traffic Management Centre;
 - Notifying the State Transit Authority, NSW Ambulance Service and NSW Fire & Rescue (Bondi, Woollahra & Randwick Fire Stations) seven (7) days prior to the event;
 - Notifying nearby local residents and businesses seven days prior to the event;
 - Using only RMS-accredited Traffic Controllers; and
 - Meeting the cost of traffic control.
- (b) Authorises this approval to be cancelled without notice and refund at the discretion of the Executive Manager, Creating Waverley, or his representative.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

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

1. The addition of a dot point at clause (a) to read 'Water-filled barriers to be used at the intersection of Wairoa Avenue and Warners Avenue.'
2. Clause (b) be amended to read 'Authorises this approval to be cancelled without notice and refund to the RMS of any promotional funding at the discretion of the Executive Manager, Creating Waverley, or his representative'.

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

TC/V.02/16.07 Gould Lane, Bondi Beach – Temporary Closure for Tower Crane Installation (A02/0617-07)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Approves the temporary closure of Gould Lane between Hall Street and the rear of No. 146–150 Campbell Parade on Wednesday, 3 August 2016, with times to be determined, in accordance with Traffic Control Plan 16S1582000-03-01-P2 dated 15/7/2016 attached to the report prepared by GTA Consultants on behalf of Infinity Constructions.
2. Notes that due to the urgent nature of the temporary closure of Gould Lane, the approval is given in retrospect.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

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

'Subject to the following conditions:

1. Travel to and from the site is to be via Bondi Road, and the use of Curlewis Street is not permitted.
2. Layover areas for trucks are not to be in the Waverley Local Government Area.
3. Should the layover area be on a State Road, approval from the Roads and Maritime Services must be provided.'

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

Representatives from Infinity Constructions Group and GTA Consultants addressed the meeting.

TC/V.03/16.07 Campbell Parade, Bondi Beach – Installation of a Part Time Bus Zone (A02/0225-02)**COUNCIL OFFICER'S PROPOSAL:**

That Council installs 17 m of 'Bus Zone; 6 am–8 am' between the existing 'No Stopping' zone on the eastern side of the driveway at the Bondi Beach Public School and the full time 'Bus Zone- STA buses only' zone to the east.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to the operating times of the Bus Zone being amended from '6 am–8 am' to '6 am–8 am Mon–Fri'.

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

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE

Nil.

THE MEETING CLOSED AT 11.20 AM.

.....
SIGNED AND CONFIRMED
MAYOR
16 AUGUST 2016

MAYORAL MINUTES CM/5/16.08

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



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

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

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

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

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

OBITUARIES CM/6/16.08

Subject: Obituaries
Author: Peter Brown, General Manager



The Mayor will ask councillors for any obituaries.

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

REPORT

CM/7.1/16.08



Subject: Carry Over from 2015/16 to 2016/17

TRIM No.: A16/0411

Author: Francesco Rombola, Executive Manager, Financial Waverley

Director: Peter Brown, General Manager

RECOMMENDATION:

That Council approves the carrying forward of budget funds from the 2015/16 financial year to the 2016/17 financial year, as detailed in this report and Attachment 1.

1. Executive Summary

The purpose of this report is to seek Council approval for the transfer of \$16,836,638 in incomplete operational, capital projects, grants funded activities and plant purchases from the 2015/16 financial year to the 2016/17 financial year budget. These monies are to be used across 126 projects/activities.

2. Introduction/Background

Following a review of the status of the 2015/16 projects/activities by the responsible Executive Managers and Project Sponsors, and as endorsed by the executive leadership Team, it is proposed that the incomplete operational, capital projects and plant purchases from the 2015/16 financial year, as detailed in this report and its attachment, be carried over to the 2016/17 financial year for completion.

3. Relevant Council Resolutions

Nil.

4. Discussion

The review identified 126 incomplete operational, capital projects and plants purchases in the 2015/16 budget, that are now being requested to be carried over into the current 2016/17 financial year. The total monetary amount requested to be carried over for the 126 items is \$16,836,638.

Table 1 - Carry Over from:	Expenditure \$	No. of Items
Operational Activities	823,665	16
Plant Replacement Program	2,866,301	29
Capital Works - Deliverable Program	8,420,604	79
Capital Works - Land & Property Acquisition Program	4,726,068	2
Total Carry Over	16,836,638	126

The accompanying attachment provides the details which supports these proposed carry over expenditure and its funding sources.

As a result, the 2016/17 Capital Works Deliverable Program has increased from \$32.71M to \$41.13M due to \$8.42M in carry over funding from the 2015/16 Capital works Deliverable Program. Based on the 2015/16 capital works delivery performance, it is expected that the capital works budget will be reduced at the first quarter budget review process to better reflect our capacity to deliver across the program in line with our new project management framework.

Overall commentary on the Capital Works Deliverable Program carryovers:

2014/2015 Results

Capital Works Program Budget	\$29.80M	
Budget Spent	\$21.13M	71%
Carryover	\$8.67M	29%

2015/16 Results

Capital Works Program Budget	\$35.17M	
Budget Spent	\$26.57M	76%
Carryover	\$8.62M	24%

Better planning and management processes have led to an improvement in the delivery of Capital Works projects. There has been a 5 percentage point increase in the delivery of the Capital Works program, accompanied by a corresponding 5 percentage point decrease in the carryover of Capital Works funding.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction:	G5 Waverley is financially sustainable with revenue and resources required to support implementation of the community's plans and to provide infrastructure performance and services our community needs.
Strategy:	G5a Promote and advocate the provision of financial reporting systems in an accurate, timely, transparent and honest manner to ensure sustainability of public assets and resources..
Deliverable:	Financial advice and coordination to ensure Council meets overall budget performance targets provided.

6. Financial impact statement/Timeframe/Consultation

The carry over projects/items (capital, operational and plant) will increase the existing 2016/17 expenditure budget by \$16,836,638. All of these carry over projects/items were included in the previous 2015/16 financial year budget, including the Section 94 funded projects, and will have a no impact on the current year's budget bottom line.

However, Section 94 contribution income in the 2015/16 financial year to be used to fund some of the capital works deliverable program, did not achieve its budgeted amount. Consequently, an alternative funding source for those 2015/16 Section 94 funded projects needs to be identified. The proposed funding is as follows:

- Unspent carry over reserve from the 2015/16 Allocation- \$261k
- Unspent Centralised reserves from the 2015/16 Allocation - \$302k, and
- The remaining of \$827k to be sourced from s94 funds which have been preserved for the future year projects in the LTFP4.3

The \$827k will have an impact on the S94 fund availability for future years going forward.

Table 2 below details the funding sources for the proposed carry over projects:

Table 2: carry over funding sources	Operational & Plant	Capital Works Program	Total
Affordable housing reserve	0	2,235,068	2,235,068
Car Parking Reserve	0	568,493	568,493
Carry Over Reserve	235,000	749,968	984,968
Cemetery Reserve	0	792,381	792,381
Centralised reserve	0	1,037,915	1,037,915
Domestic Waste Plant Replacement Reserve	1,335,210	0	1,335,210
Grant/Contribution received in 2015/16	52,266	0	52,266
Grants to be received in 2016/17	0	230,217	230,217
Infrastructure Cemetery Reserve	0	267,890	267,890
Infrastructure Coastal & Retaining Reserve	0	41,779	41,779
Infrastructure footpath Reserve	0	131,175	131,175
Infrastructure Park Open Space Reserve	0	289,096	289,096
Investment Strategy Reserve	0	1,020,905	1,020,905
Loan Reserve	0	164,586	164,586
New loan	0	2,200,000	2,200,000
PA reserve	0	663,640	663,640
Plant Replacement Reserve	807,627	0	807,627
Prior 2014/15 Unexpended Grant reserve	246,774	7,095	253,869
Proceeds from Asset Sales	569,028	0	569,028
s94 reserve	0	603,733	603,733
Surplus land sale reserve	0	40,000	40,000
2015/16 General Fund	444,061	2,102,731	2,546,792
Total funding sources	3,689,966	13,146,672	16,836,638

7. Conclusion

In summary, there are 126 projects/activities requesting to be carried over from 2015/16 financial year to the current financial year amounted to \$16,836,638.

8. Attachments

1. Carry Over from 2015/16 to 2016/17

Attachment 1

Council meeting - 16 August 2016

Carry Overs from 2015/16 to 2016/17

Program	Proposed Carry Over Value	Funding Sources								No. of carry over
		Proceeds from Asset Sales	Grant/Contributions to be received in 2016/17	New Loan	Grant/Contribution received in 2015/16	External Restricted reserves	Internal Restricted reserves	2015/16 General Funds	Total	
Waverley Corporate	58,779	0	0	0	0	0	0	(58,779)	(58,779)	2
Waverley Future	195,340	0	0	0	0	(159,290)	0	(36,050)	(195,340)	6
Waverley Life	569,546	0	0	0	(52,266)	(87,484)	(235,000)	(194,796)	(569,546)	8
Plant Replacement Program	2,866,301	(569,028)	0	0	0	(1,335,210)	(807,627)	(154,436)	(2,866,301)	29
Capital Works - Deliverable Program	8,420,604	0	(230,217)	0	0	(1,274,468)	(5,104,188)	(1,811,731)	(8,420,604)	79
Capital Works - Land & Property Acquisition Program	4,726,068	0	0	(2,200,000)	0	(2,235,068)	0	(291,000)	(4,726,068)	2
Total Carry Overs	16,836,638	(569,028)	(230,217)	(2,200,000)	(52,266)	(5,091,520)	(6,146,815)	(2,546,792)	(16,836,638)	126

Attachment 3

Council meeting: 16 August 2016

Carry Overs from 2015/16 to 2016/17 - detail

Expenditure				Funding Sources																			2015/16 Residual Fund	Comments			
Program	Sub-Program	Cost Centre Description	Last income	First carry over	Proceeds from Asset Sales	Grant/Other to be received in 2015/17	New loan	Grant/Contribution received in 2015/16	Prior 2014/15 Unexpended Grant resource	GRF resource	PR resource	Domestic Waste Plant Replacement Resource	Affordable Housing resource	Local Resource	Sanitary landfill user resource	Community Resource	Investment Strategy Resource	Car Parking Resource	Infrastructure Community Resource	Infrastructure Council & Resourcing Resource	Infrastructure Resourcing Resource	Infrastructure Park Space Space Resource			Plant Replacement Resource	Game Area Resource	Community resource
Operational																											
Waverley Site	Brickwork Waverley	Local Priority Project	24044	53,263				53,575	37,080																		01 Library local priority suspended grant to be carried over to 2016/17
Waverley Site	Spring Waverley	Caroline Early Education Centre	23885	18,939				18,130																			02 Department of Education and Training (Spring day care) professional development program grant to be carried over to 2016/17
Waverley Site	Spring Waverley	MW Early Education Centre	23882	12,899				12,899																			03 Department of Education and Training (Spring day care) professional development program grant to be carried over to 2016/17
Waverley Site	Spring Waverley	Waverley Early Education Centre	23886	17,439				18,825																			04 Department of Education and Training (Spring day care) professional development program grant to be carried over to 2016/17
Waverley Site	Spring Waverley	Waverley Early Education Centre	23887	18,339				18,130																			05 Department of Education and Training (Spring day care) professional development program grant to be carried over to 2016/17
Waverley Site	Brickwork Waverley	12 Douglas Road	24872	111,000																				1150,000			06 Capital Purchase, Asset Renewal
Waverley Site	Brickwork Waverley	Caroline Early Education Centre	24863	121,000																				395,000			07 Capital Purchase, Asset Renewal
Waverley Site	Brickwork Waverley	Council Chamber	24876	111,759																							08 Capital Purchase, Asset Renewal
Waverley Future	Sustainable Waverley	Environmental Action Plan	44013	16,450																							09 Environmental and greenhouse funding and house control systems grants to be completed by end of Aug 2016
Waverley Future	Sustainable Waverley	Corporate Resolution	44012	2,262					12,962																		10 Regional Program suspended grant to be carried over to 2016/17
Waverley Future	Sustainable Waverley	Regional Environment Program Coordinator	44013	15,688					15,688																		11 Regional Program suspended grant to be carried over to 2016/17
Waverley Future	Sustainable Waverley	Waverley House	44014	25,261					25,261																		12 Regional Program suspended grant to be carried over to 2016/17
Waverley Future	Sustainable Waverley	Regional Engagement and Communications	44015	19,201					19,201																		13 Regional Program suspended grant to be carried over to 2016/17
Waverley Future	Sustainable Waverley	Regional Strategy Implementation	44016	16,367					16,367																		14 Regional Program suspended grant to be carried over to 2016/17
Waverley Corporate	Internal Development, Governance & Ops	Executive Department		18,779																							15 Capital Purchase, Asset Renewal
Waverley Corporate	Internal Development, Governance & Ops	Waste Management	14016	17,880																							16 Capital Purchase, Asset Renewal
Total Operational Carry Over				873,665		0	0	0	124,260	124,774	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1150,000	0	1289,429
Capital - Plant Replacement																											
Plant Replacement Program	Financial Waverley	Plant - Passenger Vehicles		18,363								0												110,369			01 Passenger vehicles purchase/replacement
Plant Replacement Program	Financial Waverley	Plant - Small Plant		79,262								0												261,300			02 Small plant purchase/replacement
Plant Replacement Program	Financial Waverley	Plant - Light Commercial Vehicle		440,244								139,885												1137,254			03 Light commercial vehicle purchase/replacement
Plant Replacement Program	Financial Waverley	Plant - Truck & Trailer		240,307								0												1192,464			04 Truck & Trailer purchase/replacement
Plant Replacement Program	Financial Waverley	Plant - Motor Pool		1,640,476								1,140,500												0			05 Motor fleet purchase/replacement
Plant Replacement Program	Financial Waverley	Plant - Specialised Equipment		427,450								0												1112,000			06 Specialised equipment purchase/replacement
Total Capital - Plant Carry Over				2,886,361			0	0	0	0	0	0	1,140,500	0	0	0	0	0	0	0	0	0	0	0	261,300	0	1214,494
Capital - Projects																											
Capital Works - Land & Property Acquisition Program		Off-site Housing Acquisition	03876	2,235,244										12,191,598													01 The property purchase expects to be within July 2016
Capital Works - Land & Property Acquisition Program		Subsidised Housing Land Acquisition	03877	2,433,890				1,300,000																			02 The purchase expects to be finalised within months
Capital Works - Deliverable Program		Home to Freedom (Caravan & Property) advice, survey, advice, relocation works	03878	23,955								124,950															03 Project on hold - pending decision
Capital Works - Deliverable Program		Local Councils Remediation & Storage	03879	11,530																				111,528			04 Site to complete. Awaiting payments of final invoices.
Capital Works - Deliverable Program		Local Council Sub-Dept - Works, Yard & Landscape	03880	201,000																							05 Development Application submitted. Awaiting outcomes from Conservation Management Plan for Beachfront
Capital Works - Deliverable Program		Local Council Fire Brigade	03881	14,000																							06 Awaiting Project meeting completion
Capital Works - Deliverable Program		Waverley Beach to Squid Tower - Design projects	03886	123,756																							07 Awaiting Project ongoing across multiple financial years
Capital Works - Deliverable Program		Waverley Beach to Squid Tower - Design works	03887	13,347																				111,340			08 Project undergoing design phase
Capital Works - Deliverable Program		Waverley Southern Park entry	03889	79,383								124,381															09 Project undergoing design phase
Capital Works - Deliverable Program		Waverley Community Internal Renovation	03885	174,517																							10 Project underway
Capital Works - Deliverable Program		Waverley Community External Renovation (Toilets, Street, including other works)	03886	688,423																							11 Project underway
Capital Works - Deliverable Program		Waverley Community Recreation (Playground, etc)	03887	64,761																							12 Project undergoing design phase
Capital Works - Deliverable Program		Waverley Community (Toilets, Street, etc)	03888	124,381								1124,381															13 Working with Transport for NSW, Sydney Water and WWS to resolve three identified issues on the preferred route
Capital Works - Deliverable Program		Waverley High (Highway) (Access, etc) (including other works) and pedestrian paths	03889	244,206																							14 Project undergoing design phase
Capital Works - Deliverable Program		Waverley High (Highway) (Access, etc) (including other works) and pedestrian paths	03890	121,341								1121,341															15 Project undergoing design phase
Capital Works - Deliverable Program		Waverley High (Highway) (Access, etc) (including other works) and pedestrian paths	03891	25,000																							16 Project undergoing design phase
Capital Works - Deliverable Program		Waverley High (Highway) (Access, etc) (including other works) and pedestrian paths	03892	18,580																							17 Project underway
Capital Works - Deliverable Program		Waverley High (Highway) (Access, etc) (including other works) and pedestrian paths	03893	18,476																							18 Project underway
Capital Works - Deliverable Program		Waverley High (Highway) (Access, etc) (including other works) and pedestrian paths	03894	18,440																							19 Project underway
Capital Works - Deliverable Program		Waverley High (Highway) (Access, etc) (including other works) and pedestrian paths	03895	107,220																							20 Project meeting completion
Capital Works - Deliverable Program		Waverley High (Highway) (Access, etc) (including other works) and pedestrian paths	03896	95,200																							21 Project underway

Carry Overs from 2015/16 to 2016/17 - detail

[illegible]

Attachment 1

Council meeting - 16 August 2016

Carry Overs from 2015/16 to 2016/17 - detail																						
Program	Sub-Program	Cost Centre Description	Cost centre	Expenditure		Funding Sources																
				2015/16	2016/17	Provision from Asset Sales	Grant/Free to be received in 2016/17	New loan	Grant/Contribution received in 2015/16	Grant/2016/17 Unexpended Grant resource	DM resource	PA resource	Domestic Waste Plant Replacement Resource	AF/Utilities Housing resource	State Resource	Transfer from other resource	Community Resource	Investment Strategic Resource	Car Parking Resource	Infrastructure Cemetery Resource	Infrastructure General & Resourcing Resource	Infrastructure Pathways Resource
Capital Works - Okeanaire Program		Street lighting enhancement - Asset funded cable	03676	27,000							15,950										15,050	12,047
Capital Works - Okeanaire Program		Water Service Technical Study	03676	3,770																	3,770	
Capital Works - Okeanaire Program		Asset Risk Policy Studies	03676	16,240																		16,240
Capital Works - Okeanaire Program		Water Main Management	03689	121,000																		121,000
Capital Works - Okeanaire Program		Waterway Cemetery Main Canal	03693	101,000			101,000													101,000		
Capital Works - Okeanaire Program		Asset Risk Upgrade Southern Works - Design	03692	15,000																		15,000
Capital Works - Okeanaire Program		Waterfall Reserve Upgrade Works - Design	03693	40,000																		40,000
Capital Works - Okeanaire Program		Small Parks Upgrade - Package 1: Progress Reserve, Progression Ave, 180 Stewart St, Fochow St, Jersey Ave, Toward St Reserve	03694	118,520						115,020												115,020
Capital Works - Okeanaire Program		Small Parks Upgrade - Package 2: Eastern Ave, Scott and Wilson, Murray, Delaney and Cameron Park	03695	62,000						61,000												61,000
Capital Works - Okeanaire Program		Small Parks Upgrade - Package 3 - 10 Lakes Reserve	03696	70,000						69,000												69,000
Capital Works - Okeanaire Program		Small Parks Upgrade - Package 4 - Stewart St Closure	03697	105,000						104,500												104,500
Total Capital - Projects Carry Over				15,366,610	0	0	1206,217	12,206,800	0	17,000	1015,710	1015,440	0	12,235,960	1304,500	140,000	1761,800	15,508,900	1306,400	1007,800	140,770	1191,170
Total Carry Over to 2016/17				16,899,634	0	0	1206,217	12,206,800	122,240	1215,860	1015,710	1015,440	0	15,351,200	12,235,960	1304,500	140,000	1761,800	15,508,900	1306,400	1007,800	140,770

Attachment 1

Council meeting - 16 August 2016

Carry Over from 2015/16 to 2016/17 - Plant replacement purchases detail listing

Categories	Plant No	Reg'd No	Make	Model	Dept or Driver	last purchased date	Expenditure	Funding Sources			
							Purchase estimates	General Plant Replacement Reserve	Domestic Waste Plant Replacement Reserve	Proceeds from Sale	General Fund
Light Commercial Vehicle	46.3	AO03TR	TOYOTA	HI LUX	SES VOLUNTERS	01-Jul-12	28,091	15,818		12,273	
Light Commercial Vehicle	82.2	BT97KJ	ISUZU	D-MAX	GREGORY CARTER	14-Mar-13	32,110	18,081		14,029	
Light Commercial Vehicle	169.1	N/A	OTHER	MULCH MIXER	MATTHEW JOSEPH MCGOVERN	01-Aug-87	25,750	14,500		11,250	
Light Commercial Vehicle	102.1	WZD385	TOYOTA	COMMUTER BUS	VOLUNTEERS	20-Nov-00	67,050	46,935		20,115	
Light Commercial Vehicle	452.1	TA79TJ	CARAVAN	MOBILE WORK VAN	TOM PHILLIPS	05-Aug-09	38,927	21,920		17,007	
Light Commercial Vehicle	17.1	YXY802	MAZDA	MWB	ASHFAQ AHMED	17-Nov-03	26,608				26,608
Light Commercial Vehicle	37.2	AO98MW	TOYOTA	HIACE	IMPOUNDING	16-Mar-07	42,861				42,861
Light Commercial Vehicle	9.2	CF83LO	FORD	FALCON	M BOYD	22-May-07	43,367				43,367
Light Commercial Vehicle	162.2	AY73RQ	FORD	RANGER 2 TD XL	JASON BURLAND	14-Oct-08	41,600				41,600
Light Commercial Vehicle	124.2	BD10ZZ	FORD	FALCON	ADAM ELLIOTT	22-Jan-10	34,421		34,421		
Light Commercial Vehicle	39.3	BS64SJ	VOLKSWAGEN	CADDY	ANGELA BEAZLEY	30-Apr-13	28,771		28,771		
Light Commercial Vehicle	113.3	BU43WR	ISUZU	D-MAX	RESOURCE RECOVERY (POOL)	01-May-13	30,488		30,488		
MAJOR FLEET	500.1	BB12GH	INTERNATIONAL	ACCO 2350G	JOHN RASONJA	27-Aug-09	327,891		248,306	79,585	
MAJOR FLEET	501.1	BC96TF	INTERNATIONAL	ACCO 2350G	PETER BOWDEN	07-Sep-09	327,891		248,306	79,585	
MAJOR FLEET	503.1	BD37LV	INTERNATIONAL	ACCO 2350G	RUSSELL GIBSON	19-Oct-09	327,891		248,306	79,585	
MAJOR FLEET	506.1	BV89KL	INTERNATIONAL	ACCO 2350G	PAUL CURTIS	30-Oct-09	327,891		248,306	79,585	
MAJOR FLEET	502.1	BD12ZB	INTERNATIONAL	ACCO 2350G	JASON MCDONALD	20-Nov-09	327,891		248,306	79,585	
PASSENGER VEHICLE	14.3	BR50WE	HOLDEN	CAPTIVA 7 SX	SHARON CASSIDY	06-Sep-12	31,513	16,215		15,298	
PASSENGER VEHICLE	15.3	CNI18Z	TOYOTA	CAMRY	POOL	08-May-13	27,470	14,135		13,335	
SMALL PLANT	188.1	N/A	HONDA	ALL TERRAIN BIKE		17-Aug-01	20,600	17,600		3,000	
SMALL PLANT	189.2	6053C	HONDA	TRX420	PARKS & OPEN SPACE STAFF	01-Jul-10	10,501	8,972		1,529	
SMALL PLANT	195.2	6054C	HONDA	TRX420	BRONTE PARK (STAFF)	04-Nov-10	10,120	8,646		1,474	
SMALL PLANT	174.2	18218D	TORO	7210	WAVERLEY PARK STAFF	10-Oct-12	25,750	22,000		3,750	
SMALL PLANT	123.1	EPH349	AVELING BARFOR	UNKOWN	UNKOWN		9,291	8,291		1,000	
SPECIALISED EQUIPMENT	150.1	M78626	LIBRA	NOT APPLICABLE	MATTHEW JOSEPH MCGOVERN	05-Jul-00	15,450	12,450		3,000	
SPECIALISED EQUIPMENT	TBA	TBA	TBA	TBA	TBA	TBA	400,000	400,000			
TRUCK FLEET	100.1	QSV597	CATERPILLAR	TRACTOR	J JACKOMOVIC	14-Apr-97	128,900	100,878		28,022	
TRUCK FLEET	68.2	AN49JH	MITSUBISHI	FE84PEW	MATTHEW JOSEPH MCGOVERN	11-Dec-06	53,603	40,593		13,011	

5 of 6

Attachment 1

Council meeting - 16 August 2016

Carry Over from 2015/16 to 2016/17 - Plant replacement purchases detail listing

Expenditure								Funding Sources				
Categories	Plant No	Reg'd No	Make	Model	Dept or Driver	last purchased date	Purchase estimates		General Plant Replacement Reserve	Domestic Waste Plant Replacement Reserve	Proceeds from Sale	General Fund
TRUCK FLEET	301.2	AN26JH	MITSUBISHI	FE84PEW	MATTHEW JOSEPH MCGOVERN	21-Dec-06	53,603		40,593		13,011	
					Total Plant Carry Over		2,866,301		807,627	1,335,210	569,028	154,436

REPORT
CM/7.2/16.08

Subject: Investment Portfolio Report - June 2016

TRIM No.: A03/2211

Author: Francesco Rombola, Executive Manager, Financial Waverley

Director: Peter Brown, General Manager

RECOMMENDATION:

That Council:

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

1. Executive Summary

For June 2016, Council's investment portfolio generated \$532,185 of interest. For the financial year to date Council's investment portfolio generated \$4,061,653 of interest income. This is \$666,543 over the budgeted amount.

The \$532,185 represents a monthly movement of 15.68% when compared to the \$3,395,110 annual budget, as reviewed in the March Q3 review.

The interest on investment budget for the 2015 - 2016 Financial Year was adopted by Council at the June 17th 2015 Council meeting and was set at \$3,099,340 for the 2015 - 2016 Financial year and was reviewed and revised on a quarterly basis.

The latest change was resolved at the Council meeting of April 2016, as part of the third quarter review, and the budgeted amount was changed to \$3,395,110, an overall increase from the original budget of \$295,770 or 9.54% on the original budgeted amount.

2. Introduction/Background

Clause 212 of the *Local Government (General) Regulation* requires that Council be provided with a written report setting out details of all money that the Council has invested under section 625 of the *Local Government Act 1993* and certifying that these investments have been made in accordance with the Act, regulations, Ministerial Investment Orders and Council's Investment Policy.

The following table below illustrates the monthly interest income received by Council and how this tracks against the original budget and any quarterly adjustments.

Month	Original Budget (\$,000)	Actual Monthly (\$,000)	Actual YTD (\$)	Tracking YTD Original Budget %	Tracking Q1 Budget %	Tracking to Q2 Budget %	Tracking to Q3 Budget %
Jul	3,099,340	276,211	276,211	8.91			
Aug	3,099,340	313,683	598,894	19.03			
Sep	3,099,340	417,072	1,006,966	32.49			
Q1 adj.	237,770						
Oct	3,337,110	307,813	1,314,779	42.42	39.40		
Nov	3,337,110	343,527	1,658,306	53.51	49.69		
Dec	3,337,110	310,665	1,968,971	63.53	59.00		
Q2 adj.	158,000						
Jan	3,495,110	157,381	2,126,352	68.61	63.72	60.84	
Feb	3,495,110	141,236	2,267,588	73.16	67.95	64.88	
Mar	3,495,110	570,309	2,837,897	91.56	85.04	81.20	
Q3 adj.	(100,000)						
Apr	3,395,110	333,835	3,171,732	102.34	95.04	90.75	93.42
May	3,395,110	357,736	3,529,468	113.88	105.76	100.98	103.96
June	3,395,110	532,185	4,061,653	131.05	121.71	116.21	119.63

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council Meeting 19 July 2016	CM/7.1/16.07	That Council: <ol style="list-style-type: none"> 1. Receives the Investment Portfolio Report – May 2016. 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.
Council Meeting 21 June 2016	CM/7.3/16.06	That Council: <ol style="list-style-type: none"> 1. Adopts the Investment Policy 2016, as attached to this report. 2. Notes and endorses the retrospective changes and clarification to previous Investment Policies.
Council Meeting 15 September 2015	CM/7.3/15.09	That Council: <ol style="list-style-type: none"> 3. Adopts the Investment Policy 2015, as attached to this report. 4. Seeks advice from its independent financial advisers on more sustainable investment options.

4. Discussion

For the month of June 2016 Council's cash investment portfolio generated interest earnings of \$532,185 or 15.68% of the full year Third Quarter amended budget of \$3,395,110.

Council's investment portfolio posted a Marked-to-Market return in June 2016 of 3.07% pa versus the AusBond Bank Bill Index benchmark return of 2.36% pa. Based on the 'yield only' calculation (Weighted Return of Investments) the portfolio posted a return of 3.05% pa.

The 3.07% Marked-to-Market return is a calculated figure supplied by our external independent investment advisors. It is derived by discounting future cash flows by the bank bill swap rate (adjusted for the bank's credit rating), to gain a net present value of the investments and in turn an annual rate of return. In the instance of the interest rate being higher than the adjusted swap rate, the annual rate of return is skewed by investments made within that period, as the margin produces an inflated net present value which unwinds as the investment advances to maturity. This therefore adversely affects the performance calculation in later months despite no impact on actual interest earned.

For the financial year to date, Council's investment portfolio has exceeded the AusBond bank bill index benchmark by 0.54% pa (2.99% vs 2.45% pa)

Portfolio Value

Council's investment portfolio, as at 30 June 2016, has a current market value of \$142,118,673 which represents a premium of \$995,357 above the \$141,123,316 face value of the portfolio with the portfolio generating a 2.95% average purchase yield. The table below provides a summary by investment (asset) type.

Asset Group	Face Value	Current Value	\$ Gain / (Loss)	Average Purchase Yield
Fixed Rate Bonds	\$1,500,000	\$1,567,774	\$67,774	6.00%
Cash Accounts	\$10,124,915	\$10,124,914	\$0	1.32%
Floating Rate Notes	\$23,000,000	\$23,142,235	\$142,235	3.24%
Floating Rate Term Deposits	\$3,000,000	\$3,006,904	\$6,904	4.00%
Managed Funds	\$4,098,401	\$4,098,401	\$0	1.96%
Term Deposits	\$99,400,000	\$100,178,444	\$778,444	3.01%
	\$141,123,316	\$142,118,673	\$995,357	2.95%

Analysis

Attached to this report is the Summary of Investment Portfolio, as prepared by Council's independent financial advisor, Prudential Investment Services Corp, for the period ending 30 June 2016.

Included in that report is a table showing that Council's investment portfolio, over the last twelve months has exceeded the AusBond bank bill index benchmark by 0.44% pa (2.68% vs 2.24% pa). The Portfolio achieved the stated benchmark measure 'Rate of return on cash exceeds AusBond Bank Bill Index' as illustrated in the table below:

Month	Portfolio Last 12 months %	Benchmark Last 12 months %	Variance %
Jul-15	2.96	2.14	0.81
Aug-15	3.50	2.15	1.35
Sep-15	2.10	2.16	-0.07
Oct-15	3.09	2.25	0.84
Nov-15	1.67	2.05	-0.38
Dec-15	2.38	2.28	0.10
Jan-16	3.27	2.39	0.88
Feb-16	2.38	2.26	0.12
Mar-16	2.42	2.36	0.06
Apr-16	2.99	2.45	0.54
May-16	2.62	2.30	0.32
Jun-16	2.63	2.02	0.61
Average % return Over the last 12 months	2.68	2.24	0.44

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

- Direction: G5 Waverley is financially sustainable with revenue and resources required to support implementation of the community's plans and to provide infrastructure performance and services our community needs.
- Strategy: G5a Promote and advocate the provision of financial reporting systems in an accurate, timely, transparent and honest manner to ensure sustainability of public assets and resources..
- Deliverable: Financial advice and coordination to ensure Council meets overall budget performance targets provided.

6. Financial impact statement/Timeframe/Consultation

As at 30 June 2016, Council achieved and in fact exceeded budget for the 2015 - 2016 year.

This report has been prepared in consultation with Council's Management and Systems Accountant, Accounts receivable officer and Council's independent financial advisers, Prudential Investment Services Corp.

7. Conclusion

Council's investment portfolio has achieved \$532,185 in interest receipts for the month of June 2016, and \$4,061,653 for the financial year to date. Council has exceeded its Third Quarter budgeted amount of \$3,395,110 by \$666,543 for the 2015 - 2016 financial year.

8. Attachments

1. Waverley Council - Summary of Investment Portfolio - June 2016

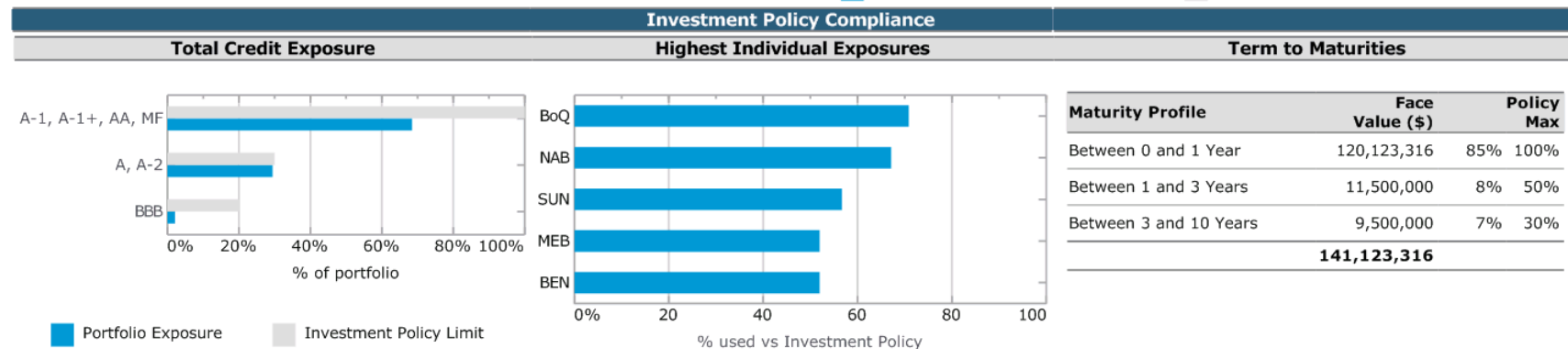
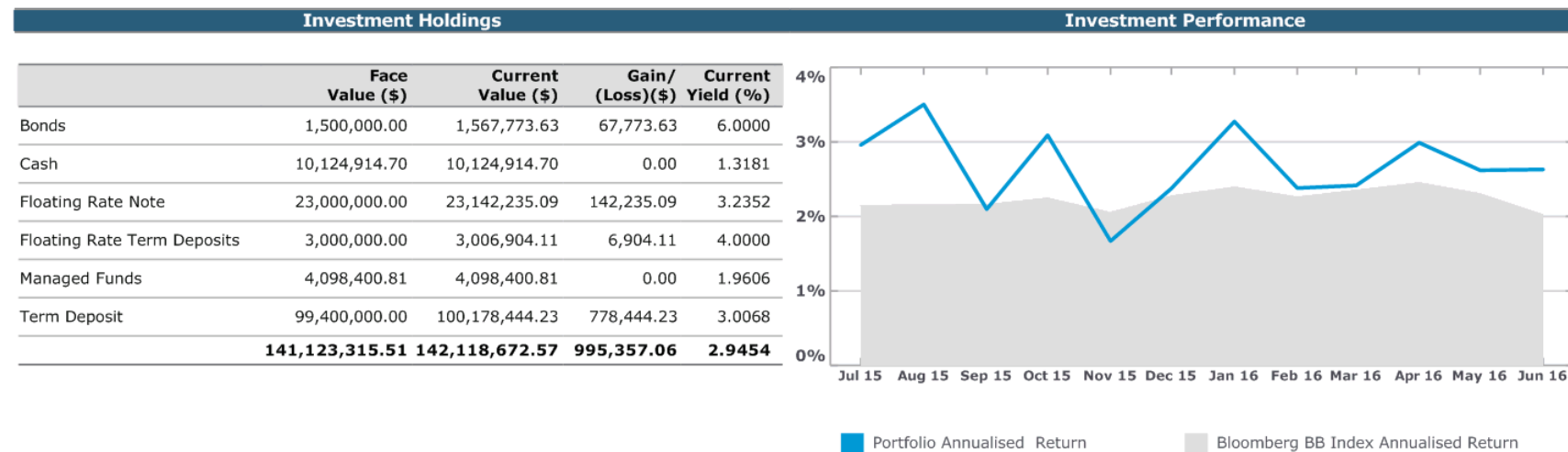


**Investment Summary Report
June 2016**



Waverley Council

Executive Summary



Waverley Council
Investment Holdings Report



Cash Accounts							
Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference	
6,900,000.00	1.3500%	Commonwealth Bank of Australia	A-1+	6,900,000.00	120789	24hr Call	
72,839.88	1.2500%	Commonwealth Bank of Australia	A-1+	72,839.88	120794	General Funds	
197,438.67	1.2500%	Commonwealth Bank of Australia	A-1+	197,438.67	120795	Trust Funds	
2,360,804.01	1.2500%	Commonwealth Bank of Australia	A-1+	2,360,804.01	120796	Cemetery Funds	
585,714.50	1.2500%	Commonwealth Bank of Australia	A-1+	585,714.50	120797	Depositor Funds	
1,661.46	1.2500%	Commonwealth Bank of Australia	A-1+	1,661.46	120799	Denison St CP	
5,050.79	1.2500%	Commonwealth Bank of Australia	A-1+	5,050.79	120800	Eastgate CP	
1,405.39	1.2500%	Commonwealth Bank of Australia	A-1+	1,405.39	120801	Hollywood Av CP	
0.00	1.2500%	Commonwealth Bank of Australia	A-1+	0.00	370151	Library Gift	
10,124,914.70	1.3181%			10,124,914.70			

Managed Funds							
Face Value (\$)	Current Yield	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
4,098,400.81	1.9606%	New South Wales T-Corp	MF	Cash Facility	4,098,400.81	505262	
4,098,400.81	1.9606%				4,098,400.81		

Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
6-Jul-16	3,000,000.00	3.0500%	Bank of Queensland	A-2	3,000,000.00	4-Feb-16	3,037,101.37	533150	37,101.37	AtMaturity	
13-Jul-16	2,500,000.00	3.1000%	Bank of Queensland	A-2	2,500,000.00	12-Jan-16	2,536,308.22	533073	36,308.22	AtMaturity	
20-Jul-16	3,500,000.00	2.8500%	Commonwealth Bank of Australia	A-1+	3,500,000.00	17-Aug-15	3,587,178.77	508171	87,178.77	AtMaturity	
27-Jul-16	3,000,000.00	3.2500%	Heritage Bank	A-2	3,000,000.00	17-Mar-16	3,028,315.07	533345	28,315.07	AtMaturity	
3-Aug-16	2,500,000.00	2.8500%	National Australia Bank	A-1+	2,500,000.00	4-Nov-15	2,546,849.32	511042	46,849.32	AtMaturity	
9-Aug-16	2,000,000.00	3.1000%	Bank of Queensland	A-2	2,000,000.00	11-Feb-16	2,023,950.68	533159	23,950.68	AtMaturity	
23-Aug-16	4,000,000.00	2.9500%	National Australia Bank	A-1+	4,000,000.00	25-May-15	4,011,961.64	505252	11,961.64	Annually	
24-Aug-16	4,000,000.00	2.7500%	Bendigo and Adelaide Bank	A-2	4,000,000.00	25-Aug-15	4,093,726.03	508258	93,726.03	AtMaturity	



Waverley Council
Investment Holdings Report



Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
31-Aug-16	2,000,000.00	2.9000%	ME Bank	A-2	2,000,000.00	31-May-16	2,004,926.03	533744	4,926.03	AtMaturity	
20-Sep-16	9,000,000.00	3.0500%	National Australia Bank	A-1+	9,000,000.00	20-Mar-15	9,076,709.59	503202	76,709.59	Annually	
20-Sep-16	3,000,000.00	2.9500%	National Australia Bank	A-1+	3,000,000.00	20-May-16	3,010,183.56	533680	10,183.56	AtMaturity	
20-Sep-16	3,500,000.00	2.9200%	Suncorp Bank	A-1	3,500,000.00	20-Jun-16	3,503,080.00	533842	3,080.00	AtMaturity	
28-Sep-16	3,000,000.00	3.0100%	National Australia Bank	A-1+	3,000,000.00	24-Mar-15	3,024,492.33	503243	24,492.33	Annually	
5-Oct-16	3,900,000.00	3.1000%	National Australia Bank	A-1+	3,900,000.00	30-Mar-16	3,930,804.66	533373	30,804.66	AtMaturity	
12-Oct-16	2,500,000.00	3.1000%	National Australia Bank	A-1+	2,500,000.00	13-Apr-16	2,516,773.97	533422	16,773.97	AtMaturity	
12-Oct-16	2,500,000.00	3.1500%	Bank of Queensland	A-2	2,500,000.00	13-Apr-16	2,517,044.52	533423	17,044.52	AtMaturity	
19-Oct-16	3,000,000.00	2.9500%	ME Bank	A-2	3,000,000.00	20-May-16	3,010,183.56	533682	10,183.56	AtMaturity	
19-Oct-16	2,500,000.00	2.9300%	Commonwealth Bank of Australia	A-1+	2,500,000.00	20-Nov-15	2,544,953.42	511203	44,953.42	AtMaturity	
26-Oct-16	3,000,000.00	3.1000%	Bank of Queensland	A-2	3,000,000.00	29-Mar-16	3,023,950.68	533369	23,950.68	AtMaturity	
2-Nov-16	2,000,000.00	2.9400%	National Australia Bank	A-1+	2,000,000.00	31-May-16	2,004,993.97	533745	4,993.97	AtMaturity	
16-Nov-16	2,500,000.00	3.0000%	Suncorp Bank	A-1	2,500,000.00	15-Jun-16	2,503,287.67	533820	3,287.67	AtMaturity	
23-Nov-16	3,500,000.00	2.9500%	Suncorp Bank	A-1	3,500,000.00	20-Jun-16	3,503,111.64	533840	3,111.64	AtMaturity	
5-Dec-16	1,500,000.00	3.1000%	Westpac Group	A-1+	1,500,000.00	5-May-16	1,507,261.64	533530	7,261.64	AtMaturity	
5-Dec-16	1,500,000.00	3.1000%	Westpac Group	A-1+	1,500,000.00	5-May-16	1,507,261.64	533531	7,261.64	AtMaturity	
20-Dec-16	4,500,000.00	3.0500%	National Australia Bank	A-1+	4,500,000.00	20-Mar-15	4,538,354.79	503203	38,354.79	Annually	
20-Dec-16	4,000,000.00	2.9600%	Suncorp Bank	A-1	4,000,000.00	23-Jun-16	4,002,595.07	533901	2,595.07	AtMaturity	
20-Dec-16	4,500,000.00	3.0400%	Commonwealth Bank of Australia	A-1+	4,500,000.00	20-Mar-15	4,538,229.04	503206	38,229.04	SemiAnnually	
4-Jan-17	2,000,000.00	2.9400%	National Australia Bank	A-1+	2,000,000.00	31-May-16	2,004,993.97	533746	4,993.97	AtMaturity	
18-Jan-17	5,000,000.00	3.0000%	Suncorp Bank	A-1	5,000,000.00	20-Jun-16	5,004,520.55	533841	4,520.55	AtMaturity	
29-Mar-17	3,000,000.00	3.1200%	ME Bank	A-2	3,000,000.00	29-Mar-16	3,024,105.21	533370	24,105.21	AtMaturity	
19-Apr-17	1,000,000.00	3.2000%	ME Bank	A-2	1,000,000.00	21-Apr-16	1,006,224.66	533432	6,224.66	AtMaturity	
31-May-17	2,000,000.00	2.9500%	Bendigo and Adelaide Bank	A-2	2,000,000.00	31-May-16	2,005,010.96	533747	5,010.96	AtMaturity	
99,400,000.00		3.0068%			99,400,000.00		100,178,444.23		778,444.23		



Waverley Council
Investment Holdings Report



Floating Rate Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
10-Jun-21	3,000,000.00	4.0000%	Commonwealth Bank of Australia ¾yr@4.00% then 3moBBSW+1.08%	AA-	3,000,000.00	10-Jun-16	3,006,904.11	533800	6,904.11	12-Sep-16	
3,000,000.00		4.0000%			3,000,000.00		3,006,904.11		6,904.11		

Floating Rate Notes											
Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
28-Nov-16	2,000,000.00	3.2350%	ME Bank Snr FRN (Nov16) BBSW+1.25%	A-2	2,000,000.00	28-Nov-13	2,009,512.33	402974	5,672.33	29-Aug-16	
17-May-17	3,000,000.00	3.1833%	BEN Snr FRN (May17) BBSW+1.20%	A-2	3,007,948.76	12-Sep-13	3,024,163.85	398449	11,773.85	17-Aug-16	
19-Oct-18	2,500,000.00	3.0650%	CBA Snr FRN (Oct18) BBSW+0.78%	AA-	2,500,000.00	19-Oct-15	2,517,325.00	510101	15,325.00	19-Jul-16	
14-Nov-18	2,000,000.00	3.2550%	BEN Snr FRN (Nov18) BBSW+1.27%	A-	2,004,260.00	5-Feb-14	2,015,064.38	420520	8,204.38	15-Aug-16	
10-May-19	7,000,000.00	2.9950%	WBC Snr FRN (May19) BBSW+1.00%	AA-	7,000,000.00	11-Mar-16	7,030,147.95	533331	29,867.95	10-Aug-16	
7-Apr-20	3,000,000.00	3.6150%	NPBS Snr FRN (Apr20) BBSW+1.35%	BBB+	3,000,000.00	7-Apr-15	3,025,345.48	504013	25,255.48	7-Jul-16	
12-Apr-21	1,500,000.00	3.6400%	SUN Snr FRN (Apr21) BBSW+1.38%	A+	1,500,000.00	12-Apr-16	1,512,222.12	533415	11,967.12	12-Jul-16	
18-May-21	2,000,000.00	3.4733%	BoQ Snr FRN (May21) BBSW+1.48%	A-	2,000,000.00	18-May-16	2,008,453.98	533605	8,373.98	18-Aug-16	
23,000,000.00		3.2352%			23,012,208.76		23,142,235.09		116,440.09		

Fixed Rate Bonds											
Maturity Date	Face Value (\$)	Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield	Reference
15-Feb-17	1,500,000.00	6.0000%	NAB Snr Bond (Feb17) 6.00%	A-1+	1,483,470.00	15-Feb-12	1,567,773.63	336188	33,873.63	6.2601%	
1,500,000.00					1,483,470.00		1,567,773.63		33,873.63	6.2601%	



Waverley Council
Accrued Interest Report



Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Bonds								
NAB Snr Bond (Feb17) 6.00%	336188	1,500,000.00	15-Feb-12	15-Feb-17	0.00	30	7,417.58	6.00%
					0.00		7,417.58	6.00%
Cash								
Commonwealth Bank of Australia	120789	6,900,000.00				30		
Commonwealth Bank of Australia	120794	72,839.88				30		
Commonwealth Bank of Australia	120795	197,438.67				30		
Commonwealth Bank of Australia	120796	2,360,804.01				30		
Commonwealth Bank of Australia	120797	585,714.50				30		
Commonwealth Bank of Australia	120799	1,661.46				30		
Commonwealth Bank of Australia	120800	5,050.79				30		
Commonwealth Bank of Australia	120801	1,405.39				30		
Commonwealth Bank of Australia	370151	0.00				30		
Floating Rate Note								
ME Bank Snr FRN (Nov16) BBSW+1.25%	402974	2,000,000.00	28-Nov-13	28-Nov-16	0.00	30	5,317.81	3.23%
BEN Snr FRN (May17) BBSW+1.20%	398449	3,000,000.00	17-Sep-13	17-May-17	0.00	30	7,849.23	3.18%
CBA Snr FRN (Oct18) BBSW+0.78%	510101	2,500,000.00	19-Oct-15	19-Oct-18	0.00	30	6,297.95	3.07%
BEN Snr FRN (Nov18) BBSW+1.27%	420520	2,000,000.00	10-Feb-14	14-Nov-18	0.00	30	5,350.68	3.26%
WBC Snr FRN (May19) BBSW+1.00%	533331	7,000,000.00	11-Mar-16	10-May-19	0.00	30	17,231.51	2.99%
NPBS Snr FRN (Apr20) BBSW+1.35%	504013	3,000,000.00	7-Apr-15	7-Apr-20	0.00	30	8,913.70	3.61%
SUN Snr FRN (Apr21) BBSW+1.38%	533415	1,500,000.00	12-Apr-16	12-Apr-21	0.00	30	4,487.67	3.64%
BoQ Snr FRN (May21) BBSW+1.48%	533605	2,000,000.00	18-May-16	18-May-21	0.00	30	5,709.53	3.47%
					0.00		61,158.08	3.24%



Waverley Council
Accrued Interest Report



Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Floating Rate Term Deposits								
Commonwealth Bank of Australia	533800	3,000,000.00	10-Jun-16	10-Jun-21	0.00	21	6,904.11	4.00%
					0.00		6,904.11	4.00%
Managed Funds								
New South Wales T-Corp	505262	4,098,400.81	30-Jun-15	31-Dec-16	0.00	30	6,535.11	1.96%
					0.00		6,535.11	1.96%
Term Deposit								
Commonwealth Bank of Australia	533371	3,000,000.00	29-Mar-16	8-Jun-16	16,514.79	7	1,628.22	2.83%
National Australia Bank	506165	2,000,000.00	16-Jun-15	15-Jun-16	59,000.00	14	2,263.01	2.95%
Commonwealth Bank of Australia	503205	9,000,000.00	20-Mar-15	20-Jun-16	68,661.37	19	14,335.89	3.06%
National Australia Bank	508257	4,000,000.00	25-Aug-15	21-Jun-16	91,701.92	20	6,093.15	2.78%
Bankwest	533240	2,500,000.00	24-Feb-16	22-Jun-16	24,452.05	21	4,315.07	3.00%
National Australia Bank	503242	3,000,000.00	24-Mar-15	29-Jun-16	23,997.53	28	6,927.12	3.01%
Bank of Queensland	533150	3,000,000.00	4-Feb-16	6-Jul-16	0.00	30	7,520.55	3.05%
Bank of Queensland	533073	2,500,000.00	12-Jan-16	13-Jul-16	0.00	30	6,369.86	3.10%
Commonwealth Bank of Australia	508171	3,500,000.00	17-Aug-15	20-Jul-16	0.00	30	8,198.63	2.85%
Heritage Bank	533345	3,000,000.00	17-Mar-16	27-Jul-16	0.00	30	8,013.70	3.25%
National Australia Bank	511042	2,500,000.00	4-Nov-15	3-Aug-16	0.00	30	5,856.16	2.85%
Bank of Queensland	533159	2,000,000.00	11-Feb-16	9-Aug-16	0.00	30	5,095.89	3.10%
National Australia Bank	505252	4,000,000.00	25-May-15	23-Aug-16	0.00	30	9,698.63	2.95%
Bendigo and Adelaide Bank	508258	4,000,000.00	25-Aug-15	24-Aug-16	0.00	30	9,041.10	2.75%
ME Bank	533744	2,000,000.00	31-May-16	31-Aug-16	0.00	30	4,767.12	2.90%
National Australia Bank	503202	9,000,000.00	20-Mar-15	20-Sep-16	0.00	30	22,561.64	3.05%
National Australia Bank	533680	3,000,000.00	20-May-16	20-Sep-16	0.00	30	7,273.97	2.95%



Waverley Council
Accrued Interest Report



Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Suncorp Bank	533842	3,500,000.00	20-Jun-16	20-Sep-16	0.00	11	3,080.00	2.92%
National Australia Bank	503243	3,000,000.00	24-Mar-15	28-Sep-16	0.00	30	7,421.92	3.01%
National Australia Bank	533373	3,900,000.00	30-Mar-16	5-Oct-16	0.00	30	9,936.99	3.10%
National Australia Bank	533422	2,500,000.00	13-Apr-16	12-Oct-16	0.00	30	6,369.86	3.10%
Bank of Queensland	533423	2,500,000.00	13-Apr-16	12-Oct-16	0.00	30	6,472.60	3.15%
Commonwealth Bank of Australia	511203	2,500,000.00	20-Nov-15	19-Oct-16	0.00	30	6,020.55	2.93%
ME Bank	533682	3,000,000.00	20-May-16	19-Oct-16	0.00	30	7,273.97	2.95%
Bank of Queensland	533369	3,000,000.00	29-Mar-16	26-Oct-16	0.00	30	7,643.84	3.10%
National Australia Bank	533745	2,000,000.00	31-May-16	2-Nov-16	0.00	30	4,832.88	2.94%
Suncorp Bank	533820	2,500,000.00	15-Jun-16	16-Nov-16	0.00	16	3,287.67	3.00%
Suncorp Bank	533840	3,500,000.00	20-Jun-16	23-Nov-16	0.00	11	3,111.64	2.95%
Westpac Group	533530	1,500,000.00	5-May-16	5-Dec-16	0.00	30	3,821.92	3.10%
Westpac Group	533531	1,500,000.00	5-May-16	5-Dec-16	0.00	30	3,821.92	3.10%
National Australia Bank	503203	4,500,000.00	20-Mar-15	20-Dec-16	0.00	30	11,280.82	3.05%
Commonwealth Bank of Australia	503206	4,500,000.00	20-Mar-15	20-Dec-16	0.00	30	11,243.84	3.04%
Suncorp Bank	533901	4,000,000.00	23-Jun-16	20-Dec-16	0.00	8	2,595.07	2.96%
National Australia Bank	533746	2,000,000.00	31-May-16	4-Jan-17	0.00	30	4,832.88	2.94%
Suncorp Bank	533841	5,000,000.00	20-Jun-16	18-Jan-17	0.00	11	4,520.55	3.00%
ME Bank	533370	3,000,000.00	29-Mar-16	29-Mar-17	0.00	30	7,693.15	3.12%
ME Bank	533432	1,000,000.00	21-Apr-16	19-Apr-17	0.00	30	2,630.14	3.20%
Bendigo and Adelaide Bank	533747	2,000,000.00	31-May-16	31-May-17	0.00	30	4,849.32	2.95%
					284,327.67		252,701.23	3.01%
Grand Totals					284,327.67		334,716.12	3.06%



Waverley Council
FYTD Interest Received and Accrued Report



Financial Year to Date Interest Received and Accrued					
Asset Type	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)
Bonds					
NAB Snr Bond (Feb17) 6.00%	336188	15-Feb-12	15-Feb-17	90,000.00	90,494.51
Totals				90,000.00	90,494.51
Cash					
Commonwealth Bank of Australia	120789				
Commonwealth Bank of Australia	120794				
Commonwealth Bank of Australia	120795				
Commonwealth Bank of Australia	120796				
Commonwealth Bank of Australia	120797				
Commonwealth Bank of Australia	120799				
Commonwealth Bank of Australia	120800				
Commonwealth Bank of Australia	120801				
Commonwealth Bank of Australia	370151				
Totals					
Floating Rate Note					
ME Bank Snr FRN (Nov16) BBSW+1.25%	402974	28-Nov-13	28-Nov-16	69,752.69	69,096.92
BEN Snr FRN (May17) BBSW+1.20%	398449	17-Sep-13	17-May-17	101,940.44	101,641.53
CBA Snr FRN (Oct18) BBSW+0.78%	510101	19-Oct-15	19-Oct-18	37,472.26	52,797.26
BEN Snr FRN (Nov18) BBSW+1.27%	420520	10-Feb-14	14-Nov-18	69,933.42	69,155.88
WBC Snr FRN (May19) BBSW+1.00%	533331	11-Mar-16	10-May-19	37,282.19	67,150.14
NPBS Snr FRN (Apr20) BBSW+1.35%	504013	7-Apr-15	7-Apr-20	106,597.13	107,435.49



Waverley Council

FYTD Interest Received and Accrued Report



Financial Year to Date Interest Received and Accrued					
Asset Type	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)
SUN Snr FRN (Apr21) BBSW+1.38%	533415	12-Apr-16	12-Apr-21	0.00	11,967.12
BoQ Snr FRN (May21) BBSW+1.48%	533605	18-May-16	18-May-21	0.00	8,373.98
Totals				422,978.13	487,618.32
Floating Rate Term Deposits					
Commonwealth Bank of Australia	533800	10-Jun-16	10-Jun-21		6,904.11
Totals					6,904.11
Managed Funds					
New South Wales Treasury Corp	411310				42,830.01
New South Wales Treasury Corp	505262				136,785.12
Totals					179,615.13
Term Deposit					
Westpac Group	503245	24-Mar-15	1-Jul-15	26,445.21	0.00
Bankwest	506014	1-Jun-15	1-Jul-15	4,931.51	0.00
Bankwest	506102	10-Jun-15	15-Jul-15	5,753.42	2,301.37
National Australia Bank	502191	19-Feb-15	22-Jul-15	19,491.78	2,675.34
Bankwest	507011	1-Jul-15	5-Aug-15	4,602.74	4,602.74
Commonwealth Bank of Australia	503180	19-Mar-15	17-Aug-15	44,017.53	13,700.82
National Australia Bank	497191	19-Nov-14	19-Aug-15	65,820.49	11,813.94
ME Bank	507012	1-Jul-15	2-Sep-15	12,082.19	12,082.19
ME Bank	506182	18-Jun-15	16-Sep-15	22,191.78	18,986.30
Bank of Queensland	503193	19-Mar-15	21-Sep-15	48,156.16	21,230.13



Waverley Council
FYTD Interest Received and Accrued Report



Financial Year to Date Interest Received and Accrued					
Asset Type	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)
Commonwealth Bank of Australia	508264	26-Aug-15	30-Sep-15	5,753.42	5,753.42
Bank of Queensland	503241	24-Mar-15	30-Sep-15	48,410.96	23,186.30
Commonwealth Bank of Australia	503181	19-Mar-15	19-Oct-15	54,877.81	28,208.22
ME Bank	506241	24-Jun-15	26-Oct-15	20,383.56	19,232.88
National Australia Bank	508315	31-Aug-15	4-Nov-15	11,575.34	11,575.34
ME Bank	509021	2-Sep-15	11-Nov-15	12,465.75	12,465.75
Commonwealth Bank of Australia	503182	19-Mar-15	19-Nov-15	62,424.66	35,926.03
Bankwest	508055	5-Aug-15	9-Dec-15	20,021.92	20,021.92
Commonwealth Bank of Australia	511131	13-Nov-15	16-Dec-15	3,254.79	3,254.79
Commonwealth Bank of Australia	503183	19-Mar-15	21-Dec-15	69,895.07	43,652.88
Commonwealth Bank of Australia	503244	24-Mar-15	30-Dec-15	70,442.47	45,624.66
Bankwest	511035	3-Nov-15	12-Jan-16	13,184.93	13,184.93
National Australia Bank	509301	30-Sep-15	13-Jan-16	21,431.51	21,431.51
Commonwealth Bank of Australia	503184	19-Mar-15	19-Jan-16	51,307.40	33,869.59
National Australia Bank	509302	30-Sep-15	27-Jan-16	24,289.04	24,289.04
Bankwest	507301	30-Jul-15	3-Feb-16	44,810.96	44,810.96
National Australia Bank	508131	13-Aug-15	10-Feb-16	28,761.64	28,761.64
Commonwealth Bank of Australia	503185	19-Mar-15	19-Feb-16	56,320.55	38,939.73
Bankwest	511241	24-Nov-15	24-Feb-16	11,342.47	11,342.47
ME Bank	511122	11-Nov-15	2-Mar-16	13,347.95	13,347.95
National Australia Bank	508054	5-Aug-15	9-Mar-16	25,861.64	25,861.64



Waverley Council
FYTD Interest Received and Accrued Report



Financial Year to Date Interest Received and Accrued					
Asset Type	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)
Bankwest	533005	16-Dec-15	16-Mar-16	22,812.33	22,812.33
National Australia Bank	503171	17-Mar-15	17-Mar-16	77,210.96	54,849.32
Westpac Group	503194	19-Mar-15	21-Mar-16	99,813.70	71,605.48
Westpac Group	503204	20-Mar-15	21-Mar-16	298,627.40	214,816.44
Westpac Group	503246	24-Mar-15	30-Mar-16	100,898.63	74,046.58
Bank of Queensland	510091	9-Oct-15	13-Apr-16	38,424.66	38,424.66
National Australia Bank	533077	13-Jan-16	13-Apr-16	19,134.93	19,134.93
National Australia Bank	508191	19-Aug-15	20-Apr-16	48,160.96	48,160.96
Commonwealth Bank of Australia	533010	21-Dec-15	27-Apr-16	31,772.05	31,772.05
National Australia Bank	509083	8-Sep-15	11-May-16	48,020.55	48,020.55
Bank of Queensland	452102	21-May-14	19-May-16	70,905.21	62,918.63
National Australia Bank	533215	19-Feb-16	20-May-16	14,958.90	14,958.90
Westpac Group	389922	23-May-13	23-May-16	136,126.03	122,289.04
Bank of Queensland	508256	25-Aug-15	25-May-16	84,076.71	84,076.71
National Australia Bank	533286	2-Mar-16	31-May-16	33,509.59	33,509.59
Commonwealth Bank of Australia	533371	29-Mar-16	8-Jun-16	16,514.79	16,514.79
National Australia Bank	506165	16-Jun-15	15-Jun-16	59,000.00	56,575.34
Commonwealth Bank of Australia	503205	20-Mar-15	20-Jun-16	345,570.41	267,854.79
National Australia Bank	508257	25-Aug-15	21-Jun-16	91,701.92	91,701.92
Bankwest	533240	24-Feb-16	22-Jun-16	24,452.05	24,452.05
National Australia Bank	503242	24-Mar-15	29-Jun-16	114,544.93	90,052.60



Waverley Council
FYTD Interest Received and Accrued Report



Financial Year to Date Interest Received and Accrued					
Asset Type	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)
Bank of Queensland	533150	4-Feb-16	6-Jul-16		37,101.37
Bank of Queensland	533073	12-Jan-16	13-Jul-16		36,308.22
Commonwealth Bank of Australia	508171	17-Aug-15	20-Jul-16		87,178.77
Heritage Bank	533345	17-Mar-16	27-Jul-16		28,315.07
National Australia Bank	511042	4-Nov-15	3-Aug-16		46,849.32
Bank of Queensland	533159	11-Feb-16	9-Aug-16		23,950.68
National Australia Bank	505252	25-May-15	23-Aug-16	118,323.29	118,323.29
Bendigo and Adelaide Bank	508258	25-Aug-15	24-Aug-16		93,726.03
ME Bank	533744	31-May-16	31-Aug-16		4,926.03
National Australia Bank	533680	20-May-16	20-Sep-16		10,183.56
Suncorp Bank	533842	20-Jun-16	20-Sep-16		3,080.00
National Australia Bank	503202	20-Mar-15	20-Sep-16	276,004.11	275,252.06
National Australia Bank	503243	24-Mar-15	28-Sep-16	90,547.40	90,547.40
National Australia Bank	533373	30-Mar-16	5-Oct-16		30,804.66
National Australia Bank	533422	13-Apr-16	12-Oct-16		16,773.97
Bank of Queensland	533423	13-Apr-16	12-Oct-16		17,044.52
Commonwealth Bank of Australia	511203	20-Nov-15	19-Oct-16		44,953.42
ME Bank	533682	20-May-16	19-Oct-16		10,183.56
Bank of Queensland	533369	29-Mar-16	26-Oct-16		23,950.68
National Australia Bank	533745	31-May-16	2-Nov-16		4,993.97
Suncorp Bank	533820	15-Jun-16	16-Nov-16		3,287.67



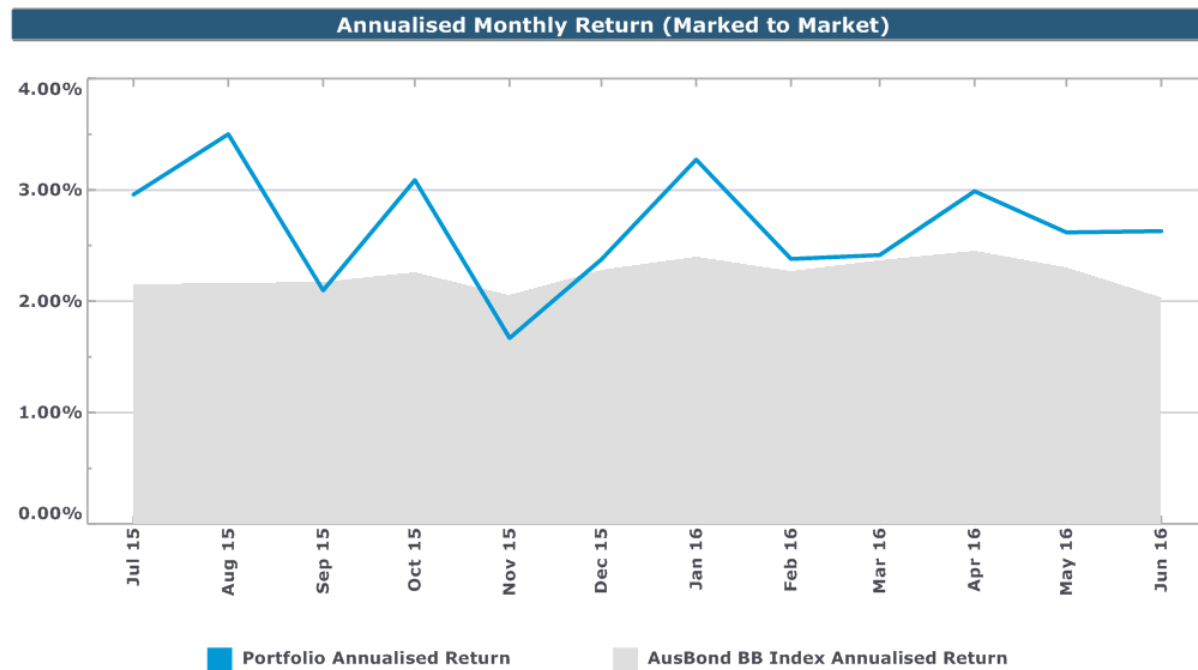
Waverley Council
FYTD Interest Received and Accrued Report



Financial Year to Date Interest Received and Accrued					
Asset Type	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)
Suncorp Bank	533840	20-Jun-16	23-Nov-16		3,111.64
Westpac Group	533530	5-May-16	5-Dec-16		7,261.64
Westpac Group	533531	5-May-16	5-Dec-16		7,261.64
Suncorp Bank	533901	23-Jun-16	20-Dec-16		2,595.07
National Australia Bank	503203	20-Mar-15	20-Dec-16	138,002.05	137,626.02
Commonwealth Bank of Australia	503206	20-Mar-15	20-Dec-16	137,549.59	137,174.79
National Australia Bank	533746	31-May-16	4-Jan-17		4,993.97
Suncorp Bank	533841	20-Jun-16	18-Jan-17		4,520.55
ME Bank	533370	29-Mar-16	29-Mar-17		24,105.21
ME Bank	533432	21-Apr-16	19-Apr-17		6,224.66
Bendigo and Adelaide Bank	533747	31-May-16	31-May-17		5,010.96
Totals				3,460,319.80	3,428,302.56
Grand Totals				<u>3,973,297.93</u>	<u>4,192,934.64</u>



Waverley Council
Investment Performance Report

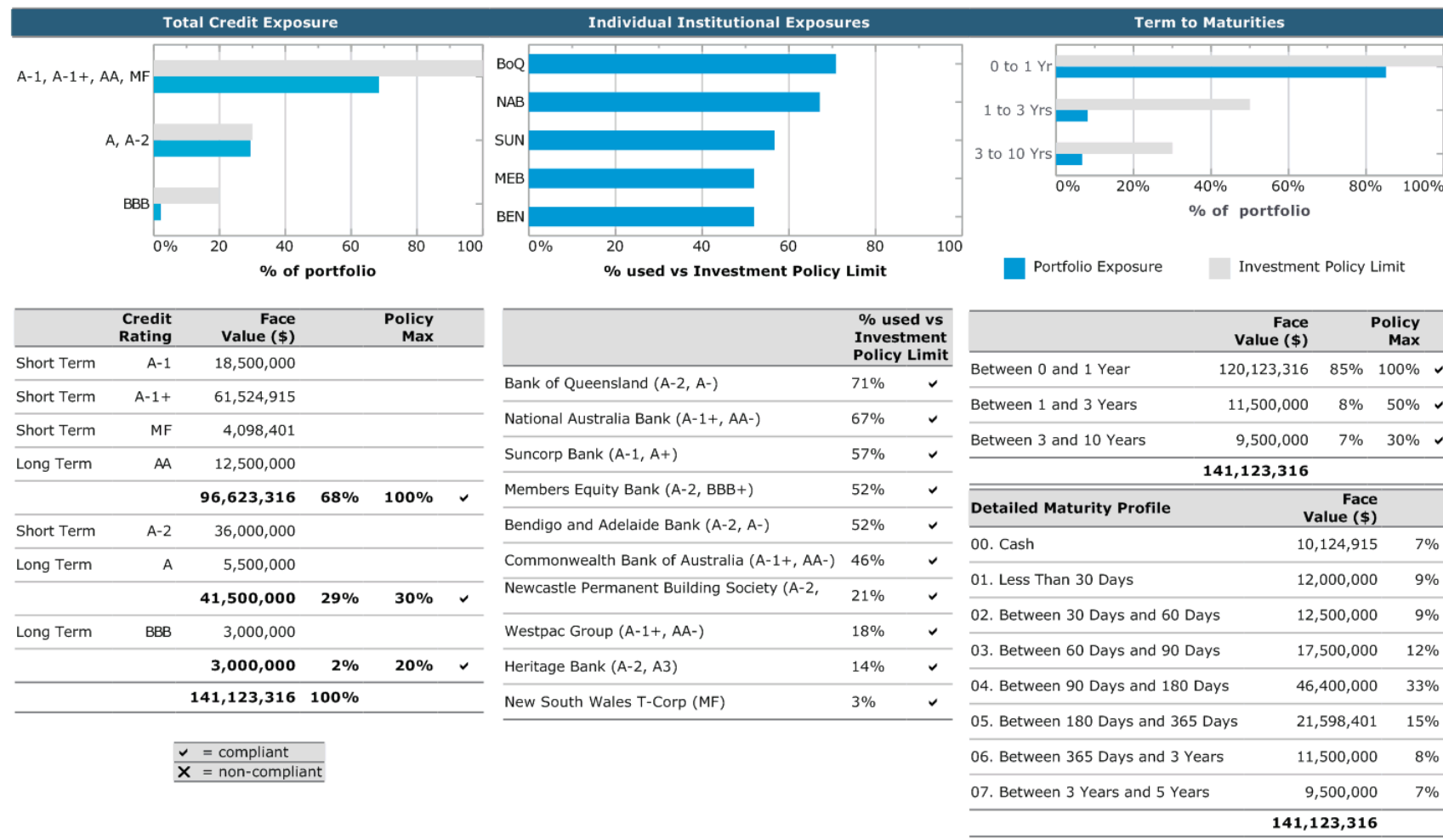


Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
Jun 2016	2.63%	2.02%	0.61%
Last 3 Months	2.75%	2.26%	0.49%
Last 6 Months	2.73%	2.30%	0.42%
Financial Year to Date	2.68%	2.24%	0.44%
Last 12 months	2.68%	2.24%	0.44%



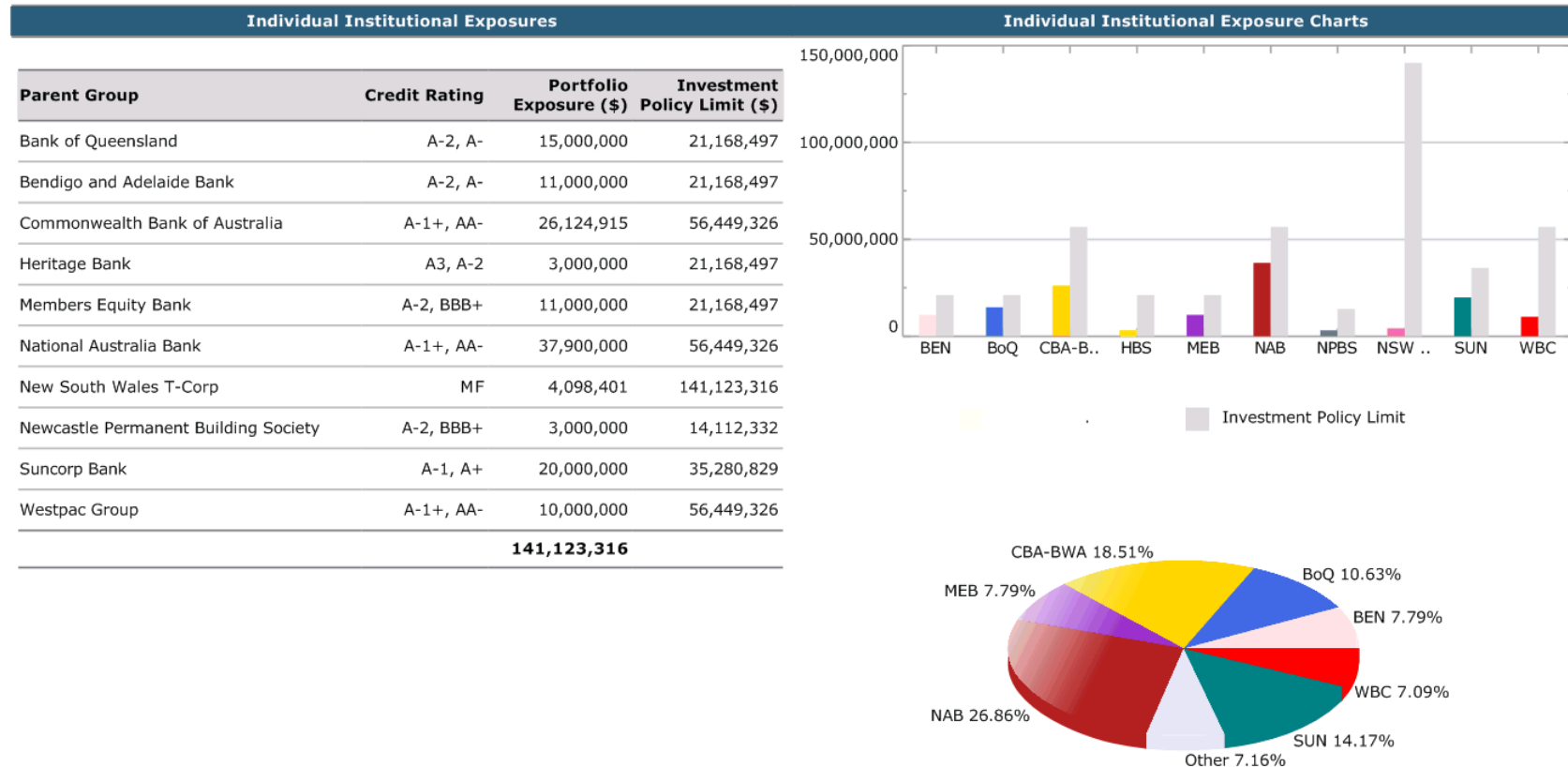
Waverley Council

Investment Policy Compliance Report



Waverley Council

Individual Institutional Exposures Report



Waverley Council

Cash Flows Report



Current Month Cashflows

Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
8-Jun-16	533371	Commonwealth Bank of Australia	Term Deposits	Interest - Received	16,514.79
		Commonwealth Bank of Australia	Term Deposits	Maturity Face Value - Received	3,000,000.00
				Deal Total	3,016,514.79
Day Total					3,016,514.79
10-Jun-16	533800	Commonwealth Bank of Australia	Floating Rate Term Deposits	Settlement Face Value - Paid	-3,000,000.00
				Deal Total	-3,000,000.00
		Day Total			
15-Jun-16	506165	National Australia Bank	Term Deposits	Interest - Received	59,000.00
		National Australia Bank	Term Deposits	Maturity Face Value - Received	2,000,000.00
				Deal Total	2,059,000.00
	533820	Suncorp Bank	Term Deposits	Settlement Face Value - Paid	-2,500,000.00
			Deal Total	-2,500,000.00	
Day Total					-441,000.00
20-Jun-16	503205	Commonwealth Bank of Australia	Term Deposits	Interest - Received	68,661.37
		Commonwealth Bank of Australia	Term Deposits	Maturity Face Value - Received	9,000,000.00
				Deal Total	9,068,661.37
	533840	Suncorp Bank	Term Deposits	Settlement Face Value - Paid	-3,500,000.00
			Deal Total	-3,500,000.00	
		533841	Suncorp Bank	Term Deposits	Settlement Face Value - Paid
			Deal Total	-5,000,000.00	
	533842		Suncorp Bank	Term Deposits	Settlement Face Value - Paid
			Deal Total	-3,500,000.00	
Day Total					-2,931,338.63
21-Jun-16	508257	National Australia Bank	Term Deposits	Interest - Received	91,701.92
		National Australia Bank	Term Deposits	Maturity Face Value - Received	4,000,000.00
				Deal Total	4,091,701.92
Day Total					4,091,701.92
22-Jun-16	533240	Bankwest	Term Deposits	Interest - Received	24,452.05



Waverley Council

Cash Flows Report



Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
		Bankwest	Term Deposits	Maturity Face Value - Received	2,500,000.00
				<u>Deal Total</u>	<u>2,524,452.05</u>
				Day Total	2,524,452.05
23-Jun-16	533901	Suncorp Bank	Term Deposits	Settlement Face Value - Paid	-4,000,000.00
				<u>Deal Total</u>	<u>-4,000,000.00</u>
				Day Total	-4,000,000.00
29-Jun-16	503242	National Australia Bank	Term Deposits	Interest - Received	23,997.53
		National Australia Bank	Term Deposits	Maturity Face Value - Received	3,000,000.00
				<u>Deal Total</u>	<u>3,023,997.53</u>
				Day Total	3,023,997.53
				Net Cash Movement for Period	2,284,327.67

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>
6-Jul-16	533150	Bank of Queensland	Term Deposit	Interest - Received	38,354.79
		Bank of Queensland	Term Deposit	Maturity Face Value - Received	3,000,000.00
				<u>Deal Total</u>	<u>3,038,354.79</u>
				Day Total	3,038,354.79
7-Jul-16	504013	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	27,038.22
				<u>Deal Total</u>	<u>27,038.22</u>
				Day Total	27,038.22
12-Jul-16	533415	Suncorp Bank	Floating Rate Note	Coupon - Received	13,612.60
				<u>Deal Total</u>	<u>13,612.60</u>
				Day Total	13,612.60
13-Jul-16	533073	Bank of Queensland	Term Deposit	Interest - Received	38,856.16
		Bank of Queensland	Term Deposit	Maturity Face Value - Received	2,500,000.00
				<u>Deal Total</u>	<u>2,538,856.16</u>
				Day Total	2,538,856.16



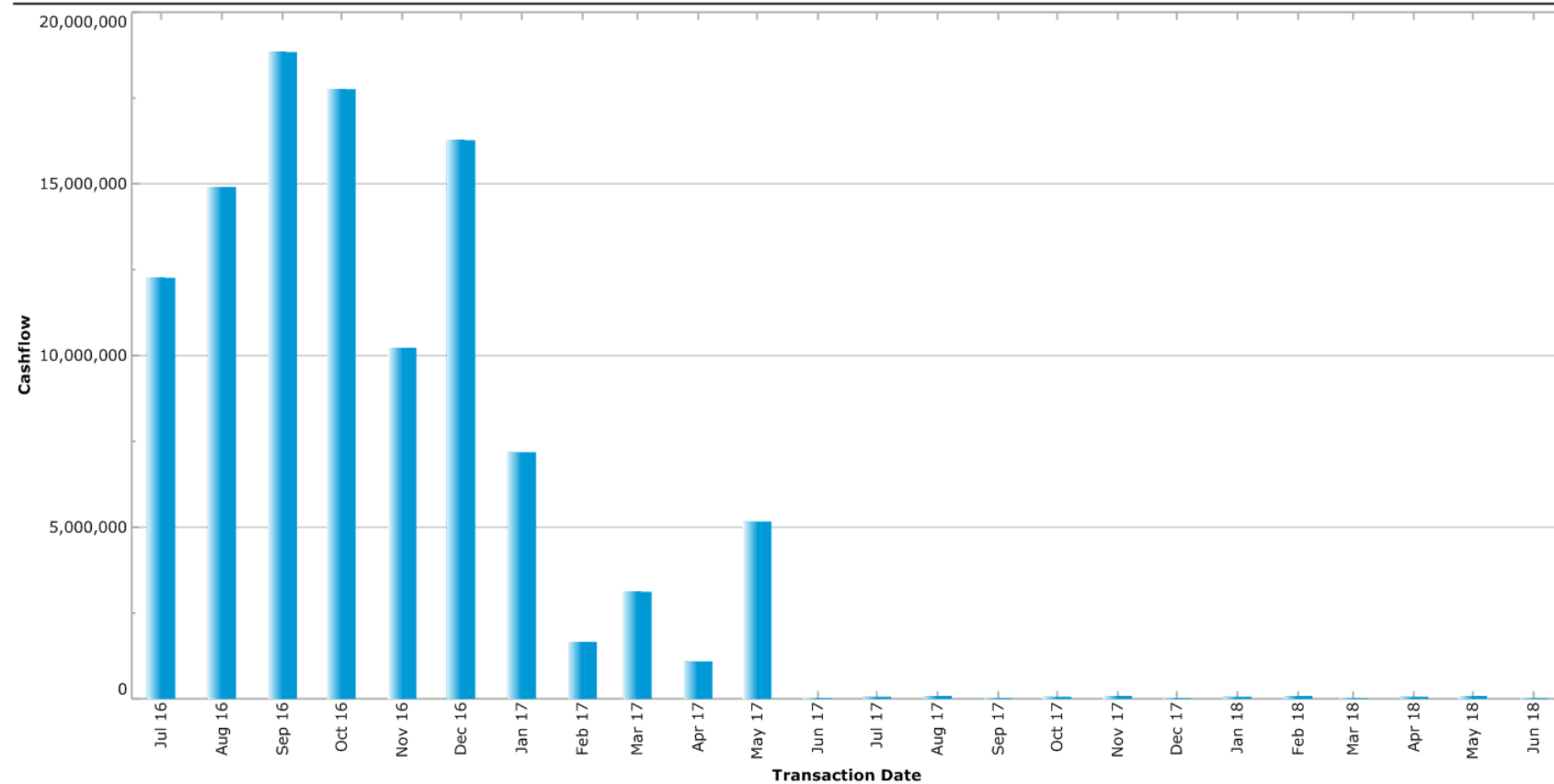
Waverley Council
Cash Flows Report



Next Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>
19-Jul-16	510101	Commonwealth Bank of Australia	Floating Rate Note	Coupon - Received	19,103.77
<u>Deal Total</u>					<u>19,103.77</u>
Day Total					19,103.77
20-Jul-16	508171	Commonwealth Bank of Australia	Term Deposit	Interest - Received	92,371.23
		Commonwealth Bank of Australia	Term Deposit	Maturity Face Value - Received	3,500,000.00
<u>Deal Total</u>					<u>3,592,371.23</u>
Day Total					3,592,371.23
27-Jul-16	533345	Heritage Bank	Term Deposit	Interest - Received	35,260.27
		Heritage Bank	Term Deposit	Maturity Face Value - Received	3,000,000.00
<u>Deal Total</u>					<u>3,035,260.27</u>
Day Total					3,035,260.27
Net Cash Movement for Period					12,264,597.05



Waverley Council
Cash Flows Report

**REPORT
CM/7.3/16.08**

Subject: Investigation of Sustainable Investment Options

TRIM No.: A05/0197

Author: Francesco Rombola, Executive Manager, Financial Waverley

Director: Peter Brown, General Manager

RECOMMENDATION:

That Council:

1. Receives and notes the reports from Council's independent advisors attached to this report.
2. Invests in non-coal and carbon alternatives where they have an equal or better return on investment and within the current Investment Policy 2016 risk management guidelines.

1. Executive Summary

At the September 2015 Council meeting, Council requested that council seek advice from its independent financial advisors on more sustainable investment options. The discussion that meeting revolved around an investigation and report back to Council on sustainable investment options in light of risks, both financially and sustainability, around the coal and carbon industry.

Our independent financial advisor, Prudential Investment Services Corp, has provided advice (Attachments 1 and 2) which states:

'From a risk management and preservation of capital perspective, it is not recommended to wholly exclude Australian banks which invest in or lend to the coal and carbon industry. The anticipated small additional return as compensation for the increased risk would not justify a wholesale change to a non C&C (Coal and Carbon) term deposit portfolio.'

Council may consider a strategy of choosing non-coal & carbon alternatives, where credit ratings and returns are acceptable, within the current policy's risk management guidelines. This will assist in gradually increasing the portfolio's non-C&C ADI (Authorised Deposit-taking Institution) exposures, which are currently well short of limits, while maintaining the majority of the portfolio in the highest rated ADI's.'

The advice also states that a shift away from coal and carbon lending institutions totally would exclude the largest, highest rated banks in Australia from Council's investment portfolio. These banks lend to the participants in the coal and carbon industry but they are also the largest lenders to the sustainable energy industry.

The advice recommends that Council Invest in non-coal and carbon alternatives where they have an equal or better return on investment and within the current Investment Policy 2016 risk management guidelines.

2. Introduction/Background

Council currently has an investment Policy that has been derived with consideration to the prevailing legislation:

- A) The *Local Government Act 1993*, and
- B) The prevailing Ministerial Investment Order, dated February 2011

It aims to provide council with the necessary framework for the management of the portfolio 'to optimise its return on investment...in a prudent and measurable manner.'

The latest review of the policy was completed and adopted by Council at the 21 June Council meeting.

Council has requested a review of its policy by our independent external advisor in relation to financial and sustainability effects on council of investing through ADI's that have exposure in the Coal and Carbon industry

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council Meeting 15 September 2015	CM/7.3/15.09	That Council: 1. Adopts the Investment Policy 2015. 2. Seeks advice from its independent financial advisers on more sustainable investment options.
Council Meeting 21 June 2016	CM/7.3/16.06	That Council: 1. Adopts the Investment Policy 2016, as attached to this report. 2. Notes and endorses the retrospective changes and clarification to previous Investment Policies.

4. Discussion

Council's independent financial advisors have investigated and reported on Councils investment portfolio in light of risks both financially and around sustainability around the coal and carbon industry.

This report advises that council can instruct its independent advisors to consider investment options with ADI's with no Coal and Carbon Industry exposure, where the credit rating and return are acceptable, within the current policy's risk management guidelines

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

- Direction: G5 Waverley is financially sustainable with revenue and resources required to support implementation of the community's plans and to provide infrastructure performance and services our community needs.
- Strategy: G5a Promote and advocate the provision of financial reporting systems in an accurate, timely, transparent and honest manner to ensure sustainability of public assets and resources..

Deliverable: Financial advice and coordination to ensure Council meets overall budget performance targets provided.

6. Financial impact statement/Timeframe/Consultation

There will be little or no adverse effect to either Council's risk or financial exposure.

7. Conclusion

That Council should endorse this report and that Council should instruct the independent financial advisor as per the recommendation above.

8. Attachments

1. Waverley Council Investment Strategy Review - Coal and Carbon lending ADIs - October 2015
2. Waverley Council Investment Strategy Review - Coal and Carbon lending ADIs - Updated April 2016



7 October 2015

Mr Frank Rombola
Executive Manager Financial
Waverley Council
PO BOX 9
BONDI JUNCTION NSW 1355

Dear Frank,

Investment Strategy Analysis – Coal and Carbon lending ADIs

As per Council's request, please find attached an analysis of Council's exposure to Coal and Carbon lending ADIs; alternatives to these investment, some of which are already in use; and investment return scenarios for a portfolio excluding Coal and Carbon lending ADIs.

We are happy to meet at your convenience to discuss the subject in more detail and answer follow up questions you may have.

Please call Titus (0437 678 608) or me (0414 611 827) with any initial questions and/or to arrange a suitable time.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Erik Gates', enclosed in a thin black rectangular border.

Erik Gates

Director

Prudential Investment Services Corp
Level 1, 29 Kiora Road, Miranda NSW 2228
assetconsulting@prudentialinvestmentservices.com
ABN: 81 163 587 362
AFSL: 468145



Investment Strategy Analysis: Coal and Carbon lending ADIs



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Executive Summary

Background:

Waverley Council is considering the advantages/disadvantages of its investments with financial institutions that invest in or lend to the coal and carbon industry.

This is an investment strategy issue which could have a significant impact on Council's prevailing risk management focus and investment objectives.

Council's Investment Policy provides the necessary framework for the management of the portfolio "to optimise its return on investment...in a prudent and measurable manner". A shift away from coal and carbon lending institutions would exclude the largest, highest rated banks in Australia from Council's investment portfolio.

Consideration of a New Strategic Focus:

Council currently has \$113m or over 75% of its total portfolio invested with institutions that lend to or invest in the coal and carbon industry.

These institutions also have the highest credit ratings available in the Australian market. While these banks lend to the participants in the coal and carbon industry, they are also the largest lenders to the sustainable energy industry.

Due to the small sizes and concentrated business risks of ADIs which do not lend or invest in the coal and carbon industry, they have lower credit ratings than the larger well diversified banks. Consequently, Council's investments under a non-coal and carbon strategy would have a higher credit risk profile than the current portfolio.

Investment Return Considerations:

To help compensate investors for the greater perceived risks inherent in their small sizes and geographic concentrations, the ADIs that are eligible for a non-coal and carbon portfolio typically pay a higher rate of interest on term deposits and bond issues.

Currently for a variety of reasons, including GFC and Basel 3 influences, depositors in small, lower rated ADIs may not feel they are being adequately compensated for the higher investment risk they are taking by using those institutions.

From a risk management and a preservation of capital perspective, it is not recommended to wholly exclude Australian banks which invest in or lend to the coal and carbon industry. The anticipated small additional return for compensation of the increased credit risk to the portfolio would not justify the change.

Council may consider a strategy of choosing non-coal & carbon alternatives, where credit ratings and return are acceptable, within the current policy's risk management guidelines. This will assist in gradually increasing the portfolio's non-coal & carbon ADI exposures, which are currently well short of limits, while maintaining the majority of the portfolio in the highest rated ADIs.



Background – Current Risk Management Structure

Waverley Council is considering the advantages/disadvantages of its investments with financial institutions that invest in or lend to the coal and carbon industry.

This is an investment strategy issue which could have a significant impact on Council's prevailing risk management focus and investment objectives.

Council's investment portfolio is structured in accordance with legislative requirements and a comprehensive Investment Policy which has clearly defined risk control measures. To summarise:

Legislative Requirements

The primary legislation covering Council's investment options is:

- **Local Government Act 1993.** Specifically:
 - Section 625: How May Councils Invest?
 - Point (2): Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
- **Prevailing Ministerial Investment Order.** Currently:
 - Ministerial Investment Order dated 17 February 2011
 - Any public funds or securities issued by or guaranteed by the Commonwealth, any State of the Commonwealth or a Territory;
 - Interest bearing deposits or debenture or bonds issued by an authorised deposit taking institution (ADI), excluding subordinated debt obligations;
 - Bills of exchange, (<200 days duration), guaranteed by and authorised deposit taking institution (ADI);
 - Debentures or securities issued by a NSW council;
 - Deposits with NSW Treasury &/or Investments in T Corp's Hour Glass Facility; and
 - Investments grandfathered under the previous Ministerial Investment Order.

Council's Investment Policy

As the legislative requirements provide only broad brush guidelines primarily focused on eligible investment types, Council's Investment Policy provides the necessary framework for the management of the portfolio "to optimise its return on investment...in a prudent and measurable manner".



Specifically, Council's Investment Policy Objectives are stated as follows:

This policy's objectives are to provide a framework to help Council optimise its return on investment of surplus funds, in accordance with its prevailing investment strategy, in a prudent and measurable manner, specifically by:

- entering into investment types which comply with prevailing Legislative and Accounting Code requirements;
- establishment of risk management guidelines based upon overall credit rating of the portfolio, exposure limits to individual institutions and term to maturity limits; and
- use of appropriate benchmarks for investment performance measurement.

When placing investments, cash flow considerations will be made to the time horizons of Council's liabilities to best match appropriate investments for the funds.

In order to best achieve the objective of optimising its return in a prudent and measurable manner Council's Investment Policy has a risk management framework in place to ensure compliance with three key criteria relating to:

- **Portfolio Credit Framework;**
- **Institutional Credit Framework;**
- **Term to Maturity Framework**

Specifically focusing on the credit frameworks:

Portfolio Credit Framework

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

Portfolio Credit Limits		
Long Term Credit Ratings	Short Term Credit Ratings	Maximum
AAA	A-1+	100%
AA	A-1	100%
A	A-2	30%
BBB	Not Approved	20%
Unrated	Unrated	20%
Specific Ministerial Approved Forms of Investment		
NSW Treasury Corp Deposits and Hour Glass Facilities		100%



Institutional Credit Framework

Exposure to an individual institution is restricted by its credit rating so that single entity exposure is limited, as detailed in the table below:

Individual Counterparty Limits		
Long Term Credit Ratings	Short Term Credit Ratings	Maximum
AAA	A-1+	35%
AA	A-1	25%
A	A-2	15%
BBB	Not Approved	10%
Unrated	Unrated	10%
NSW Treasury Corp Deposits and Hour Glass Facilities		
11am, Term Deposits or Bonds		50%
Hour Glass Facilities (managed funds)		
Cash Facility and/or Strategic Cash Facility		100%

Credit ratings are based upon the Standard & Poor's Investment Rating, or equivalent, where a Standard & Poor's Investment Rating does not exist.

This scaling of allowable investment exposures based upon credit rating and term to maturity helps to ensure Council's investment portfolio is managed in a prudent and measurable manner as stated in the Investment Policy Objective.

If divesting from ADIs that lend/invest to the coal and carbon industry becomes an objective of Council, the policy's credit rating limits would require significant adjusting to allow for a greater exposure to lower rated institutions as eligible ADIs are in the 'A' and 'BBB' long term credit rating categories.

Council is limited to 15% and 10% respectively among individual 'A' and 'BBB' rated institutions and a total of 30% and 20% for the portfolio. Currently, Council is well below these limits, however they would need to be increased to accommodate Council's investment portfolio if it were to only invest in non-coal and carbon ADIs. Consequently, excluding coal and carbon lending institutions from the portfolio would expose Council to a higher percentage of lower rated institutions.



Forms of Investment – Full Allowance under Legislation

In context of the Risk Management Structure detailed above, the remainder of this report will expand upon the change in risk profile and potential return of Council's portfolio when ADIs lending to or investing in the coal and carbon industry are excluded.

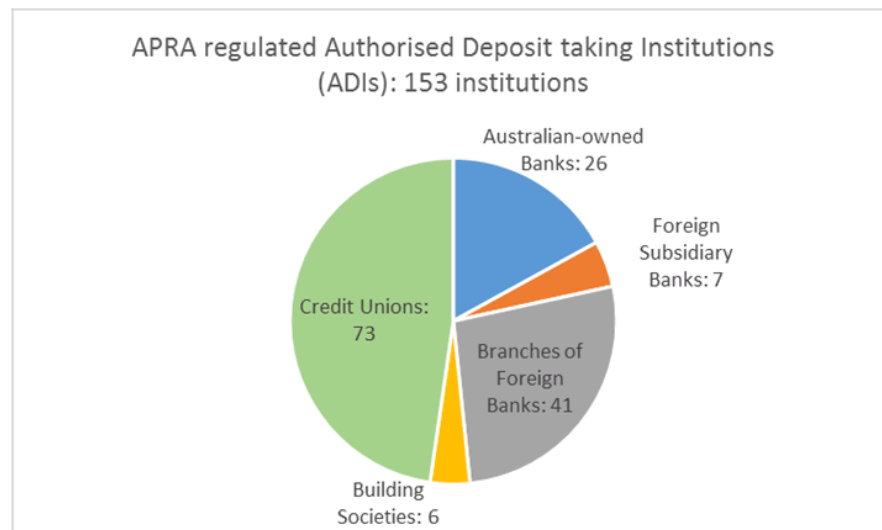
Under prevailing legislation, new investments may be made into the following:

- Any public funds or securities issued by or guaranteed by the Commonwealth, any State of the Commonwealth or a Territory;
- Interest bearing deposits or debenture or bonds issued by an authorised deposit taking institution (ADI), excluding subordinated debt obligations;
- Bills of exchange, (<200 days duration), guaranteed by and authorised deposit taking institution (ADI);
- Debentures or securities issued by a NSW council;
- Deposits with NSW Treasury &/or Investments in T Corp's Hour Glass Facility

Within these legislative guidelines interest bearing products, e.g. short and long dated term deposits, and senior ranked bonds from highly rated ADIs have provided the most competitive, non-volatile returns in the post-GFC environment.

The Australian Prudential Regulation Agency (APRA) oversees the Authorised Deposit taking Institutions and publishes the full list of ADIs on their website which has been copied into Appendix A of this report.

There are currently 153 ADIs in the market, of which nearly 50% are very small credit unions and 25% are branches of foreign banks which are not recommended to be used by Council:



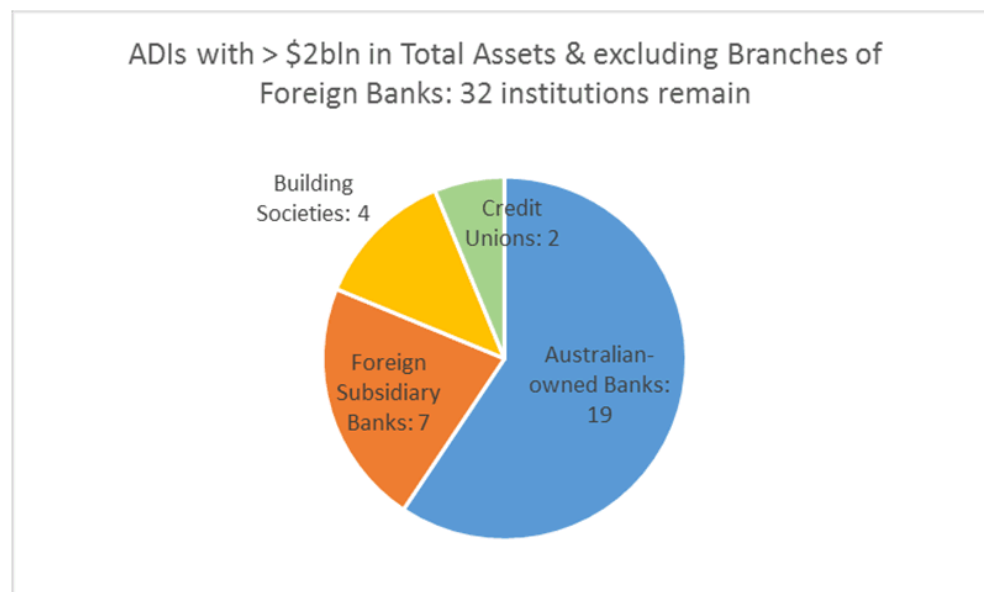


Forms of Investment – Under Current Investment Policy

While legislation allows for investment in the full range of ADIs, the list of appropriate financial institutions are reduced sharply after excluding very small ADIs and branches of foreign banks:

- ADIs with total assets of less than \$2bln are not recommended for use by Council as large scale deposits with these institutions would represent too great a single liability for the ADI and therefore a risk to Council in the case of another credit crisis. Up to \$250,000 with any of these institutions would be government guaranteed, but this is aimed at providing security for retail depositors not necessarily to large scale investors such as Council;
- Branches of foreign banks do not have the same level of intensive regulatory oversight by APRA that the other ADI categories have and these banks are ultimately more dependent upon conditions in their parent-countries.

After removing from consideration those classes of ADIs, Council currently has 32 institutions from which investment options may be considered:



The list of these ADIs are in Appendix A and highlighted in either green (non-coal and carbon lenders) or red.

Not all of these ADIs are competitively seeking deposits at any given time and several, such as the foreign subsidiary banks, are not currently recommended by Prudential for long term investment (greater than 1yr) due to too many uncertainties in the global banking industry.



From this selection of ADIs, as at 30 September 2015, Council had the following deposits/investments:

Authorised Deposit-taking Institutions	Credit Rating (short/long)	Geographic Operation	Total Assets of ADI (\$m)	Latest Annual Profit (\$m)	Tier 1 Ratio	Ownership
ADIs Currently Used by Council (amt invested \$m)						
Bank of Qld	\$5.8 A2/A-	Australia	43,000	261	8.6%	Listed - ASX
Bendigo & Adel	\$9 A2/A-	Australia	65,000	372	8.0%	Listed - ASX
CBA	\$45.6 A1+/AA-	Aust/Intl	791,000	8,600	9.3%	Listed - ASX
Members Equity	\$6.5 A2/BBB+	Australia	14,000	28	11.9%	30 Aust Industry Super Funds
NAB	\$49.5 A1+/AA-	Aust/Intl	808,000	5,460	8.6%	Listed - ASX
Newcastle Permanent	\$3 A2/BBB+	NSW	8,300	36	19.8%	mutual
Westpac	\$18 A1+/AA-	Aust/Intl	651,000	7,561	8.8%	Listed - ASX
Other: non-ADIs (NSW T-Corp & Octagon 2005-3)	\$11.4 MF & A-2	N/A	N/A	N/A	N/A	N/A
Non-Coal & Carbon industry lenders						
Coal & Carbon industry lenders						

Over 75% of the portfolio (\$113m) is invested in three of the highest rated Australian owned banks available, CBA, NAB and Westpac, which are all rated A1+ short term and AA- long term by Standard & Poor's Credit Ratings Agency (S&P). Under S&P's definitions:

- **A1+ short term rating** (for liabilities less than 12 months): a bank in this category has extremely strong capacity to meet its financial commitment on short dated obligations;
- **AA- long term rating** (liabilities greater than 12 months) a bank in this category has very strong capacity to meet its financial commitment on long dated obligations.

The major Australian banks weathered the GFC well and have consistently been ranked among the top twenty "safest" banks worldwide. The most recent annual ranking of the World's 50 Safest Banks by *Global Finance* in September 2015 has the NAB, CBA, ANZ & Westpac ranked 17-20, respectively.

Importantly, the banks' significant sizes and diversification of business lines are major contributors to the safety of the institutions. This diversification of business lines consequently leads the institutions into areas which may be disagreeable to some groups. However, by the same token, they are also significant lenders to the sustainable energy sector, lending approximately \$6bln to the sustainable energy sector over the past 7 years.

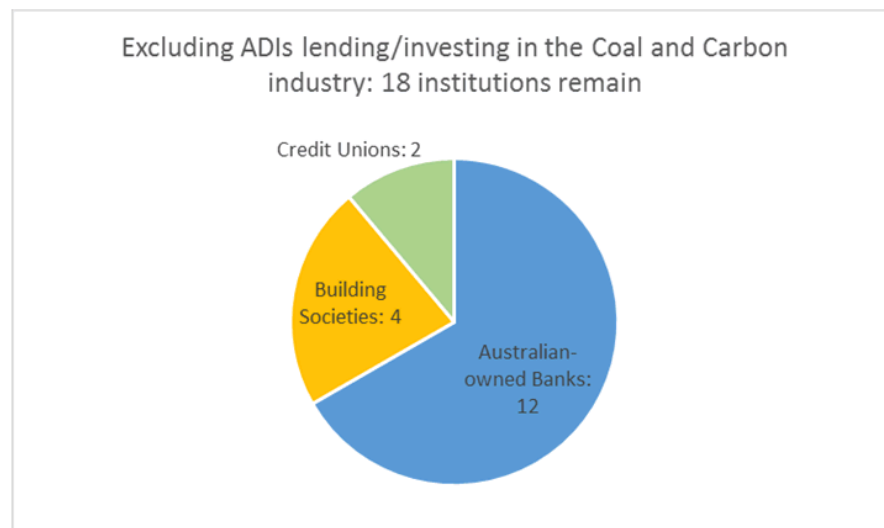


Forms of Investment – Under a Revised Investment Policy

Many institutional investors that are currently divesting their investments in coal and carbon industry, such as universities, have direct exposures via shares or bonds of the companies or indirect exposures through holdings within managed funds.

NSW councils may not invest in direct shares of companies and may only access share exposure via the NSW TCorp Hour Glass Facilities, which do not provide an ethical portfolio option. Therefore investment options from socially responsible funds managers such as *Australian Ethical Investments* may not be utilised under current legislation.

However, utilising the ethical company screening results of *Australian Ethical Investments* as well as the survey results from the website *Market Forces*, which focuses specifically on coal and carbon lenders (acknowledging that theirs is not comprehensive list), the list of eligible ADIs would be reduced to 18:



Four of the eight largest non-coal & carbon (non-C&C) lending institutions are currently being utilised by Council for a diversifying role in its portfolio. Two of the largest Australian-owned ADIs in this category, Bendigo & Adelaide (\$65b) and Bank of Queensland (\$43b) are dwarfed by the smallest of Australia's four majors: Westpac at \$651b.

Smaller institutions have unique risks of their own, typically surrounding business and geographic concentrations. Consequently, deposits with these institutions have historically provided Council with diversification within its portfolio, but only in moderate exposures and as part of a balanced risk management strategy.



Authorised Deposit-taking Institutions	Credit Rating (short/long)	Geographic Operation	Total Assets of ADI (\$m)	Latest Annual Profit (\$m)	Tier 1 Ratio	Ownership
Non-C&C lending ADIs > \$2bn in total asset size (amt invested if currently used \$m)						
Rabobank Australia	A1/A+	Australia	989,000 (parent group)	n/a		Sub of Rabo Nederland
Suncorp Bank	A1/A+	Australia	94,000 (Suncorp Group)	228	8.5%	Listed - ASX
Bendigo & Adelaide	\$9 A2/A-	Australia	65,000	372	8.0%	Listed - ASX
Bank of Qld	\$5.8 A2/A-	Australia	43,000	261	8.6%	Listed - ASX
Members Equity	\$6.5 A2/BBB+	Australia	14,000	28	11.9%	30 Aust Industry Super Funds
Credit Union Aust	A2/BBB+	Australia	10,307	50	14.6%	mutual
Heritage Bank	A3/P2 (Moody's)	QLD	9,000	36	11.9%	mutual
Newcastle Permanent	\$3 A2/BBB+	NSW	8,300	36	19.8%	mutual
People's Choice CU	A2/BBB+	QLD/SA/VIC/ WA	5,800	29	15.6%	mutual
Greater Bldg Society	A2/BBB	NSW/QLD	5,000	31	16.9%	mutual
IMB Ltd	A2/BBB	NSW	5,000	29	13.9%	Listed - pvt mkt
Beyond Bank (sub of Community CPS)	A2/BBB+	ACT/NSW/SW /WA	4,000	23	15.1%	mutual
Teachers Mutual Bank	A2/BBB+	ACT/NSW/WA	4,000	26	15.1%	mutual
The Rock	A2/BBB	TAS/QLD	3,600	25	13.5%	Listed - ASX
Bank Australia (mecu Ltd)	A2/BBB+	Australia wide (77% VIC)	3,000	25	20.5%	mutual
P&N Bank	No credit rating	WA	3,000	10	16.6%	mutual
Auswide Bank	A2/BBB	QLD	2,600	14	11.7%	Listed - ASX
Big Sky Bldg Society (sub of Australian Unity)	No credit rating	QLD/SA/VIC/ WA	2,500	30	14.3%	Aust Unity

Due to these ADIs' small size and concentrated business risks, they have lower credit ratings than the larger well diversified banks. Under a strict non-C&C strategy most of the institutions Council would be exposed to would have credit ratings of A2 short / BBB long term. S&P's definitions for these categories:

- **A2 short term rating** (for liabilities less than 12 months): a bank in this category is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on short dated obligations is satisfactory.
- **BBB long term rating** (liabilities greater than 12 months): a bank in this category exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity to the obligor to meet its financial commitment on long dated obligations.

In addition to non-C&C TDs and bonds, another investment alternative is a "green" bond issued by otherwise C&C lending ADIs. The proceeds of these offerings, of which there are only a few, are targeted to the benefit of the banks' clients in low carbon industries, technologies and practices. The bonds are part of the banks' general loan book and therefore rank equal to, but yield less than, senior ranked bonds from the bank.



Investment Yield Comparisons: C&C vs non-C&C exposures

A non-C&C portfolio would typically consist of smaller, regional ADIs which do not have the scope of business to be involved in coal and carbon industry lending and investment. Due to these same factors, these institutions typically have lower credit ratings than the larger, more diverse ADIs.

To help compensate investors for the greater perceived risks inherent in their small sizes and geographic concentrations, non-C&C ADIs typically pay a higher rate of interest on term deposits and bond issues. Therefore, the data below looks at the magnitude of a possible "benefit" of higher yields on a non-C&C aligned portfolio.

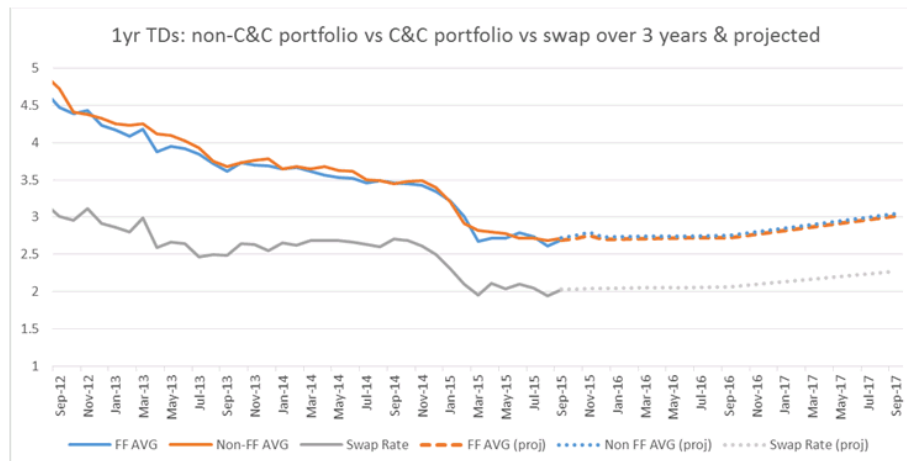
To best simulate a C&C vs a non-C&C TD portfolio strategy, the following was considered:

- Council currently has a diversified \$150m investment portfolio consisting primarily of cash accounts, cash enhanced managed funds, term deposits and ADI-issued fixed and floating rate bonds. Only the \$120m term deposit portion of the portfolio was considered as this is by far the largest component of Council's portfolio and as for the other asset classes:
 - **Cash holdings:** changing transactional cash accounts from CBA (or away from any major bank) would likely not be feasible.
 - **Managed Funds:** There are no non-C&C managed fund alternatives to the NSW T-Corp funds.
 - **Bonds:** Council's entire FRN portfolio is already in non-C&C ADIs; only the \$1.5m NAB fixed rate bond is a C&C exposure in this category.
- 12 month term deposit rates from the past three years were collected from five C&C and five non-C&C ADIs:
 - **C&C portfolio:** AMP, Bankwest (CBA owned), ING, NAB, & St George (Westpac owned)
 - **Non-C&C portfolio:** BOQ, Bendigo, CUA, ME Bank, Newcastle Permanent
- The monthly average of the 12 month TD rates from each group were compared against each other and against the 12 month swap rate (the reference rate which banks use to set their deposit rates) over the past three years. *Twelve month TD rates were used as a mid-point proxy for Council's term deposit maturity profile.*
- To project estimated forward returns the average margin of each group over the past six months was overlayed on the forward 1 year swap rate (a rate used in the futures market by traders which estimates where 1 year rates will be in the future). *The average of only six months of past data was used due to the*



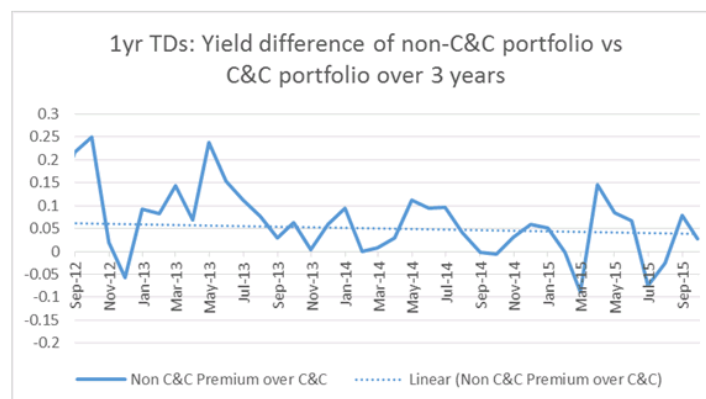
sharp narrowing of spreads that has taken place over the past three years – using the full three year average spread would likely overestimate the margin going forward.

The chart below shows the 3 years of historical and 2 years of projected yields of 1 year term deposits grouped by the non-C&C and C&C ADI portfolios:



As detailed above, the yield differences between the C&C and non-C&C groups is quite small. Depositors in the smaller, lower rated non-C&C ADIs may not feel they are being adequately compensated for the higher investment risk they are taking by using those institutions.

The chart below shows the monthly margin between the C&C and non-C&C yields (i.e. the orange line minus the blue line from the chart above):



The chart above shows that over the past three years, there has been several instances where the higher credit quality C&C ADIs actually have higher 1yr TD rates than the lower credit quality non-C&C ADIs (the points where the solid line goes below zero).



The dotted line is the average trend over that period, showing that over the past three years an overall average difference between the C&C and non-C&C portfolios is approximately 5 basis points (0.05%).

For the purposes of projecting future yields the average over the past six months (approx. 3 basis points) has been used. The past six months has had less volatility and it factors in more relevant current information.

The following forward estimates focuses on Council's term deposit holdings, which represents 80% (\$120m) of the portfolio, consisting of a range of 3 - 18 month deposits regularly maturing to address expenditure requirements.

Portfolios: \$120m across 5 ADIs in each category:	12 months: Sep'15-Sep'16 (estimated)	12 months: Sep'16-Sep'17 (estimated)	12 months: Sep'17-Sep'18 (estimated)	Total Interest (estimated)
Non-C&C	Yield: 2.72%	Yield: 2.75%	Yield: 3.047%	Non-C&C
ADIs	Int: \$3,264,000	Int: \$3,300,000	Int: \$3,656,400	portfolio interest: \$10,220,400
C&C ADIs	Yield: 2.69%	Yield: 2.725%	Yield: 3.017%	C&C portfolio
	Int: \$3,228,000	Int: \$3,270,000	Int: \$3,620,400	interest: \$10,118,400
Difference	Yield: 0.03% Int: \$36,000	Yield: 0.025% Int: \$30,000	Yield: 0.03% Int: \$36,000	Additional: \$102,000

Please note the data above are estimates only. The actual returns may vary substantially.

Therefore, based on current trends overlayed on forward rate expectations on a \$120m term deposit portfolio consisting of 12 month term deposits the three year total interest earned would only be approximately \$102k (i.e. 3bps margin over three years) greater from a non-C&C portfolio versus a C&C portfolio.

From a risk management and a preservation of capital perspective, it is not recommended to wholly exclude Australian banks which invest in or lend to the coal and carbon industry. The anticipated small additional return as compensation for the increased credit risk would not justify a wholesale change to a non-C&C term deposit portfolio.

Council may consider a strategy of choosing non-coal & carbon alternatives, where credit ratings and return are acceptable, within the current policy's risk management guidelines. This will assist in gradually increasing the portfolio's non-C&C ADI exposures, which are currently well short of limits, while maintaining the majority of the portfolio in the highest rated ADIs.



Appendix A – Authorised Deposit-taking Institutions

Red highlighting = ADI's confirmed as lenders/investors to the coal and carbon industry via *Market Forces* query and Foreign Subsidiary banks whose parent company bank is assumed to lend/invest to coal and carbon related companies globally.

Green highlighting = ADI's confirmed to not be lenders/investors to the coal and carbon industry via *Market Forces* query and/or ADIs which passed the ethical screening process of leading socially responsible fund manager, *Australian Ethical*. (ADI List Source: APRA)

Australian-owned Banks

- AMP Bank Ltd
- Australia and New Zealand Banking Group Limited
- Auswide Bank Ltd
- Bank of Queensland Limited
- Bendigo and Adelaide Bank Limited
- Commonwealth Bank of Australia
- Community CPS Australia Limited (trading as Beyond Bank Australia)
- Defence Bank Limited
- Heritage Bank Limited
- Hume Bank Limited
- IMB Ltd (trading as IMB Bank)
- Macquarie Bank Limited
- mecu Limited (trading as Bank Australia)
- Members Equity Bank Limited
- MyState Bank Limited
- National Australia Bank Limited
- Police Bank Ltd
- Police Financial Services Limited (trading as BankVic)
- Police & Nurses Limited (trading as P&N Bank)
- QT Mutual Bank Limited
- Rural Bank Limited (a subsidiary of Bendigo and Adelaide Bank Limited)
- SGE Mutual Ltd (trading as G&C Mutual Bank)
- Suncorp-Metway Limited
- Teachers Mutual Bank Limited
- Victoria Teachers Limited (trading as Victoria Teachers Mutual Bank)
- Westpac Banking Corporation

Foreign Subsidiary Banks

- Arab Bank Australia Limited
- Bank of China (Australia) Limited
- Bank of Sydney Ltd
- Citigroup Pty Limited
- HSBC Bank Australia Limited
- ING Direct (the trading name of ING Bank (Australia) Limited)
- Rabobank Australia Limited

Branches of Foreign Banks

- Agricultural Bank of China Limited
- Banco Santander, S.A.
- Bank of America, National Association
- Bank of Baroda
- Bank of China Limited
- Bank of Communications Co., Ltd.
- Barclays Bank PLC (trading as Barclays Capital)
- BNP Paribas
- BNP Paribas Securities Services
- China Construction Bank Corporation
- Citibank, N.A.
- Cooperatieve Centrale Raiffeisen-Boerenleenbank B.A. (trading as Rabobank Nederland)
- Credit Suisse AG
- Deutsche Bank Aktiengesellschaft
- First Commercial Bank
- Hua Nan Commercial Bank, Ltd
- Industrial and Commercial Bank of China Limited
- ING Bank N.V.
- JPMorgan Chase Bank, National Association
- Korea Exchange Bank Co., Ltd
- Mega International Commercial Bank Co., Ltd.
- Mizuho Bank, Ltd.
- Oversea-Chinese Banking Corp Ltd
- Portigon AG
- Royal Bank of Canada
- Standard Chartered Bank
- State Bank of India
- State Street Bank and Trust Company
- Sumitomo Mitsui Banking Corporation
- Taiwan Business Bank
- Taiwan Cooperative Bank, Ltd
- The Bank of New York Mellon
- The Bank of Tokyo-Mitsubishi UFJ, Ltd
- The Hongkong and Shanghai Banking Corporation Limited
- The Northern Trust Company



- The Royal Bank of Scotland N.V.
- The Royal Bank of Scotland plc
- UBS AG
- United Overseas Bank
- Woori Bank

Building Societies

- B & E Ltd
- Big Sky Building Society Limited
- Greater Building Society Ltd
- Maitland Mutual Building Society Limited
- Newcastle Permanent Building Society Limited
- The Rock Building Society Limited

Credit Unions

- Australian Central Credit Union Ltd (trading as People's Choice Credit Union)
- Australian Defence Credit Union Limited
- Bananacoast Community Credit Union Ltd
- Bankstown City Credit Union Ltd
- CAPE Credit Union Limited
- Central Murray Credit Union Limited
- Central West Credit Union Limited
- Coastline Credit Union Limited
- Community Alliance Credit Union Limited
- Community First Credit Union Limited
- Community Mutual Ltd
- Country First Credit Union Ltd
- Credit Union Australia Ltd
- Credit Union SA Ltd
- Dnister Ukrainian Credit Co-operative Limited
- ECU Australia Ltd
- EECU Limited
- Encompass Credit Union Limited
- Family First Credit Union Limited
- Fire Brigades Employees' Credit Union Limited
- Fire Service Credit Union Limited
- Firefighters & Affiliates Credit Co-operative Limited
- First Choice Credit Union
- First Option Credit Union
- Ford Co-op Credit Society
- Gateway Credit Union Ltd
- Goulburn Murray Credit Union Co-operative Limited

- Heritage Isle Credit Union
- Holiday Coast Credit Union Ltd
- Horizon Credit Union Ltd
- Hunter United Employees' Credit Union Limited
- Intech Credit Union Limited
- Laboratories Credit Union Limited
- Latvian Australian Credit Co-operative Society Limited
- Lithuanian Co-operative Credit Society "Talka" Limited
- Lysaght Credit Union Ltd
- MacArthur Credit Union Ltd
- Macquarie Credit Union Limited
- Manly Warringah Credit Union Limited
- Maritime, Mining & Power Credit Union Limited
- MCU Ltd
- My Credit Union Limited
- Northern Inland Credit Union Limited
- Nova Credit Union Limited
- Old Gold Credit Union Co-operative Limited
- Orange Credit Union Limited
- Police Credit Union Limited
- Pulse Credit Union Limited
- Qantas Staff Credit Union Limited
- Quay Credit Union Ltd
- Queensland Country Credit Union Limited
- Queensland Police Credit Union Limited
- Queensland Professional Credit Union Ltd
- Queenslanders Credit Union Limited
- Railways Credit Union Limited
- Select Credit Union Limited
- Shell Employees' Credit Union Limited
- South West Slopes Credit Union Ltd
- Southern Cross Credit Union Ltd
- South-West Credit Union Co-Operative Limited
- Summerland Credit Union Limited
- Sutherland Credit Union Ltd
- Sydney Credit Union Ltd
- The Broken Hill Community Credit Union Ltd
- The Capricornian Ltd
- The Gympie Credit Union Ltd
- Traditional Credit Union Limited
- TransComm Credit Co-operative Limited
- Transport Mutual Credit Union Limited
- Warwick Credit Union Ltd
- WAW Credit Union Co-Operative Limited
- Woolworths Employees' Credit Union Limited
- Wyong Shire Credit Union Ltd



Appendix B – Current Portfolio & Remaining non-C&C ADIs

Authorised Deposit-taking Institutions	Credit Rating (short/long)	Geographic Operation	Total Assets of ADI (\$m)	Latest Annual Profit (\$m)	Tier 1 Ratio	Ownership
ADIs Currently Used by Council (amt invested \$m)						
Bank of Qld	\$5.8 A2/A-	Australia	43,000	261	8.6%	Listed - ASX
Bendigo & Adel	\$9 A2/A-	Australia	65,000	372	8.0%	Listed - ASX
CBA	\$45.6 A1+/AA-	Aust/Intl	791,000	8,600	9.3%	Listed - ASX
Members Equity	\$6.5 A2/BBB+	Australia	14,000	28	11.9%	30 Aust Industry Super Funds
NAB	\$49.5 A1+/AA-	Aust/Intl	808,000	5,460	8.6%	Listed - ASX
Newcastle Permanent	\$3 A2/BBB+	NSW	8,300	36	19.8%	mutual
Westpac	\$18 A1+/AA-	Aust/Intl	651,000	7,561	8.8%	Listed - ASX
Other: non-ADIs (NSW T-Corp & Octagon 2005-3)	\$11.4 MF & A-2	N/A	N/A	N/A	N/A	N/A
Non-Coal & Carbon industry lenders						
Coal & Carbon industry lenders						
Remaining non-C&C ADIs (ordered by asset size & > \$2b in total assets):						
Rabobank Australia	A1/A+	Australia	989,000 (parent group)	n/a		Sub of Rabo Nederland
Suncorp Bank	A1/A+	Australia	94,000 (Suncorp Group)	228	8.5%	Listed - ASX
Credit Union Aust	A2/BBB+	Australia	10,307	50	14.6%	mutual
Heritage Bank	A3/P2 (Moody's)	QLD	9,000	36	11.9%	mutual
Newcastle Permanent	A2/BBB+	NSW	8,300	36	19.8%	mutual
People's Choice (sub of ACCU)	A2/BBB+	QLD/SA/VIC/WA	5,800	29	15.6%	mutual
Greater Bldg Society	A2/BBB	NSW/QLD	5,000	31	16.9%	mutual
IMB Ltd	A2/BBB	NSW	5,000	29	13.9%	Listed - pvt mkt
Beyond Bank (sub of Community CPS)	A2/BBB+	ACT/NSW/SW/WA	4,000	23	15.1%	mutual
Teachers Mutual Bank	A2/BBB+	ACT/NSW/WA	4,000	26	15.1%	mutual
The Rock	A2/BBB	TAS/QLD	3,600	25	13.5%	Listed - ASX
Bank Australia (mecu Ltd)	A2/BBB+	Australia wide (77% VIC)	3,000	25	20.5%	mutual
P&N Bank	No credit rating	WA	3,000	10	16.6%	mutual
Auswide Bank	A2/BBB	QLD	2,600	14	11.7%	Listed - ASX
Big Sky Bldg Society (sub of Australian Unity)	No credit rating	QLD/SA/VIC/WA	2,500	30	14.3%	Aust Unity

Disclaimer: The statements and opinions contained in this report are based on currently prevailing conditions in financial markets and are so contained in good faith and in the belief that such statements and opinion are not false or misleading. In preparing this report, Prudential Investment Services Corp has relied upon information which it believes to be reliable and accurate. Prudential Investment Services Corp believes that this report and the opinions expressed in this report are accurate, but no warranty of accuracy or reliability is given. Prudential Investment Services Corp does not warrant that its investigation has revealed all of the matters which a more extensive examination might disclose. This report may not be reproduced, transmitted, or made available either in part or in whole to any third party without the prior written consent of Prudential Investment Services Corp. AFS Licence No. 468145.



5 April 2016

Mr Frank Rombola
Executive Manager Financial
Waverley Council
PO BOX 9
BONDI JUNCTION NSW 1355

Dear Frank,

Investment Strategy Analysis – Coal and Carbon lending ADIs

As per Council's request, please find attached an analysis of Council's exposure to Coal and Carbon lending ADIs; alternatives to these investment, some of which are already in use; and investment return scenarios for a portfolio excluding Coal and Carbon lending ADIs.

We are happy to meet at your convenience to discuss the subject in more detail and answer follow up questions you may have.

Please call Titus (0437 678 608) or me (0414 611 827) with any initial questions and/or to arrange a suitable time.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Erik Gates', enclosed in a thin black rectangular border.

Erik Gates

Director

Prudential Investment Services Corp
Level 1, 29 Kiora Road, Miranda NSW 2228
assetconsulting@prudentialinvestmentservices.com
ABN: 81 163 587 362
AFSL: 468145



Investment Strategy Analysis: Coal and Carbon lending ADIs



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Executive Summary

Background:

Waverley Council is considering the advantages/disadvantages of its investments with financial institutions that invest in or lend to the coal and carbon industry.

This is an investment strategy issue which could have a significant impact on Council's prevailing risk management focus and investment objectives.

Council's Investment Policy provides the necessary framework for the management of the portfolio "to optimise its return on investment...in a prudent and measurable manner". A shift away from coal and carbon lending institutions would exclude the largest, highest rated banks in Australia from Council's investment portfolio.

Consideration of a New Strategic Focus:

Council currently has approximately \$101m or 70% of its total portfolio invested with institutions that lend to or invest in the coal and carbon industry.

These institutions also have the highest credit ratings available in the Australian market. While these banks lend to the participants in the coal and carbon industry, they are also the largest lenders to the sustainable energy industry.

Due to the small sizes and concentrated business risks of ADIs which do not lend or invest in the coal and carbon industry, they have lower credit ratings than the larger well diversified banks. Consequently, Council's investments under a non-coal and carbon strategy would have a higher credit risk profile than the current portfolio.

Investment Return Considerations:

To help compensate investors for the greater perceived risks inherent in their small sizes and geographic concentrations, the ADIs that are eligible for a non-coal and carbon portfolio typically pay a higher rate of interest on term deposits and bond issues.

Currently for a variety of reasons, including GFC and Basel 3 influences, depositors in small, lower rated ADIs may not feel they are being adequately compensated for the higher investment risk they are taking by using those institutions.

From a risk management and a preservation of capital perspective, it is not recommended to wholly exclude Australian banks which invest in or lend to the coal and carbon industry. The anticipated small additional return for compensation of the increased credit risk to the portfolio would not justify the change.

Council may consider a strategy of choosing non-coal & carbon alternatives, where credit ratings and return are acceptable, within the current policy's risk management guidelines. This will assist in gradually increasing the portfolio's non-coal & carbon ADI exposures, which are currently well short of limits, while maintaining the majority of the portfolio in the highest rated ADIs.



Background – Current Risk Management Structure

Waverley Council is considering the advantages/disadvantages of its investments with financial institutions that invest in or lend to the coal and carbon industry.

This is an investment strategy issue which could have a significant impact on Council's prevailing risk management focus and investment objectives.

Council's investment portfolio is structured in accordance with legislative requirements and a comprehensive Investment Policy which has clearly defined risk control measures. To summarise:

Legislative Requirements

The primary legislation covering Council's investment options is:

- **Local Government Act 1993.** Specifically:
 - Section 625: How May Councils Invest?
 - Point (2): Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
- **Prevailing Ministerial Investment Order.** Currently:
 - Ministerial Investment Order dated 17 February 2011
 - Any public funds or securities issued by or guaranteed by the Commonwealth, any State of the Commonwealth or a Territory;
 - Interest bearing deposits or debenture or bonds issued by an authorised deposit taking institution (ADI), excluding subordinated debt obligations;
 - Bills of exchange, (<200 days duration), guaranteed by and authorised deposit taking institution (ADI);
 - Debentures or securities issued by a NSW council;
 - Deposits with NSW Treasury &/or Investments in T Corp's Hour Glass Facility; and
 - Investments grandfathered under the previous Ministerial Investment Order.

Council's Investment Policy

As the legislative requirements provide only broad brush guidelines primarily focused on eligible investment types, Council's Investment Policy provides the necessary framework for the management of the portfolio "to optimise its return on investment...in a prudent and measurable manner".



Specifically, Council's Investment Policy Objectives are stated as follows:

This policy's objectives are to provide a framework to help Council optimise its return on investment of surplus funds, in accordance with its prevailing investment strategy, in a prudent and measurable manner, specifically by:

- entering into investment types which comply with prevailing Legislative and Accounting Code requirements;
- establishment of risk management guidelines based upon overall credit rating of the portfolio, exposure limits to individual institutions and term to maturity limits; and
- use of appropriate benchmarks for investment performance measurement.

When placing investments, cash flow considerations will be made to the time horizons of Council's liabilities to best match appropriate investments for the funds.

In order to best achieve the objective of optimising its return in a prudent and measurable manner Council's Investment Policy has a risk management framework in place to ensure compliance with three key criteria relating to:

- **Portfolio Credit Framework;**
- **Institutional Credit Framework;**
- **Term to Maturity Framework**

Specifically focusing on the credit frameworks:

Portfolio Credit Framework

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

Portfolio Credit Limits		
Long Term Credit Ratings	Short Term Credit Ratings	Maximum
AAA	A-1+	100%
AA	A-1	100%
A	A-2	30%
BBB	Not Approved	20%
Unrated	Unrated	20%
Specific Ministerial Approved Forms of Investment		
NSW Treasury Corp Deposits and Hour Glass Facilities		100%



Institutional Credit Framework

Exposure to an individual institution is restricted by its credit rating so that single entity exposure is limited, as detailed in the table below:

Individual Counterparty Limits		
Long Term Credit Ratings	Short Term Credit Ratings	Maximum
AAA	A-1+	35%
AA	A-1	25%
A	A-2	15%
BBB	Not Approved	10%
Unrated	Unrated	10%
NSW Treasury Corp Deposits and Hour Glass Facilities		
11am, Term Deposits or Bonds		50%
Hour Glass Facilities (managed funds)		
Cash Facility and/or Strategic Cash Facility		100%

Credit ratings are based upon the Standard & Poor's Investment Rating, or equivalent, where a Standard & Poor's Investment Rating does not exist.

This scaling of allowable investment exposures based upon credit rating and term to maturity helps to ensure Council's investment portfolio is managed in a prudent and measurable manner as stated in the Investment Policy Objective.

If divesting from ADIs that lend/invest to the coal and carbon industry becomes an objective of Council, the policy's credit rating limits would require significant adjusting to allow for a greater exposure to lower rated institutions as eligible ADIs are in the 'A' and 'BBB' long term credit rating categories.

Council is limited to 15% and 10% respectively among individual 'A' and 'BBB' rated institutions and a total of 30% and 20% for the portfolio. Currently, Council is well below these limits, however they would need to be increased to accommodate Council's investment portfolio if it were to only invest in non-coal and carbon ADIs. Consequently, excluding coal and carbon lending institutions from the portfolio would expose Council to a higher percentage of lower rated institutions.



Forms of Investment – Full Allowance under Legislation

In context of the Risk Management Structure detailed above, the remainder of this report will expand upon the change in risk profile and potential return of Council's portfolio when ADIs lending to or investing in the coal and carbon industry are excluded.

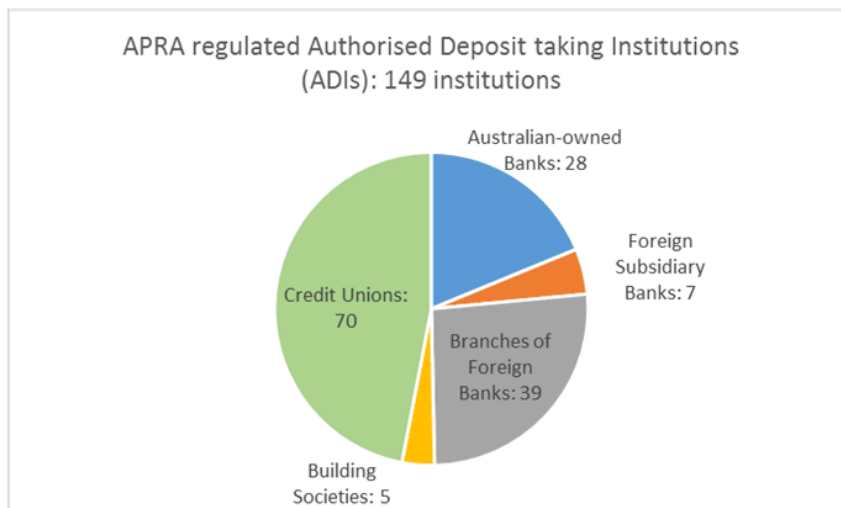
Under prevailing legislation, new investments may be made into the following:

- Any public funds or securities issued by or guaranteed by the Commonwealth, any State of the Commonwealth or a Territory;
- Interest bearing deposits or debenture or bonds issued by an authorised deposit taking institution (ADI), excluding subordinated debt obligations;
- Bills of exchange, (<200 days duration), guaranteed by and authorised deposit taking institution (ADI);
- Debentures or securities issued by a NSW council;
- Deposits with NSW Treasury &/or Investments in T Corp's Hour Glass Facility

Within these legislative guidelines interest bearing products, e.g. short and long dated term deposits, and senior ranked bonds from highly rated ADIs have provided the most competitive, non-volatile returns in the post-GFC environment.

The Australian Prudential Regulation Agency (APRA) oversees the Authorised Deposit taking Institutions and publishes the full list of ADIs on their website which has been copied into Appendix A of this report.

There are currently 149 ADIs in the market, of which over 45% are very small credit unions and 25% are branches of foreign banks which are not recommended to be used by Council:



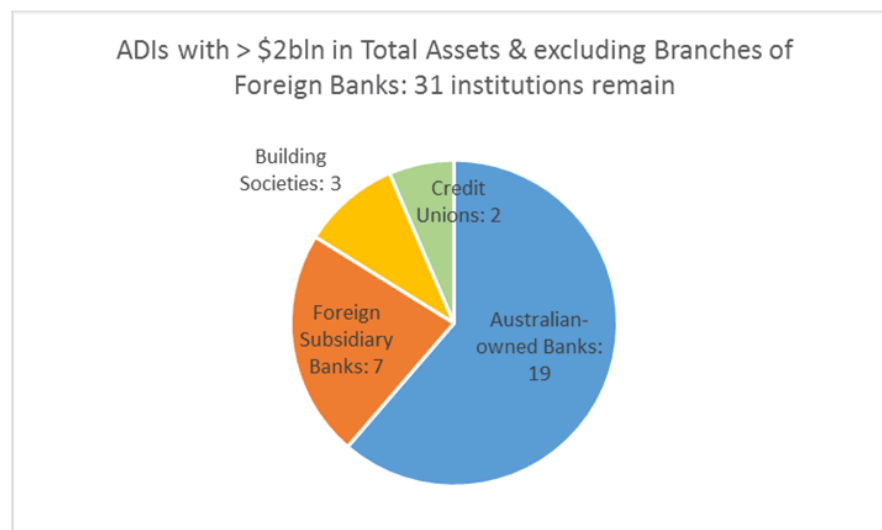


Forms of Investment – Under Current Investment Policy

While legislation allows for investment in the full range of ADIs, the list of appropriate financial institutions are reduced sharply after excluding very small ADIs and branches of foreign banks:

- ADIs with total assets of less than \$2bln are not recommended for use by Council as large scale deposits with these institutions would represent too great a single liability for the ADI and therefore a risk to Council in the case of another credit crisis. Up to \$250,000 with any of these institutions would be government guaranteed, but this is aimed at providing security for retail depositors not necessarily to large scale investors such as Council;
- Branches of foreign banks do not have the same level of intensive regulatory oversight by APRA that the other ADI categories have and these banks are ultimately more dependent upon conditions in their parent-countries.

After removing from consideration those classes of ADIs, Council currently has 31 institutions from which investment options may be considered:



The list of these ADIs are in Appendix A and highlighted in either green (non-coal and carbon lenders) or red.

Not all of these ADIs are competitively seeking deposits at any given time and several, such as the foreign subsidiary banks, are not currently recommended by Prudential for long term investment (greater than 1yr) due to too many uncertainties in the global banking industry.



From this selection of ADIs, as at 31 March 2016, Council had the following deposits/investments:

Authorised Deposit-taking Institutions	Credit Rating (short/long)	Geographic Operation	Total Assets of ADI (\$m)	Latest Annual Profit (\$m)	Ownership
ADIs Currently Used by Council (amt invested \$m)					
Bank of Qld	\$18.8 A2/A-	Australia	43,000	318	Listed - ASX
Bendigo & Adel	\$9 A2/A-	Australia	66,000	432	Listed - ASX
CBA	\$39.8 A1+/AA-	Aust/Intl	873,446	9,100	Listed - ASX
Heritage Bank	\$3 A3/P2 (Moody's)	QLD	8,557	33.6	mutual
Members Equity	\$5 A2/BBB+	Australia	21,208	79	30 Aust Industry Super Funds
NAB	\$51.4 A1+/AA-	Aust/Intl	945,000	6,338	Listed - ASX
Newcastle Permanent	\$3 A2/BBB+	NSW	8,874	36	mutual
Westpac	\$10 A1+/AA-	Aust/Intl	812,156	7,820	Listed - ASX
Other: non-ADIs (NSW T-Corp)	\$5.1 MF & A-2	N/A	N/A	N/A	N/A
Non-Coal & Carbon industry lenders					
Coal & Carbon industry lenders					

Approximately 70% of the portfolio (\$101m) is invested in three of the highest rated Australian owned banks available, CBA, NAB and Westpac which are all rated A1+ short term and AA- long term by Standard & Poor's Credit Ratings Agency (S&P). Under S&P's definitions:

- **A1+ short term rating** (for liabilities less than 12 months): a bank in this category has extremely strong capacity to meet its financial commitment on short dated obligations;
- **AA- long term rating** (liabilities greater than 12 months) a bank in this category has very strong capacity to meet its financial commitment on long dated obligations.

The major Australian banks weathered the GFC well and have consistently been ranked among the top twenty "safest" banks worldwide. The most recent annual ranking of the World's 50 Safest Banks by *Global Finance* in September 2015 has the NAB, CBA, ANZ & Westpac ranked 17-20, respectively.

Importantly, the banks' significant sizes and diversification of business lines are major contributors to the safety of the institutions. This diversification of business lines consequently leads the institutions into areas which may be disagreeable to some groups. However, by the same token, they are also significant lenders to the sustainable energy sector, lending approximately \$6bln to the sustainable energy sector over the past 7 years.

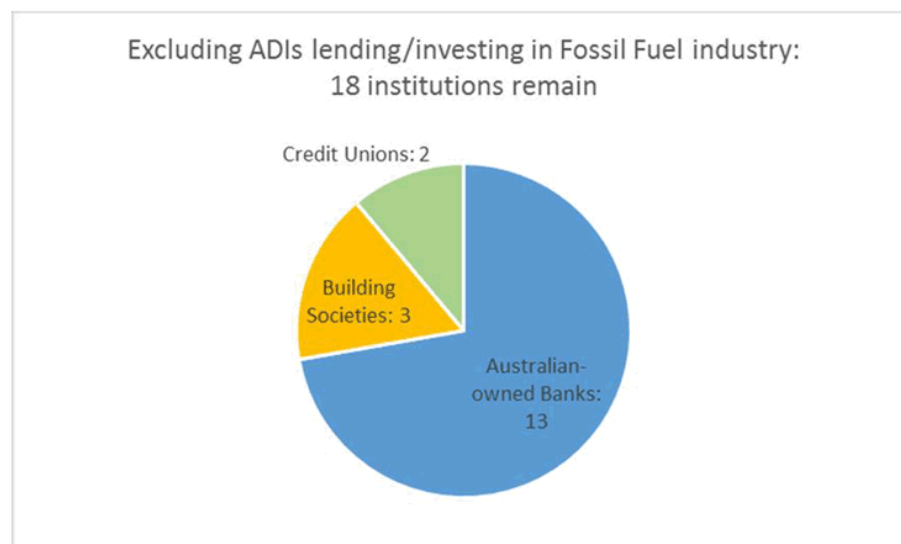


Forms of Investment – Under a Revised Investment Policy

Many institutional investors that are currently divesting their investments in coal and carbon industry, such as universities, have direct exposures via shares or bonds of the companies or indirect exposures through holdings within managed funds.

NSW councils may not invest in direct shares of companies and may only access share exposure via the NSW TCorp Hour Glass Facilities, which do not provide an ethical portfolio option. Therefore investment options from socially responsible funds managers such as *Australian Ethical Investments* may not be utilised under current legislation.

However, utilising the ethical company screening results of *Australian Ethical Investments* as well as the survey results from the website *Market Forces*, which focuses specifically on coal and carbon lenders (acknowledging that theirs is not comprehensive list), the list of eligible ADIs would be reduced to 18:



Five of the eight largest non-coal & carbon (non-C&C) lending institutions are currently being utilised by Council for a diversifying role in its portfolio. Two of the largest Australian-owned ADIs in this category, Bendigo & Adelaide (\$66b) and Bank of Queensland (\$43b) are dwarfed by the smallest of Australia's four majors: Westpac at \$651b.

Smaller institutions have unique risks of their own, typically surrounding business and geographic concentrations. Consequently, deposits with these institutions have historically provided Council with diversification within its portfolio, but only in moderate exposures and as part of a balanced risk management strategy.



Authorised Deposit-taking Institutions	Credit Rating (short/long)	Geographic Operation	Total Assets of ADI (\$m)	Latest Annual Profit (\$m)	Ownership
Non-C&C lending ADIs > \$2bln in total asset size (amt invested if currently used \$m)					
Rabobank Australia	A1/A+	Australia	989,000 (parent group)	n/a	Sub of Rabo Nederland
Suncorp Bank	A1/A+	Australia	96,000 (Suncorp Group)	354	Listed - ASX
Bendigo & Adelaide	\$9 A2/A-	Australia	66,000	432	Listed - ASX
Bank of Qld	\$18.8 A2/A-	Australia	43,000	318	Listed - ASX
Members Equity	\$5.0 A2/BBB+	Australia	21,208	79	30 Aust Industry Super Funds
Credit Union Aust	A2/BBB+	Australia	11,987	48.8	mutual
Heritage Bank	\$3 A3/P2 (Moodys)	QLD	8,557	33.6	mutual
Newcastle Permanent	\$3 A2/BBB+	NSW	8,874	36	mutual
People's Choice CU	A2/BBB+	QLD/SA/VIC/ WA	6,895	25.7	mutual
Greater Bldg Society	A2/BBB	NSW/QLD	5,401	35	mutual
IMB Ltd	A2/BBB	NSW	5,000	33	Listed - pvt mkt
Teachers Mutual Bank	A2/BBB+	ACT/NSW/WA	4,862	29	mutual
Beyond Bank (sub of Community CPS)	A2/BBB+	ACT/NSW/SW /WA	4,383	22.8	mutual
Big Sky (sub of Australian Unity)	No credit rating	QLD/SA/VIC/ WA	4,332 (parent group)	30	Aust Unity
MyState	A2/BBB	TAS/QLD	4,079	32.5	Listed - ASX
Bank Australia	A2/BBB+	Australia wide (77% VIC)	3,577	24	mutual
P&N Bank	No credit rating	WA	3,000	10	mutual
Auswide Bank	A2/BBB	QLD	2,717	13.2	Listed - ASX

Due to these ADIs' small size and concentrated business risks, they have lower credit ratings than the larger well diversified banks. Under a strict non-C&C strategy most of the institutions Council would be exposed to would have credit ratings of A2 short / BBB long term. S&P's definitions for these categories:

- **A2 short term rating** (for liabilities less than 12 months): a bank in this category is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on short dated obligations is satisfactory.
- **BBB long term rating** (liabilities greater than 12 months): a bank in this category exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity to the obligor to meet its financial commitment on long dated obligations.

In addition to non-C&C TDs and bonds, another investment alternative is a "green" bond issued by otherwise C&C lending ADIs. The proceeds of these offerings, of which there are only a few, are targeted to the benefit of the banks' clients in low carbon industries, technologies and practices. The bonds are part of the banks' general loan book and therefore rank equal to, but yield less than, senior ranked bonds from the bank.



Investment Yield Comparisons: C&C vs non-C&C exposures

A non-C&C portfolio would typically consist of smaller, regional ADIs which do not have the scope of business to be involved in coal and carbon industry lending and investment. Due to these same factors, these institutions typically have lower credit ratings than the larger, more diverse ADIs.

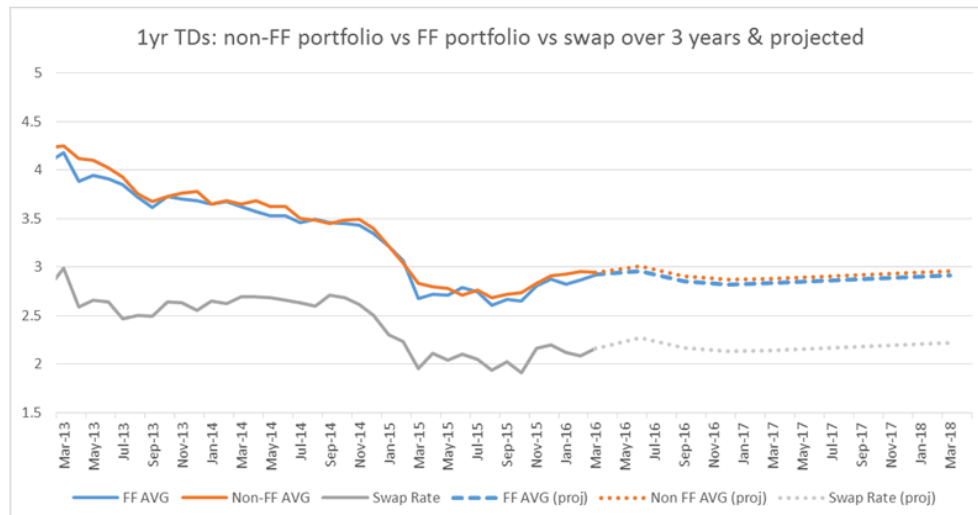
To help compensate investors for the greater perceived risks inherent in their small sizes and geographic concentrations, non-C&C ADIs typically pay a higher rate of interest on term deposits and bond issues. Therefore, the data below looks at the magnitude of a possible "benefit" of higher yields on a non-C&C aligned portfolio.

To best simulate a C&C vs a non-C&C TD portfolio strategy, the following was considered:

- Council currently has a diversified \$145m investment portfolio consisting primarily of cash accounts, cash enhanced managed funds, term deposits and ADI-issued fixed and floating rate bonds. Only the \$110m term deposit portion of the portfolio was considered as this is by far the largest component of Council's portfolio. As for the other asset classes:
 - **Cash holdings:** changing transactional cash accounts from CBA (or away from any major bank) would likely not be feasible.
 - **Managed Funds:** There are no non-C&C managed fund alternatives to the NSW T-Corp funds.
 - **Bonds:** Council has \$21m in fixed and floating rate ADI-issued senior ranked bonds. Of this, \$10m is already in non-C&C ADIs.
- 12 month term deposit rates from the past three years were collected from five C&C and five non-C&C ADIs:
 - **C&C portfolio:** AMP, Bankwest (CBA owned), ING, NAB, & St George (Westpac owned)
 - **Non-C&C portfolio:** BOQ, Bendigo, CUA, ME Bank, Newcastle Permanent
- The monthly average of the 12 month TD rates from each group were compared against each other and against the 12 month swap rate (the reference rate which banks use to set their deposit rates) over the past three years. *Twelve month TD rates were used as a mid-point proxy for Council's term deposit maturity profile.*
- To project estimated forward returns the average margin of each group over the past 12 months was overlayed on the forward 1 year swap rate (a rate used in the futures market by traders which estimates where 1 year rates will be in the future). *The average of only twelve months of past data was used due to the sharp narrowing of spreads that has taken place over the past three years – using the full three year average spread would likely overestimate the margin going forward.*

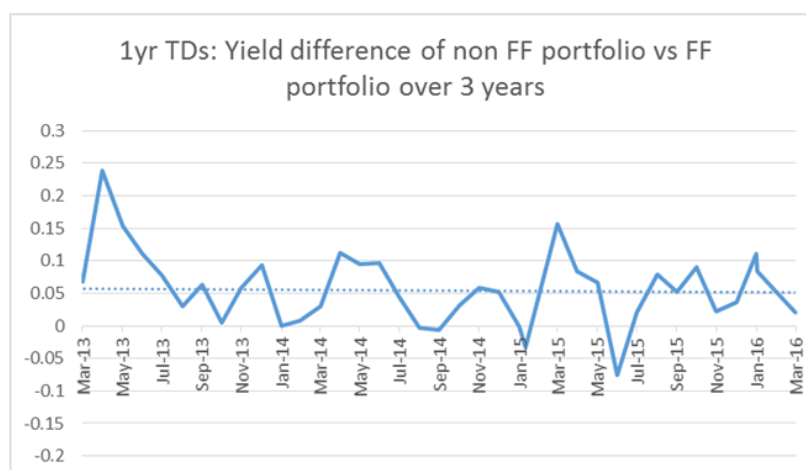


The chart below shows the 3 years of historical and 2 years of projected yields of 1 year term deposits grouped by the non-C&C and C&C ADI portfolios:



As detailed above, the yield differences between the C&C and non-C&C groups is quite small. Depositors in the smaller, lower rated non-C&C ADIs may not feel they are being adequately compensated for the higher investment risk they are taking by using those institutions.

The chart below shows the monthly margin between the C&C and non-C&C yields (i.e. the orange line minus the blue line from the chart above):





The chart above shows that over the past three years, there has been several instances where the higher credit quality C&C ADIs actually have higher 1yr TD rates than the lower credit quality non-C&C ADIs (the points where the solid line goes below zero). The dotted line is the average trend over that period, showing that over the past three years an overall average difference between the C&C and non-C&C portfolios is approximately 6 basis points (0.06%).

For the purposes of projecting future yields the 1 year TD rates as of 31 March 2016 for the hypothetical portfolios have been used for the first year, then the average margin over the past twelve months (approx. 5 basis points) has been overlayed on the forward swap rates for the next two years.

The following forward estimates focuses on Council's term deposit holdings, which represents 75% (\$110m) of the portfolio.

Portfolios: \$110m across 5 ADIs in each category:	12 months: Mar'16-Mar'17 (estimated)	12 months: Mar'17-Mar'18 (estimated)	12 months: Mar'18-Mar'19 (estimated)	Total Interest (estimated)
Non-C&C	Yield: 2.94%	Yield: 2.88%	Yield: 2.96%	Non-C&C
ADIs	Int: \$3,234,000	Int: \$3,168,000	Int: \$3,256,000	portfolio
				interest:
				\$9,658,000
C&C ADIs	Yield: 2.92%	Yield: 2.83%	Yield: 2.91%	C&C portfolio
	Int: \$3,212,000	Int: \$3,113,000	Int: \$3,201,000	interest:
				\$9,526,000
Difference	Yield: 0.02%	Yield: 0.05%	Yield: 0.05%	Additional:
	Int: \$22,000	Int: \$55,000	Int: \$55,000	\$132,000

Please note the data above are estimates only. The actual returns may vary substantially.

Therefore, based on current trends overlayed on forward rate expectations on a \$110m term deposit portfolio consisting of 12 month term deposits the three year total interest earned would be approximately \$132k greater from a non-C&C portfolio versus a C&C portfolio.

From a risk management and a preservation of capital perspective, it is not recommended to wholly exclude Australian banks which invest in or lend to the coal and carbon industry. The anticipated relatively small additional return as compensation for the increased credit risk would not justify a wholesale change to a non-C&C term deposit portfolio.

Council may consider a strategy of choosing non-coal & carbon alternatives, where credit ratings and return are acceptable, within the current policy's risk management guidelines. This will assist in gradually increasing the portfolio's non-C&C ADI exposures, which are currently well short of limits, while maintaining the majority of the portfolio in the highest rated ADIs.



Appendix A – Authorised Deposit-taking Institutions

Red highlighting = ADI's confirmed as lenders/investors to the fossil fuel industry via Market Forces query and Foreign Subsidiary banks whose parent company bank is assumed to lend/invest to fossil fuel related companies globally.

Green highlighting = ADI's confirmed to not be lenders/investors to the fossil fuel industry via Market Forces query and/or ADIs which passed the ethical screening process of leading socially responsible fund manager, Australian Ethical.

Source: Australian Prudential Regulation Authority

Australian-owned Banks

- AMP Bank Ltd
- Australia and New Zealand Banking Group Limited
- Australian Military Bank
- Auswide Bank
- Bank of Queensland Limited
- Bendigo and Adelaide Bank Limited
- Commonwealth Bank of Australia
- Community CPS Australia Limited (trading as Beyond Bank Australia)
- Defence Bank Limited
- Heritage Bank Limited
- Hume Bank Limited
- IMB Ltd
- Macquarie Bank Limited
- mecu Limited (trading as Bank Australia)
- Members Equity Bank Limited
- MyState Bank Limited
- National Australia Bank Limited
- Police Bank Ltd
- Police Financial Services Limited (trading as BankVic)
- Police & Nurses Limited (trading as P&N Bank)
- QT Mutual Bank Limited
- Qudos Mutual Ltd (trading as Qudos Bank)
- Rural Bank Limited (a subsidiary of Bendigo and Adelaide Bank Limited)
- SBE Mutual Ltd (trading as G&C Mutual Ltd)
- Suncorp-Metway Limited
- Teachers Mutual Bank Limited
- Victoria Teachers Limited (trading as Victoria Teachers Mutual Bank)
- Westpac Banking Corporation

Foreign Subsidiary Banks

- Arab Bank Australia Limited
- Bank of China (Australia) Limited
- Bank of Sydney Ltd
- Citigroup Pty Limited
- HSBC Bank Australia Limited

- ING Direct (the trading name of ING Bank (Australia) Limited)
- Rabobank Australia Limited

Branches of Foreign Banks

- Agricultural Bank of China Limited
- Banco Santander, S.A.
- Bank of America, National Association
- Bank of Baroda
- Bank of China Limited
- Bank of Communications Co., Ltd.
- Barclays Bank PLC (trading as Barclays Capital)
- BNP Paribas
- BNP Paribas Securities Services
- China Construction Bank Corporation
- Citibank, N.A.
- Credit Suisse AG
- DBS Bank Ltd
- Deutsche Bank Aktiengesellschaft
- First Commercial Bank
- Hua Nan Commercial Bank, Ltd
- Industrial and Commercial Bank of China Limited
- ING Bank N.V.
- JPMorgan Chase Bank, National Association
- Korea Exchange Bank Co., Ltd
- Mega International Commercial Bank Co., Ltd.
- Mizuho Bank, Ltd.
- Oversea-Chinese Banking Corporation Limited
- Rabobank Nederland (the trading name of Coöperatieve Centrale Raiffeisen-Boerenleenbank B.A.)
- Royal Bank of Canada
- Standard Chartered Bank
- State Bank of India
- State Street Bank and Trust Company
- Sumitomo Mitsui Banking Corporation
- Taiwan Business Bank
- Taiwan Cooperative Bank, Ltd
- The Bank of New York Mellon
- The Bank of Tokyo-Mitsubishi UFJ, Ltd
- The Hongkong and Shanghai Banking Corporation Limited



- The Northern Trust Company
- The Royal Bank of Scotland N.V.
- The Royal Bank of Scotland plc
- UBS AG
- United Overseas Bank
- Woori Bank

Building Societies

- B & E Ltd
- Big Sky Building Society Limited
- Greater Building Society Ltd
- Maitland Mutual Building Society Limited
- Newcastle Permanent Building Society Limited

Credit Unions

- Australian Central Credit Union Ltd (trading as People's Choice Credit Union)
- Bananacoast Community Credit Union Ltd
- Bankstown City Credit Union Ltd
- CAPE Credit Union Limited
- Central Murray Credit Union Limited
- Central West Credit Union Limited
- Coastline Credit Union Limited
- Community Alliance Credit Union Limited
- Community First Credit Union Limited
- Community Mutual Ltd
- Country First Credit Union Ltd
- Credit Union Australia Ltd
- Credit Union SA Ltd
- Dnister Ukrainian Credit Co-operative Limited
- ECU Australia Ltd
- EECU Limited
- Encompass Credit Union Limited
- Family First Credit Union Limited
- Fire Brigades Employees' Credit Union Limited
- Fire Service Credit Union Limited
- Firefighters & Affiliates Credit Co-operative Limited
- First Choice Credit Union
- First Option Credit Union
- Ford Co-op Credit Society
- Gateway Credit Union Ltd

- Goulburn Murray Credit Union Co-operative Limited
- Heritage Isle Credit Union Limited
- Holiday Coast Credit Union Ltd
- Horizon Credit Union Ltd
- Hunter United Employees' Credit Union Limited
- Intech Credit Union Limited
- Laboratories Credit Union Limited
- Latvian Australian Credit Co-operative Society Limited
- Lithuanian Co-operative Credit Society "Talka" Limited
- Lysaght Credit Union Ltd
- MacArthur Credit Union Ltd
- Macquarie Credit Union Limited
- Maritime, Mining & Power Credit Union Limited
- MCU Ltd
- My Credit Union Limited
- Northern Inland Credit Union Limited
- Nova Credit Union Limited
- Old Gold Credit Union Co-operative Limited
- Orange Credit Union Limited
- Police Credit Union Limited
- Pulse Credit Union Limited
- QPCU Limited
- Quay Credit Union Ltd
- Queensland Country Credit Union Limited
- Queensland Professional Credit Union Ltd
- Queenslanders Credit Union Limited
- Railways Credit Union Limited
- Select Credit Union Limited
- Shell Employees' Credit Union Limited
- South West Slopes Credit Union Ltd
- Southern Cross Credit Union Ltd
- South-West Credit Union Co-Op Ltd
- Summerland Credit Union Limited
- Sutherland Credit Union Ltd
- Sydney Credit Union Ltd
- The Broken Hill Community Credit Union Ltd
- The Capricornian Ltd
- The Gympie Credit Union Ltd
- Traditional Credit Union Limited
- TransComm Credit Co-o Ltd
- Transport Mutual Credit Union Ltd
- Warwick Credit Union Ltd
- WAW Credit Union Co-Op Ltd
- Woolworths Employees' Credit Union Limited
- Wyong Shire Credit Union Ltd



Appendix B – Current Portfolio & Remaining non-C&C ADIs

Authorised Deposit-taking Institutions	Credit Rating (short/long)	Geographic Operation	Total Assets of ADI (\$m)	Latest Annual Profit (\$m)	Ownership
ADIs Currently Used by Council (amt invested \$m)					
Bank of Qld	\$18.8 A2/A-	Australia	43,000	318	Listed - ASX
Bendigo & Adel	\$9 A2/A-	Australia	66,000	432	Listed - ASX
CBA	\$39.8 A1+/AA-	Aust/Intl	873,446	9,100	Listed - ASX
Heritage Bank	\$3 A3/P2 (Moody's)	QLD	8,557	33.6	mutual
Members Equity	\$5 A2/BBB+	Australia	21,208	79	30 Aust Industry Super Funds
NAB	\$51.4 A1+/AA-	Aust/Intl	945,000	6,338	Listed - ASX
Newcastle Permanent	\$3 A2/BBB+	NSW	8,874	36	mutual
Westpac	\$10 A1+/AA-	Aust/Intl	812,156	7,820	Listed - ASX
Other: non-ADIs (NSW T-Corp)	\$5.1 MF & A-2	N/A	N/A	N/A	N/A
Non-Coal & Carbon industry lenders					
Coal & Carbon industry lenders					
Remaining non-C&C ADIs (ordered by asset size & > \$2b in total assets):					
Rabobank Australia	A1/A+	Australia	989,000 (parent group)	n/a	Sub of Rabo Nederland
Suncorp Bank	A1/A+	Australia	96,000 (Suncorp Group)	354	Listed - ASX
Credit Union Aust	A2/BBB+	Australia	11,987	48.8	mutual
People's Choice (sub of ACCU)	A2/BBB+	QLD/SA/VIC/ WA	6,895	25.7	mutual
Greater Bldg Society	A2/BBB	NSW/QLD	5,401	35	mutual
IMB Ltd	A2/BBB	NSW	5,000	33	Listed - pvt mkt
Teachers Mutual Bank	A2/BBB+	ACT/NSW/WA	4,862	29	mutual
Beyond Bank (sub of Community CPS)	A2/BBB+	ACT/NSW/SW /WA	4,383	22.8	mutual
Big Sky (sub of Australian Unity)	No credit rating	QLD/SA/VIC/ WA	4,332 (parent group)	34.5	Aust Unity
MyState	A2/BBB	TAS/QLD	4,079	32.5	Listed - ASX
Bank Australia	A2/BBB+	Australia wide (77% VIC)	3,577	24	mutual
P&N Bank	No credit rating	WA	3,000	10	mutual
Auswide Bank	A2/BBB	QLD	2,717	13.2	Listed - ASX

Disclaimer: The statements and opinions contained in this report are based on currently prevailing conditions in financial markets and are so contained in good faith and in the belief that such statements and opinion are not false or misleading. In preparing this report, Prudential Investment Services Corp has relied upon information which it believes to be reliable and accurate. Prudential Investment Services Corp believes that this report and the opinions expressed in this report are accurate, but no warranty of accuracy or reliability is given. Prudential Investment Services Corp does not warrant that its investigation has revealed all of the matters which a more extensive examination might disclose. This report may not be reproduced, transmitted, or made available either in part or in whole to any third party without the prior written consent of Prudential Investment Services Corp. AFS Licence No. 468145.

REPORT
CM/7.4/16.08**Subject:** Planning for Possible Council Amalgamation**TRIM No.:** A16/0054**Author:** Peter Brown, General Manager

RECOMMENDATION:

That Council:

1. Receives and notes this report.
2. Acknowledges the work of the Transition Unit and Waverley staff in preparing Council for amalgamation.

1. Executive Summary

The current Local Government Reform agenda has been consistently underway over the past 5 years having gone through a number of distinct stages starting with the 2011 Dubbo 2036 Conference through the Independent Local Government Review Panel report, the Fit for the Future process and now the implementation of Council amalgamations by the NSW Government.

In response to the NSW State Government's Fit for the Future Local Government Reform process, the Waverley Council Transition Project Unit (TPU) was formed in December 2015 and began work on 4 January 2016.

Waverley's senior staff and their teams have been working very hard with their Woollahra and Randwick staff colleagues to plan for an effective transition to a merged entity once proclamation occurs. A smooth transition to an efficient and effective merged Council driven by community needs is the aim in working through the myriad of actions that are required.

2. Introduction/Background

Council at its meeting of 21 June 2016 resolved to receive a report on matters relating to planning for possible Council amalgamations.

The Transition Project Unit (TPU) was recruited from existing Waverley staff who were seconded to the role for a 12 month period (until January 2017). The Unit consists of 3 positions Project Manager, Senior Project Officer and a Project Officer. The role of the TPU is to prepare Waverley Council for an amalgamation. As Council has been made aware through previous reports, the work of the TPU has included the following since its inception:

- Research
- Information and consultation sessions with Waverley staff, including circulation of a regular Transition Update newsletter
- Public Inquiry and Submission to the Council Boundary Review
- Collection of service level data for Waverley

- Working as a Combined Transition Project Unit with Randwick and Woollahra counterparts
- Establishment of Phase 1 Project Action Teams (PATs)
- Day 1 Planning
- Establishment of Phase 2 Transition Working Groups (TWGs)
- Liaison with Officers from newly merged Councils (post 12 May 2016)
- Working in conjunction with the Executive Leader Project Control group
- Attending General Managers Priority topic meetings
- Participating in and guiding the Change Management Working Group
- Ongoing information and consultation sessions with Waverley staff

3. Relevant Council Resolutions

Council or Committee Meeting & Date	Minute No.	Decision
Council 21 June 2016	CM/8.11/16.06	See Attachment 1
Extraordinary Council 10 June 2015	CM/4.1/15.06E	See Attachment 2
Council 16 December 2014	CM/7.6/14. 12	See Attachment 3
Council 14 October 2014	CM/8.1/14. 10	See Attachment 4
Council 16 September 2014	CRD.73/14	See Attachment 5
Extraordinary Council 24 March 2014	CRD.11/14	See Attachment 6
Council 18 June 2013	1306.12.5	See Attachment 7
Council 11 December 2012	1212.12.3	See Attachment 8
Council 11 December 2012	1212.6.3	See Attachment 9
Council 18 October 2011	1110.12.6	See Attachment 10

4. Discussion

Following Council's decision to support amalgamation and the announcement by the State Government about the proposed three way merger, it is appropriate that we responsibly manage the proposed amalgamation with a planned approach, inclusive of the necessary steps required to ensure we are ready.

Preparing for Amalgamation

In anticipation of amalgamations several State Government guides have been released and circulated to Councils in order to prepare their organisations and these have been utilised by the Waverley TPU. Contained within them are clear guidelines on the preparatory work required and these have guided and formed the basis of the TPU's work to date.

The following is a summary of the State Government guides utilised by the TPU to guide their work:

Local Government Workplace Reform Kit: Amalgamation Toolkit (LGNSW November 2015)

- Establishing a framework for managing the amalgamation process
- Establishment of specialist working groups

- Documenting the existing councils' current state
- Commencing a process of due diligence, including capturing the costs and benefits of the merger
- Review Interim Operational Plan, a consolidated Operational Plan and a Commencement Day Plan
- Specialist working groups should combine their processes, plans and policies into consolidated documents in accordance with relevant legislation.

Preparing for Change: Guidance for Councils (DPC NSW Feb 2016)

- Establish collaborative working arrangements within, and preferably between councils
- Develop an initial transition plan
- Ensure service continuity and plan for potential service improvements
- Support staff to understand the potential change process
- Begin to analyse integrated planning and reporting documents
- Start considering new council identity and website
- Plan for streamlined access to do business with council in person and online

Managing Change: Guidance for key staff (May 2016)

- Coordinating preparation, monitoring and reporting on the Implementation Plan
- Undertaking other activities as required to support the implementation of the new council
- Developing a shared vision of success for the implementation process, with a clear plan to get there
- Regular face-to-face meetings to help maintain relationships during times of change
- Drawing on the strengths and skills of staff throughout the organisation
- Constantly monitoring and communicating progress and outcomes
- Celebrating major milestones and other successes
- Respecting the histories and achievements of the former councils and the contributions of staff, communities and other partners
- Actively using available support systems and networks.

As previously reported to Council, there is much work being done between the three Councils, Waverley, Woollahra and Randwick, to ensure the new merged Council will operate as efficiently and effectively as possible, from day one. The Combined Transition Unit comprises of eight staff, being three from Waverley Council, three from Randwick Council and two from Woollahra Council.

Some 500 staff from across the three Councils met across some 69 Project Action Teams over the period April to June, shared some 1900 policies, procedures and plans and prepared a range of progress reports and operational recommendations for further consideration. Staff transition working groups consisting of some 300 staff are now engaged in Phase 2 of that work designed to consolidate the work coming out of Phase 1, to analyse the information further and make recommendations to the combined Executive, as previously mentioned in a report to the Operations Committee.

Staff are to be congratulated for their professional efforts, and their desire to ensure the community benefits from the opportunity to improve services across the larger Council area and ensure the transition to a new entity is as smooth as possible.

This preparatory work has been invaluable in mitigating the impact on the community and the staff, post proclamation and in building strong working relationships across the three Councils at all levels of the organisations. The State Government has said that any additional costs incurred by Councils in preparation for a proposed amalgamation will be reimbursed post proclamation.

Whilst the timing for proclamation is subject to the outcome of court proceedings, staff are continually working proactively to prepare for day one and beyond and this work is supported by the three General Managers also meeting on a weekly basis to review various aspects of the work produced by our combined staff.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

- Direction: G1 Inspiring community leadership is achieved through decision making processes that are open, transparent, corruption resistant and based on sound integrated planning..
- Strategy: G1a Develop and maintain a framework of plans and policies that ensures open and transparent operations that facilitate equitable benefit sharing and progress towards sustainability..
- Deliverable: A suite of integrated corporate plans that meet legislative requirements developed and maintained.

6. Financial impact statement/Timeframe/Consultation

Estimated costs (commencing date for Transition Project Unit - 4 January 2016)

Cost item related to the proposed amalgamation process (4 January 2016 – 31 July 2016)	Amount
Transition Project Unit (inclusive of salaries and all project costs)	\$401,570

7. Conclusion

The excellent work undertaken to date by the TPU and Waverley staff in preparation for amalgamation is to be congratulated. Council has a responsibility to ensure that any proclaimed merger works as efficiently and effectively as possible for the Waverley community. The staff of Council have worked and continue to work extremely hard at trying to achieve this aim. The establishment of the TPU has been instrumental in steering the organisation through the necessary preparatory work to ensure a smooth transition to an amalgamated Council. This work has been closely guided by the State Government's prescribed guidelines on how to prepare for a successful amalgamation and has ensured that Waverley has had a seat at the planning table equally alongside our proposed merger partners, Randwick and Woollahra.

8. Attachments

1. Council resolution - 21 June 2016
2. Extraordinary Council resolution - 10 June 2015
3. Council resolution - 16 December 2014
4. Council resolution - 14 October 2014
5. Council resolution - 16 September 2014
6. Extraordinary Council resolution - 24 March 2014
7. Council resolution - 18 June 2013
8. Council resolution - 11 December 2012 (1212.12.3)
9. Council resolution - 11 December 2012 (1212.6.3)
10. Council resolution - 18 December 2011

Attachment 1

Council resolution 21 June 2016

Council or Committee Meeting & Date	Minute No.	Decision
Council 21 June 2016	CM/8.11/16.06	That Council Officers prepare a report for the next Council meeting on matters related to planning for possible Council amalgamation, particularly those matters and actions that have already been undertaken and such report provide an estimate of costs (including staff time) incurred so far and planned in relation to the proposed amalgamation process.

Attachment 2

Council resolution Extraordinary Council Meeting 10 June 2015

Council or Committee Meeting & Date	Minute No.	Decision
Extraordinary Council 10 June 2015	CM/4.1/15.06E	<p>1. That Council informs the State Government that Waverley Council's preference is for the status quo. However, Council notes:</p> <p>A) The excellent progress toward achieving the Fit for the Future performance measures having moved from being 'unsustainable into the future' in 2007 to a much more sustainable footing currently, such that by financial year 2020 Waverley will achieve six of the seven benchmarks.</p> <p>B) That this sound progress, reinforced by the NSW Treasury Corporation's independent assessment of Waverley as having a positive financial sustainability outlook, is a result of focused planning, good management and political leadership over recent years in liaison with the Waverley community.</p> <p>C) The broad range of external awards that have been presented to Waverley Council as independent recognition of the Council's good performance across a range of areas including innovative planning, high quality and diverse community services, outstanding environmental leadership, excellent recreational facilities and strategic asset management.</p> <p>D) Waverley's demonstrated capability in partnering with the State Government and our high media presence to preserve and enhance Sydney's global image as we preserve and enhance our iconic beaches and tourist venues.</p> <p>E) That the option of Joint Organisations is not a current option in Metropolitan Sydney.</p> <p>F) The resolution of Council of 14 October 2014 that 'Council does not support amalgamation with any other council unless it can be demonstrated that there are sufficient benefits</p>

		<p>of a preferred amalgamation to Waverley, and this is supported by the Waverley community'.</p> <p>G) That the community engagement undertaken has demonstrated that:</p> <ul style="list-style-type: none"> i. the Status Quo option, that is Waverley Council as a stand-alone entity, was the most preferred first preference option of the community across all consultation mediums, with between 35.4% and 38.7% support, and that ii. between 59.8% and 63.6% of the community's first preferences are for some form of merger most frequently with Randwick and/or Woollahra. <p>H) The community's most preferred merger option that would meet the Fit for the Future scale and capacity requirements is a Waverley/Woollahra/Randwick amalgamation, then a Waverley/Randwick amalgamation.</p> <p>I) The Greater Sydney option, as the NSW Government's default option for Waverley Council, is not preferred by the community and is not shown by independent analysis to be of most benefit to Waverley when compared to other options.</p> <p>J) The community clearly articulated that an amalgamation with Botany Bay/Randwick/Woollahra and the City of Sydney was the least preferable of all options.</p> <p>K) That based on the Fit for the Future criteria and the assessment methodology detailed by the Independent Pricing and Regulatory Tribunal, Waverley Council standing alone, whilst Council's underlying preference, cannot meet the threshold requirement to demonstrate 'as good as or better' scale and capacity to the Independent Local Government Review Panel's preferred merger (the Greater Sydney option of five councils consisting of City of Sydney, Woollahra, Waverley, Randwick and Botany Bay combined). This is articulated in the comparison of just three elements of strategic capacity listed in Box 8 of the ILGRP report, being discretionary spending,</p>
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		<p>undertaking new functions and resources to cope with unexpected change.</p> <p>L) The Fit for the Future guidance material states that Council Merger Proposals must be endorsed by all councils in the proposed group; but councils are advised to argue the case for inclusion of additional non-agreeing partners if it improves the case for sustainability.</p> <p>M) The resolution of Randwick Council of 26 May 2015 and the correspondence received proposing a base case merger with Waverley, and that the proposal may include other partners subject to the agreement of the base case merger partners.</p> <p>N) The correspondence received from the Mayor of Woollahra requesting that Waverley Council not support any merger with Woollahra.</p> <p>O) That Council's population is significantly lower than the threshold criterion of scale and capacity according to Fit for the Future criteria, and hence the stand-alone option cannot be entertained. However, Waverley and Randwick contain the two largest populations of the eastern suburbs councils and, as noted by independent analysis, can achieve an appropriate minimum population to demonstrate scale and capacity as well as providing potential increased public benefit.</p> <p>P) That a Waverley, Woollahra, Randwick grouping would see a population of over 270,000 which independent analysis notes would demonstrate appropriate scale and capacity and provide further potential increased public benefit.</p> <p>2. That noting the above, and based on Council's stated position that 'Council does not support amalgamation with any other council unless it can be demonstrated that there are sufficient benefits of a preferred amalgamation to Waverley, and this is supported by the Waverley community', and considering the results of the Independent Grant Thornton Report together with the results of the IRIS Report, Council resolves to:</p>
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		<p>A) Endorse the submission of a Council Merger Proposal, proposing a base case merger between Waverley and Randwick Councils, and</p> <ul style="list-style-type: none"> i. Offer to submit an equal partner joint merger proposal on behalf of both Waverley and Randwick Councils; and ii. Include within the 'Scale and Capacity' section of the submission proposal, Waverley's position that a merger of Waverley, Randwick and Woollahra Councils would provide increased potential benefit. iii. Confirm to the State Government that both the Council and the community strongly oppose the Global City option as it will not deliver a community of interest and could deliver a reduction of services to the residents of Waverley. iv. Note and inform the State Government that Waverley's support of a base case merger with Randwick is conditional upon the Government proceeding with its Fit for the Future program in a robustly fair and consistent manner across Metropolitan Sydney. <p>B) Write to Randwick and Woollahra Councils advising of Council's resolution.</p> <p>C) Support the enhanced employment protections of five years contained within the proposed MOU between Waverley Council and the Unions.</p> <p>D) Delegate to the General Manager the authority to sign the MOU between Waverley Council and the Unions and to finalise the Fit for the Future submission with Randwick.</p> <p>E) Endorse the Mayor writing to all households in Waverley clarifying the State Government's position in relation to the Global City, and Waverley's preferred option of a smaller 'Community of Interest' eastern coastal option for Waverley to ensure that Waverley has a seat at the table controlling its future, with local representation, rather than being forced</p>
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		into an amalgamation resulting in a Council of approximately 600,000 residents.
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Attachment 3

Council resolution 16 December 2014

Council or Committee Meeting & Date	Minute No.	Decision
Council 16 December 2014	CM/7.6/14. 12	<p>That Council's community engagement strategy for the Fit for the Future process involves the following:</p> <ol style="list-style-type: none">1. A statistically valid deliberative poll.2. An on-line survey.3. Hard copy surveys at designated Council service points.4. The targeting of young persons 10-18 years through social media, the library service, schools and youth group activities.5. The use of an appropriate range of clear, jargon-free communications material.

Attachment 4

Council Resolution 14 October 2014

Council or Committee Meeting & Date	Minute No.	Decision
Council 14 October 2014	CM/8.1/14.10	That Council does not support amalgamation with any other Council unless it can be demonstrated that there are sufficient benefits of a preferred amalgamation to Waverley, and this is supported by the Waverley community.

Attachment 5

Council resolution 16 September 2014

Council or Committee Meeting & Date	Minute No.	Decision
Council 16 September 2014	CRD.73/14	<p>That Council:</p> <ol style="list-style-type: none">1. Council receives the Officer report, Local Government Reform - Fit for the Future.2. The General Manager prepares a process for Waverley Council to discuss and respond to the reform Package.3. The Mayor and General Manager meet with the Mayors and General Managers of Woollahra and Randwick Councils to discuss and determine the response to the reform package.4. Council believes that our current financial position does not justify Waverley Council's amalgamation with any other Council; on TCorp's assessment criteria Waverley is financially stable.5. The General Manager reports to Council in confidence (if required) on previous discussions with any General Managers on Local Government Reform.6. The General Manager provides periodic reports to Council about the progress of the above.

Attachment 6

Council Resolution Extraordinary Council 24 March 2014

Council or Committee Meeting & Date	Minute No.	Decision
Extraordinary Council 24 March 2014	CRD.11/14	<p>That Council endorse the amended submission on the final reports of the Independent Local Government Review Panel and the Local Government Acts Taskforce and forward this to the Minister by 4 April 2014, and that the overview letter be amended accordingly to reflect all the amendments made in the table. The submission can be found here: http://www.waverley.nsw.gov.au/__data/assets/pdf_file/0007/67579/Extraordinary_Council_Agenda_-_24_March_2014.pdf Main points taken from the Exec Summary: Waverley Council, along with its neighbouring councils, has openly expressed concern with proposals for a Global Sydney Council. Nevertheless, over the past year we have continued to participate in discussions with our two neighbouring councils, Randwick and Woollahra, to consider and develop a more informed view of the potential benefits and disadvantages of a smaller Eastern Sydney City Council potentially comprising Waverley, Woollahra and Randwick. These discussions have been conducted on an exploratory basis. As part of the effort to determine the benefits and disadvantages that may arise for the communities of these LGA from a merger, the three councils are in the process of developing a draft community survey. If this survey is undertaken the intent will be to ascertain the community's view of the merits of the Panel's proposal for a Global Sydney model, compared with the perceived merits of an Eastern Sydney model and no amalgamation at all. In this context, Waverley Council's submission generally supports and promotes voluntary mergers and recommends the encouragement of '...voluntary mergers of councils through measures to lower barriers and provide professional and financial support.' (p.78).</p>

Attachment 7 Council resolution 18 June 2013

Council or Committee Meeting & Date	Minute No.	Decision
Council 18 June 2013	1306.12.5	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receive and Note the 'Future Directions for NSW Local Government – Twenty Essential Steps' Options Paper from the Independent Local Government Review Panel and the 'A New Local Government Act for NSW' Discussion Paper by the Local Government Acts Taskforce. 2. Endorse the attached submissions on the two papers and agree they be forwarded to the relevant agency by the close-off date of 28 June 2013, subject to the following amendments and additions to the Independent Local Government Review Panel – Future Directions for NSW Local Government Submission: <ol style="list-style-type: none"> (a) Clause 2.3 – The need for Amalgamations – first paragraph to be amended to read as follows: 'Waverley Council accepts that the issue of amalgamations needs to be covered within any proposed reform within NSW. We are pleased to see the Panel acknowledge that 'amalgamations and boundary changes are not the panacea for local government's problems.' (p.9) Waverley Council does not accept that they are an essential element of reform, however there may be valid grounds for amalgamation of rural councils with small populations, but amalgamation will not necessarily remedy financial problems rural councils may be experiencing and further investment from State Government may be necessary. Waverley Council has been proactive in respect of this and is working with its neighbouring councils of Randwick and Woollahra to look at a possible amalgamation. We have entered this process in a positive way by looking at the benefits any amalgamation will accrue to our residents rather than taking a defensive stance to maintain the status quo.' (b) Table of proposals containing Council's Comments – 5. Structural Reform Waverley Council Comment column - The following comment to be added at the end of bullet point 5: 'Council does not necessarily support amalgamations voluntary or otherwise as we are concerned about loss of identity and in the maintenance of community of interest. However we do not oppose voluntary amalgamations Council cannot see the value of the amalgamation of councils if this then leads to the setting up of local boards, as this introduces another layer of governance – Federal, State, local and local boards.'

Attachment 8

Council resolution 11 December 2012

Council or Committee Meeting & Date	Minute No.	Decision
Council 11 December 2012	1212.12.3	That Council: 1. Receive and note the 'Case for Sustainable Change' report from the Independent Local Government Review Panel and the Australian Mayors – What can and should they do? Discussion paper. 2. Agree to develop a submission on the Case for Sustainable Change to be discussed at a Council Workshop in February 2013 prior to the submission close-off date of March 2013.

Attachment 9

Council resolution 11 December 2012

Council or Committee Meeting & Date	Minute No.	Decision
Council 11 December 2012	1212.6.3	<p>That Council:</p> <ol style="list-style-type: none">1. Note the release of the Local Government Independent Review Panel's paper 'Case for Sustainable Change' and the emphasis on significant consolidation of Sydney Councils.2. Resolve that Waverley should commence discussions with Woollahra and Randwick Councils regarding the local government reform process including possible resource sharing, joint tendering, and potential boundary adjustments, identifying benefits and drawbacks whilst ensuring that any changes that take place protect the integrity of Waverley's financial position and product delivery to its residents.3. States clearly its opposition to forced amalgamations by this or any State Government without demonstrated benefits to the Waverley community that cannot otherwise be achieved in our current structure and size.

Attachment 10

Council Resolution 18 December 2011

Council or Committee Meeting & Date	Minute No.	Decision
Council 18 October 2011	1110.12.6	<p>That Council:</p> <ol style="list-style-type: none">1. Council receive and note the report from the General Manager regarding the Destination 2036 Outcomes Report.2. Council cannot fully support the Vision as expressed in the Destination 2036 Outcomes Report as it does not sufficiently align with Council's Vision as expressed by the Waverley Community in Waverley Together 2.3. It be noted that Council does not support compulsory amalgamations.4. A broader reference to adaption to Climate Change be included.5. An increased reference to credible research be included.6. Council supports measures that would provide greater financial assistance from the Federal and State Government.7. A further submission be prepared which aligns more closely with Waverley Together 2 and encompasses concerns raised by Council.

**REPORT
CM/7.5/16.08**

Subject: Local Government NSW Annual Conference 2016

TRIM No.: A13/0314

Author: Jane Worthy, Internal Ombudsman

Director: Peter Brown, General Manager

RECOMMENDATION:

That Council, in respect of the 2016 Local Government NSW (LGNSW) Annual Conference, and on the basis that Waverley Council still exists on 16 October 2016:

1. Nominates the Mayor, Deputy Mayor, Councillor XXX, Councillor XXX and Councillor XXX as voting delegates for voting on motions.
2. Nominates Councillor XXX and Councillor XXX as reserve voting delegates for voting on motions.
3. Nominates Councillors to attend the Conference as observers.
4. Agrees that, should any of the above Councillors be unable to attend, the Mayor be delegated authority to appoint alternates.
5. Agrees that the General Manager attend the Conference.
6. Considers any proposed motions submitted by Councillors before, or at, the meeting for consideration at the Conference.
7. Submits an application for any eligible Councillor to receive an award which LGNSW has in place to recognise the contributions of elected members.

1. Executive Summary

The 2016 Local Government NSW Annual Conference will be held in Wollongong at the WIN Entertainment Centre between 16 and 18 October 2016. Council needs to inform LGNSW who will be attending from Waverley Council and who are its voting delegates as well as any motions Council wishes discussed at the Conference.

Also, Council has the opportunity to nominate Councillors who are eligible for certain awards which are given out at the Conference.

2. Introduction/Background

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

year the conference will be held in Wollongong at the WIN Entertainment Centre from 16–18 October. The draft program is attached (Attachment 1).

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Operations Committee 4 August 2015	OC/5.2/15.08	<p>That in respect of the 2015 Local Government NSW Annual Conference, Council:</p> <ol style="list-style-type: none"> 1. Nominates the Mayor, Deputy Mayor, Councillor Burrill, Councillor Goltsman and Councillor Mouroukas as voting delegates for the election of the Board and Office Bearers of Local Government NSW (LGNSW). 2. Nominates the Mayor, Deputy Mayor, Councillor Burrill , Councillor Goltsman and Councillor Mouroukas as voting delegates for voting on motions at the LGNSW Annual Conference 2015. 3. Nominates Councillor Clayton and Councillor Cusack as reserve voting delegates for the election of the Board and Office Bearers of LGNSW pending finalisation of the number of voting rights for each Council by LGNSW. 4. Nominates Councillor Clayton and Councillor Cusack as reserve voting delegates for voting on motions at the LGNSW Annual Conference 2015 pending finalisation of the number of voting rights for each Council by LGNSW. 5. Nominates Councillor Masselos and Councillor Guttman-Jones to attend the Conference as observers. 6. Agrees that, should any of the above Councillors be unable to attend, the Mayor be delegated authority to appoint alternates. 7. Agrees that the General Manager attend the Conference. 8. Requests any Councillor who wishes to propose a motion for Council to submit for consideration at the Conference to lodge a Notice of Motion to that effect for inclusion on the August Council agenda, noting that the deadline for Notices of Motion is Friday, 7 August 2015. 9. Submits an application for any eligible Councillor to receive an award which LGNSW has in place to recognise the contributions of elected members.

4. Discussion

In the past, Waverley has sent a delegation to attend the Local Government Conference comprising its entitlement of voting delegates, along with additional Councillors as observers and the General Manager.

Voting

Waverley Council is entitled to five delegates to vote on each conference motion and each delegate must be registered to vote and be present to cast the vote.

This year there is no roll for elections of Office Bearers and Board.

Motions

As usual, Councils will be able to submit motions for consideration at the Conference. These are to be submitted online before 22 August 2016.

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

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

Further, for a motion to be included in the Business Paper for the Conference the submitting Council needs to provide accompanying evidence of its support for the motion to be included. Such evidence may include an extract of the minutes of the meeting at which the Council resolved to submit the motion for consideration by the Conference. Should a Councillor propose to submit a motion for consideration at the Conference, they will need to submit it to Governance before the meeting or table it at the meeting.

Service awards

The Conference is also used as an opportunity to recognise the service of councillors and each year they encourage the nomination of councillors who meet the eligibility criteria for their three award categories which consist of:

- Outstanding Service Award - for elected members who have completed a cumulative total of at least 20 years of service to local government in NSW.
- Certificate of Service - an acknowledgement of the work of retiring or long serving elected members.
- Emeritus Mayor Certificate. - The Emeritus Mayor Certificate is eligible for recipients who have served as mayor for a minimum of three one year terms or as one full term as a popularly elected Mayor.

Staff will prepare an application to submit to LGNSW in recognition of the contribution of any of our Councillors.

Registration fees

Registration costs for the conference this year are \$999 per delegate, with an early bird rate before 31 August of \$899. Staff registration is \$440 per person. Registration includes the ability to send an alternative delegate if the registered delegate is unable to attend.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: G1 Inspiring community leadership is achieved through decision making processes that are open, transparent, corruption resistant and based on sound integrated planning..
Strategy: G1c Our leaders advocate on our behalf to promote the area's interests and win resources..
Deliverable: Mayor's role in advocating the provision of resources for the Waverley local government area.

6. Financial impact statement/Timeframe/Consultation

The costs associated with registering and attending the conference is incorporated in the budget allocation for Councillor expenses. Registration costs for Council's delegation are approximately \$5,000.

7. Conclusion

Council needs to determine the make-up of its delegation to attend the 2016 Local Government NSW Conference by 30 September 2016. If it wishes to submit any motions to the Conference, it must do so by 22 August 2016.

8. Attachments:

1. Local Government NSW Annual Conference 2016 - Draft Program



Local Government NSW Annual Conference 2016

Sunday 16 – Tuesday 18 October 2016

Main conference venue is WIN Entertainment Centre, Crown and Harbour Streets, Wollongong, 2500

This program is correct at the time of publication; speakers and program details may have changed due to unforeseen circumstances.

DRAFT PROGRAM (as of 4 August 2016)

SUNDAY 16 OCTOBER	
1.00pm – 4.45pm	Bump in sponsors to WIN Entertainment Centre Foyer
1.00pm – 4.00pm	Registration opens in WIN Entertainment Centre Foyer
2.00pm – 4.45pm	Councillor training sessions in Winners Room 1, Winners Room 2, Victory Room 1 <ul style="list-style-type: none"> - Understanding changes to the Local Government Act - Know your planning - Principles of good governance
2.00pm – 4.45pm	LGNSW briefing for General Managers and Interim General Managers in Premiers Room. This briefing will give progress on negotiation for a new 2017 Local Government (State) Award and workplace reform
3.00pm – 3.30pm	Afternoon Tea meet the sponsors in trade exhibition next to Premiers Room
4.45pm – 5.00pm	Pre-booked local transfer buses from WIN to Lagoon Seafood Restaurant, Stuart Park, George Hanley Drive, North Wollongong
5.00pm – 7.00pm	President's Opening Reception in Lagoon Seafood Restaurant <ul style="list-style-type: none"> - Welcome To Country - Welcome from Cr Gordon Bradbery OAM, Lord Mayor of Wollongong City Council - Opening from Cr Keith Rhoades AFSM, President, LGNSW
7.00pm	Pre-booked local transfer buses will drop off back to WIN Entertainment Centre
MONDAY 17 OCTOBER – Business Session Day 1	
Chaired by Cr Keith Rhoades AFSM, WIN Entertainment Centre	
7.00am – 5.00pm	Registration opens in Box Office of foyer WIN Entertainment Centre Distribution of voting materials and electronic handsets
7.30am – 8.45am	NSW Reconciliation Council Breakfast, Winners Room 1 <ul style="list-style-type: none"> - Welcome from the Hon Leslie Williams MP, Minister for Aboriginal Affairs - Address from Mick Gooda, Aboriginal and Torres Strait Islander Social Justice Commissioner - Address from Stan Grant, journalist, author, and Referendum Councillor (invited)
8.15am -9.00am	Supported by NSWALC and sponsored by Aboriginal Affairs NSW Trade exhibition opens in WIN Entertainment Centre Foyer
9.00am – 9.30am	Address from The Hon Mike Baird MP , Premier of New South Wales

9.30am – 10.00am	Address from Cr Keith Rhoades AFSM , President, LGNSW
10.00am – 11.00am	Opening of the Federal Conference, chaired by Cr Keith Rhoades AFSM including demonstration of voting units, adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members. Business session and consideration of motions
	Opening of the State Conference, chaired by Cr Keith Rhoades AFSM including adoption of standing orders, business session and consideration of motions
11.00am - 11.30am	Morning tea in trade exhibition sponsored by LG Super
11.30am – 1.00pm	Consideration of Conference business continued, chaired by the President
1.00pm – 2.00pm	Lunch in trade exhibition sponsored by LG Super General Managers Lunch: StateCover, LG Super, LGP, LGNSW Member Services and councils: Building Mutually Beneficial Partnerships, Winners Room 1 and 2
2.00pm – 3.30pm	Consideration of Conference business continued, chaired by the President
3.30pm – 4.00pm	Afternoon tea in trade exhibition
4.00pm – 5.30pm	Consideration of Conference business continued, chaired by the President Collection of all electronic handsets and voting cards Conference business session closes
5.30pm – 6.30pm	Delegate networking function in trade exhibition
6.30pm	Trade exhibition closes. Free night for delegates
TUESDAY 18 OCTOBER – Business Session Day 2	
WIN Entertainment Centre	
7.00am – 5.00pm	Registration opens in WIN Entertainment Centre Foyer
7.30am – 8.45am	Australian Local Government Women's Association (ALGWA) Breakfast Winners Room 1: Tracy Howe , Chief Executive Officer, NSW Council of Social Service (NCOSS) Anti-Poverty Week 'Fighting Poverty Together', Winners Room 1
8.00am – 5.30pm	Trade exhibition opens in WIN Entertainment Centre Foyer
9.00am – 9.15am	Introduction by Master of Ceremonies, Tracey Spicer
9.15am – 9.30am 9.30am – 9.45am	Address from The Hon Paul Toole MP , Minister for Local Government Facilitated questions from the conference to the Minister
9.45am – 10.00am	Launch of NSW Workforce Development Strategy
10.00am – 10.05am	Premier Sponsor Meridian IT Company Update
10.05am – 10.30am	Morning tea in trade exhibition sponsored by EPA
10.30am – 10.45am	Address from The Hon Peter Primrose MLC , Shadow Minister for Local Government
10.45am – 11.00am	Facilitated questions from the conference to the Shadow Minister

11.00am – 11.45am	Keynote: Rethinking the role of Local Government, Peter McKinlay , Executive Director, McKinlay Douglas Ltd.
11.45am – 12.30pm	Tracey Spicer facilitates a Local Government Reform Panel: Challenges and Achievements. Panellists: <ul style="list-style-type: none"> - Jane Mills, Chief Operating Officer, City of Parramatta Council - Luke Johnson, General Manager, Wollondilly Shire Council - Peter Tegart, Interim General Manager, Queanbeyan-Palerang Regional Council
12.30pm – 12.45pm	Address on Association business from Cr Keith Rhoades AFSM, President, LGNSW
12.45pm – 1.00pm	Treasurer's Report
1.00pm – 1.45pm	Lunch in the trade exhibition WIN Entertainment Centre sponsored by EPA
1.45pm – 3.00pm	MOVE TO CONCURRENT SESSIONS
1.45pm – 3.00pm	CONCURRENT SESSION 1 - Natural Resources and Environment Stream Facilitated by Barry Buffier , Chair and Chief Executive Officer, NSW Environment Protection Agency
1.45pm – 2.30pm	Working Together to Keep our Environment Clean, with presentations on litter prevention by Steve Beaman , Executive Director Waste and Resource Recovery Developing sound planning decisions, and underground petroleum storage systems presented by Justin Turk , Operations Officer, Hazardous Incidents and Environmental Health
2.30pm – 2.50pm	Crown Lands Review Update, David Clarke , Group Director Governance & Strategy, NSW Department of Primary Industries – Lands
1.45pm – 3.00pm	CONCURRENT SESSION 2 - Infrastructure and Planning
1.45pm – 2.10pm	Fixing Country Roads, Fredric Horst , Principal Manager for Freight Strategy and Investment, Transport NSW
2.10pm – 2.30pm	Engaging councils in the process of allowing access to local roads for heavy vehicles, Sal Petrocchio , Chief Executive Officer, National Heavy Vehicle Regulator
2.30pm – 2.50pm	Councils investment in Human and Cultural Infrastructure /Sporting Facilities, Paul Doorn , Executive Director – Sport Infrastructure, NSW Office of Sport
1.45pm – 3.00pm	CONCURRENT SESSION 3 - Capacity Building and Diversity Facilitated Sarah Artist, Senior Manager, Innovation and Capacity, LGNSW
1.45pm – 2.05pm	Designing a Capability Framework for NSW Local Government – towards an integrated package for job design, recruitment, performance management and capacity building, Jo Grisard , Principal, Grisard Consulting (invited)
2.05pm – 2.30pm	Developing Council's Workforce: Case Studies from Wollongong and Port Stephens Councils presented by David Farmer , General Manager, Wollongong Council and Wayne Wallis , General Manager, Port Stephens Council (invited)
2.30pm – 2.50pm	Change – Fit for Purpose presented by Nigel Ward , Chief Executive Officer and Director, Australian Business Lawyers & Advisors

3.00pm – 3.15pm	RETURN TO PLENARY SESSION AND CLOSE OF CONFERENCE
3.30pm – 4.00pm	Final Keynote: TBC
4.00pm – 4.30pm	Afternoon tea and delegate networking function in trade exhibition
7.30pm – 11.00pm	CONFERENCE DINNER WIN Entertainment Centre (within the conference room)
7.30pm	Doors Open
7.45pm	Delegates seated and entrée served
8.00pm	LGNSW President introduces Elite Sponsor, StateCover Mutual Limited
8.10pm	LGNSW President and Elite Sponsor present the Outstanding Service Awards
8.30pm	LGNSW Chief Executive and Bluett Trustees present A R Bluett Awards
9.00pm	Main Course served
	Entertainment and dancing
11.00pm	Function finishes
CLOSE OF CONFERENCE	

REPORT
CM/7.6/16.08

Subject: Planning Proposal to Amend Waverley Local Environmental Plan 2012 – Reclassification of Drainage Lot at the Rear of 2-8 Dickson Street, Bronte

TRIM No.: A16/0084

Author: Angela Hynes, Acting Principal Strategic Planner

Director: Peter Monks, Director, Waverley Futures

RECOMMENDATION:

That Council:

1. Endorses the Planning Proposal to amend Waverley Local Environmental Plan 2012 – Reclassification of Drainage Lot at the Rear of 2-8 Dickson Street, Bronte, as at Attachment 1.
2. Forwards the Planning Proposal to Parliamentary Counsel for finalisation.

1. Executive Summary

The purpose of this report is to seek Council's endorsement to finalise the Planning Proposal to amend Waverley Local Environmental Plan 2012 - Reclassification of Drainage Lot at the Rear of 2-8 Dickson Street, Bronte, from community to operational land to allow Council to lease the currently underutilised parcels to adjoining land owners.

The Planning Proposal was placed on public exhibition in accordance with the Department's Gateway Determination (13 April 2016) (Attachment 2). This report summarises submissions received during the exhibition period and comments received during the public hearing. The report also provides the next steps in the planning proposal process.

2. Introduction/Background

In October 2015, Council resolved to prepare a planning proposal that sought housekeeping amendments to the Waverley Local Environmental Plan 2012. In summary, the proposed housekeeping amendments included:

- i. the reclassification of the drainage lot at the rear of 2-8 Dickson Street, Bronte from community to operational land;
- ii. drafting of a new design excellence clause;
- iii. changes to Clause 5.6 Architectural roof features;
- iv. revisions of view, height and floor space objectives to provide further clarification;
- v. revision of heritage items to ensure consistency and clarification; and
- vi. revision of B1 Neighbourhood Centre zone objectives to provide further clarification.

Council forwarded the housekeeping planning proposal to the Department of Planning and Environment (DP&E) on 14 January 2016. The DP&E advised on 20 January 2016 that the assessment timeframe and consideration of the housekeeping planning proposal would be significantly streamlined if the

reclassification of the drainage lot at the rear of 2-8 Dickson Street, Bronte from community to operational land was removed and resubmitted as a standalone planning proposal, given that the reclassification process required a public hearing.

A planning proposal to reclassify the drainage lot at the rear of 2-8 Dickson Street, Bronte from community to operational land was forwarded to the Department of Planning and Environment for a Gateway Determination on 1 February 2016.

As discussed in this report, Council has satisfied the conditions of the Gateway Determination and can proceed to the next steps to finalise the reclassification of the subject land as an amendment to the Waverley Local Environmental Plan 2012.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Operations Committee 6 October 2015	OC/5.1/15.10	<p>That Council:</p> <p>1. Officers prepare a planning proposal that seeks the following amendments to Waverley Local Environmental Plan 2012, as detailed in this report:</p> <p>(a) Introduction of a new design excellence clause to improve the sustainability, functionality, amenity and aesthetic appearance of buildings.</p> <p>(b) Additional consideration of view loss in the objectives of Clause 5.6 – Architectural roof features.</p> <p>(c) Additional consideration of view loss in the objectives of Clause 4.3 – Height of buildings.</p> <p>(d) Amends the objectives of the B1 Neighbourhood Centre zone to ensure any proposed non-residential use or building is of the small-scale intensity envisaged under the centres hierarchy.</p> <p>(e) Amends Schedule 5 – Environmental Heritage as follows:</p> <p>(i) Remove 21 Brown Street, Bronte, from Schedule 5 as a development application was approved for the demolition of the item.</p> <p>(ii) Update the property address for 16–26 Mill Hill Road, Bondi Junction, to 16 Mill Hill Road, Bondi Junction.</p> <p>(iii) Switch the heritage map identifiers for items at 252–254 Bronte Road, Waverley, and 245–277 Bronte Road, Waverley.</p> <p>(iv) Update the property address for 32–34 Wallangra Road, Dover Heights, to 34 Wallangra Road, Dover Heights.</p>

		<p>(f) Reclassify drainage reserve of the laneway at 2–8 Dickson Street, Bronte, from community to operational.</p> <p>(g) Amends Clause 4.3 – Height of buildings objective (1)(d) to replace the word ‘existing’ with ‘desired future’.</p> <p>(h) Amends Clause 4.4 – Floor Space Ratio objective (1)(c) to replace the word ‘existing’ with ‘desired future’.</p> <p>2. Seeks a Gateway Determination from the Department of Planning and Environment.</p> <p>3. Accepts the role of Relevant Planning Authority in order to manage the public exhibition process.</p> <p>4. Places the planning proposal on public exhibition in accordance with the conditions of the Gateway Determination.</p>
Council Meeting 21 July 2015	CM/10.5/15/07	<p>That:</p> <p>1. The report be treated as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as it relates to a matter specified in section 10A(2) of the <i>Local Government Act 1993</i>.</p> <p>2. Council approves the reclassification of a drainage reserve known as Lot 1 DP 1207222 located at the rear of 2-4-6 and 8 Dickson Street, Bronte, from Community Land to Operational Land.</p> <p>3. Council notes that:</p> <p>(a) As part of the reclassification process, a notice of public hearing into reclassification and exhibition will take place followed by an application to the Minister for Planning.</p> <p>(b) If the reclassification to Operational Land is approved by the Minister for Planning, then fifty (50) year leases are entered into with the owners of 2-4-6 and 8 Dickson Street, Bronte, as approved by Council in July 2014.</p> <p>4. The Mayor and General Manager be authorised to sign and execute the necessary documents</p>

4. Discussion

Gateway Determination

The Gateway Determination was issued on 13 April 2016 and permitted exhibition of the proposal subject to:

- A public exhibition period for a minimum of 14 days;
- Notifying Sydney Water of the planning proposal and allowing 21 days for them to comment;
- A public hearing being held in regards to the reclassification of the land (in accordance with LEP practice note PN 09-003 Classification and reclassification of public land through a local environmental plan); and

- The Local Environmental Plan is completed within 9 months from the date of receiving the Gateway Determination.

Public Exhibition of the Planning Proposal

The Planning Proposal was exhibited in accordance with the Gateway Determination. The proposal was exhibited from Wednesday 25 May 2016 to Wednesday 8 June 2016 and included:

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

A public hearing was also held on 29 June 2016 in accordance with the Gateway Determination. A public notice was placed in the Wentworth Courier on 8 June 2016, and letters were sent to adjoining land owners advising of the public hearing date and details.

Three landowners from 2-8 Dickson Street attended the public hearing and gave verbal support to the reclassification. A report on the public hearing is provided at Attachment 4.

Submissions

One submission was received from Sydney Water during the public comment period (Attachment 3). The submission states:

- *Sydney Water has no objection to the proposed LEP Amendment/Reclassification.*
- *If this proposal requires a Subdivision Certificate you will need to engage an authorised Water Servicing Coordinator (Coordinator) to make a formal application to us for a Section 73 Certificate*
- ...
- *If a Subdivision Certificate is NOT required, no further action is necessary*

Delegations

Council has accepted delegations from the Minister to exercise powers under section 59 ('Making of local environmental plan by Minister') of the *EP&A Act 1979*. The Department of Planning and Environment authorised Council to exercise these delegations in relation to this matter (13 April 2016).

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction:	G4 Coordinated, efficient and effective services are delivered through the most appropriate agencies and partnerships.
Strategy:	G4d Actively engage in industry continuous improvement and reform with government and private sector partners to seek long term community benefit..
Deliverable:	Development of strategic service management planning.

6. Financial impact statement/Timeframe/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 exhibition of the proposal and these have been budgeted.

Timeframe

The estimated timeframe for completing of the LEP amendment is set out below and satisfies the requirement of 9 months specified in the Gateway Determination:

Gateway Determination	13 April 2016
Public Exhibition	25 May – 8 June 2016
Public Hearing	29 June 2016
Report to Council	2 August 2016
Seek Parliamentary Counsel Opinion	August 2016
Draft LEP finalised	August-September 2016
Submission to DoPE Requesting Notification	September 2016

Consultation

Consultation has occurred as outlined above. No other consultation is required or proposed on this matter.

7. Conclusion

The Planning Proposal has been placed on public exhibition in accordance with the conditions of the Gateway Determination (13 April 2016). The proposed amendment is considered to be appropriate and the proposal is in order and recommended for finalisation.

8. Attachments

1. Planning Proposal
2. Gateway Determination
3. Submission received
4. Public Hearing Report

**WAVERLEY COUNCIL****Waverley Council**

PO Box 9, Bondi Junction NSW 1355

DX 12006, Bondi Junction

Customer Service Centre

55 Spring Street, Bondi Junction NSW 2022

ABN: 12 502 583 608

Our ref: A15/0397

1 February 2016

The Secretary
Department of Planning and Environment
GPO, Box 39
Sydney, NSW 2001

Dear Ms. McNally,

**Re: Planning proposal to amend Waverley Local Environmental Plan 2012 – Reclassification
of land at Nos. 2, 4, 6 and 8 Dickson Street, Bronte**

On 14 January 2016, Council lodged a planning proposal for a housekeeping amendment to Waverley Local Environmental Plan 2012 (WLEP 2012). The planning proposal included the reclassification of a drainage lot running along the rear of properties at 2-8 Dickson Street, Bronte.

Following advice from the Sydney Region East team, Council has removed this item from the housekeeping LEP and created a separate planning proposal for the reclassification. This is intended to streamline the processing of both planning proposals.

Please find enclosed a new planning proposal that specifically addresses the reclassification of the drainage reserve from community to operational. The reclassification is required to facilitate the lease of the drainage lot with each of the four adjoining property owners. Given the minor nature of the reclassification a public exhibition period of 14 days is requested.

The Planning Proposal has been prepared under Part 3 of the *Environmental Planning and Assessment Act 1979* and in accordance with the requirements set out in the Department's "A guide to preparing local environmental plans" and "A guide to preparing Planning proposals".

Yours Sincerely,

A handwritten signature in dark ink, appearing to read 'George Bramis', with a long horizontal flourish extending to the right.

George Bramis
Executive Manager, Shaping Waverley



PLANNING PROPOSAL

Waverley Local Environmental Plan 2012

Reclassification of drainage lot at 2-8 Dickson Street, Bronte

February 2016

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

1. OBJECTIVES OR INTENDED OUTCOMES OF THE PROPOSED LOCAL ENVIRONMENTAL PLAN

The objective of the proposed local environmental plan is to reclassify a drainage lot at the rear of Nos. 2-8 Dickson Street, Bronte. The land (Lot 1 DP 1207222) is an unused drainage lot with a northern boundary of 1.65m, an eastern boundary of 36.5m, a southern boundary of 1.41m, and a western boundary of 36.5m with a total site area of 75.6m² (refer to Figure 1).



Figure 1 – Aerial photograph of site (identified by yellow hatching)

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

2. EXPLANATION OF THE PROVISIONS TO BE INCLUDED IN THE PROPOSED LOCAL ENVIRONMENTAL PLAN

The intended provisions to be included in the proposed local environmental plan relate to the reclassification of a drainage reserve of the laneway at 2-8 Dickson Street, Bronte, from community to operational.

On 19 August 2014, Council resolved to enter into four (4) individual 50 year leases for an unused drainage lot (Lot 1 DP 1207222) at the rear of 2-8 Dickson Street, Bronte (refer to Attachment 2). The leases have been approved under Section 149 of the *Roads Act 1993* and will divide the land into four lots according to the boundaries of each of the respective properties.

On 21 July 2015, Council resolved to reclassify the land from community to operational (refer to Attachment 3).

The planning proposal includes a reclassification of the drainage lot from community to operational under Schedule 4. The reclassification will enable the finalisation of the lease agreement with the owners of 2-8 Dickson Street, Bronte.

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

3. JUSTIFICATION FOR THOSE OBJECTIVES, OUTCOMES AND PROVISIONS AND THE PROCESS FOR THEIR IMPLEMENTATION**A. Need for the planning proposal****1. Is the planning proposal the result of any strategic study or report?**

The proposed reclassification of land has been triggered by a Council resolution to enter into a lease agreement with the four respective owners of the adjoining properties. The planning proposal is not a result of a strategic study or report.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes. Or is there a better way?

Yes. The planning proposal is the best means of achieving the objectives as the LEP cannot be amended any other way.

B. Relationship to Strategic Planning Framework**3. Is the Planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

The objectives and actions contained in the Plan for Growing Sydney and East Subregion Draft Subregional Strategy (ESDSS) were comprehensively addressed during the preparation of WLEP 2012. All of the objectives and actions contained within those plans were complied with. The proposed amendment to Schedule 4 is considered minor and will not affect WLEP's consistency with the Plan for Growing Sydney, ESDSS and priorities of the Central District.

4. Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

Waverley Council's current Community Strategic Plan, "Waverley Together 3" covers the period of 2013-2025. The plan was designed to focus Council's attention on what the community really wants; provide guidance on achieving these things sustainably; and help maximise efforts to speed up attainment of the vision.

The plan is structured according to the "Quadruple Bottom Line". The planning proposal is consistent with the strategies and is directly relevant to one of the strategies.

- Sustainable Governance which supports the "governance" framework for Waverley:

G2 Our community is actively engaged in well informed decision processes.

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

Response: The Gateway Determination will specify the minimum consultation requirements for this planning proposal and Council will comply fully with these requirements affording an opportunity for community engagement on all aspects of this planning proposal.

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

Yes. The planning proposal is consistent with all relevant State Environmental Planning Policies (refer to Attachment 3).

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

Yes. The planning proposal is consistent with all relevant Ministerial Section 117 Directions (refer to Attachment 3).

C. Environmental, Social and Economic Impact

7. 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?

No. The minor and administrative nature of the planning proposal will not have any impact upon critical habitat or threatened species, populations or ecological communities or their habitats.

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

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

No. The minor and administrative nature of the planning proposal will have no direct environmental effect. There are no proposed changes in development standards that would trigger further consideration of this matter.

9. How has the planning proposal adequately addressed any social and economic effects?

The amendments in the planning proposal will not alter the development potential of any land and will therefore have no economic effect.

D. State and Commonwealth interests**10. Is there adequate public infrastructure for the planning proposal?**

The amendments will permit the continuation of existing land uses and therefore will not have any impact on public infrastructure.

11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gate way determination and have they resulted in any variations to the Planning proposal?

No consultation with State or Commonwealth Public Authorities has occurred in relation to this planning proposal at this stage.

 PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

4. MAPPING

Lease of drainage lot (Lot 1 DP 1207222)

Drainage lot at rear of Nos. 2-8 Dickson Street, Bronte (identified with green hatching)



Figure 2 – Map identifying drainage lot at rear of Nos. 2-8 Dickson Street, Bronte

5. DETAILS OF THE COMMUNITY CONSULTATION THAT IS TO BE UNDERTAKEN ON THE PLANNING PROPOSAL

Future community consultation will occur in accordance with the Gateway Determination and will include:

- A public notice in the Wentworth Courier being the local paper that services the Waverley municipal area;
- A public hearing will be conducted in accordance with the requirements of the Gateway Determination.
- The planning proposal being advertised on Council's website;
- The planning proposal being exhibited in Council's Customer Service Centre and Library;
- Letters being sent to all adjoining and affected property owners at Council's discretion.

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

6. PROJECT TIMELINE

PART 6 - Project Timeline - Waverley LEP 2012 (Reclassification of drainage reserve 2-8 Dickson St)								
STEPS	February	March	April	May	June	July	August	September
1 Anticipated commencement date (date of Gateway determination)		23rd February						
2 Anticipated timeframe for the completion of required studies	N/A							
3 Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	N/A							
4 Commencement and completion dates for public exhibition period		9th March - 6th April						
5 Dates for public hearing (if required)		23rd March						
6 Timeframe for consideration of submissions			6th April - 20th April					
7 Report to Council re: public exhibitions and submissions				3rd May Ops Committee				
8 Timeframe for the consideration of a proposal post exhibition	N/A			11th May - 3rd June				
9 Finalise plan (drafting, editing, mapping)								
10 Anticipated date RPA will make the plan (if delegated)						20th July		
11 Anticipated date RPA will forward to the department for notification (if delegated).	N/A							

Page 8

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

7. LIST of ATTACHMENTS

1. Information Checklist.
2. Council resolution – Lease agreements – 19 August 2014.
3. Council resolution – Reclassify land at 2-8 Dickson St – 21 July 2015.
4. Table demonstrating consistency with State Environmental Planning Policies and Section 117 Directions.

ATTACHMENT 1 – INFORMATION CHECKLIST

▶ STEP 1: REQUIRED FOR ALL PROPOSALS

(under s55(a) – (e) of the EP&A Act)

- | | |
|--|--|
| <ul style="list-style-type: none"> • Objectives and intended outcome • Mapping (including current and proposed zones) • Community consultation (agencies to be consulted) | <ul style="list-style-type: none"> • Explanation of provisions • Justification and process for implementation (including compliance assessment against relevant section 117 direction/s) |
|--|--|

▶ STEP 2: MATTERS – CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A	PLANNING MATTERS OR ISSUES	To be considered	N/A
Strategic Planning Context			<ul style="list-style-type: none"> • Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining) • Sea level rise 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • Demonstrated consistency with relevant Regional Strategy • Demonstrated consistency with relevant Sub-Regional strategy • Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy • Demonstrated consistency with Threshold Sustainability Criteria 	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Site Description/Context			Urban Design Considerations		
<ul style="list-style-type: none"> • Aerial photographs • Site photos/photomontage 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> • Existing site plan (buildings, vegetation, roads, etc) • Building mass/block diagram study (changes in building height and FSR) • Lighting impact • Development yield analysis (potential yield of lots, houses, employment generation) 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
				<input type="checkbox"/>	<input checked="" type="checkbox"/>
				<input type="checkbox"/>	<input checked="" type="checkbox"/>
				<input type="checkbox"/>	<input checked="" type="checkbox"/>
Traffic and Transport Considerations			Economic Considerations		
<ul style="list-style-type: none"> • Local traffic and transport • TMAP • Public transport • Cycle and pedestrian movement 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Economic impact assessment • Retail centres hierarchy • Employment land 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Social and Cultural Considerations		
Environmental Considerations			<ul style="list-style-type: none"> • Heritage impact • Aboriginal archaeology • Open space management • European archaeology • Social & cultural impacts • Stakeholder engagement 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • Bushfire hazard • Acid Sulphate Soil • Noise impact • Flora and/or fauna • Soil stability, erosion, sediment, landslip assessment, and subsidence • Water quality • Stormwater management • Flooding • Land/site contamination (SEPP55) 	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Infrastructure Considerations		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Infrastructure servicing and potential funding arrangements 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Miscellaneous/Additional Considerations		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>List any additional studies</i>		

Attachment 2

Minutes of Council Meeting

19 August 2014

- ii. Improved direct and safer access to the transport interchange for pedestrian commuters in accordance with specifications to be confirmed by TfNSW.
 - iii. Design excellence.
 - iv. Adoption of a Heads of Agreement as the delivery tool to progress the project to the next stage of consideration.
5. Council adopts the draft Heads of Agreement as attached at *Attachment G* for discussion with Meriton and TfNSW.
6. Council authorises Council's General Manager to sign the final Heads of Agreement.
7. Council notes that Meriton's offer is conditional on the freehold sale of the Rowe Street lot from Council, together with the acquisition of the two privately owned properties. It is further noted that it is feasible to retain clear and direct public access to the interchange through creating appropriate covenants as part of the sale of the Council owned land.
8. Commences the process to seek the closure of Rowe Street in order to create a freehold title for the purposes of the sale of the future lot to Meriton.
9. Council seeks advice on appropriate conditions of the sale to achieve Council's public benefit objectives in relation to access and development form.

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

CON.21/14 CONFIDENTIAL REPORT – Lease of Laneway 2-8 Dickson Street (A13/0437)**MOTION / DECISION**

Mover: Cr Mouroukas
Seconder: Cr Cusack

That:

1. The report titled Lease of Laneway 2-8 Dickson Street be treated as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2) of the Local Government Act 1993;
2. Council approves four individual fifty (50) year leases to the owners of 2, 4, 6 and 8 Dickson Street, Bronte under Section 149 of the Roads Act 1993 as outlined in this report, subject to the approval of the Secretary, NSW Department of Planning & Environment;
3. The Mayor and General Manager be authorised to complete negotiations, execute documents and affix the Council seal where necessary.

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

This is page 15 of the Minutes of the Council Meeting held on 19 August 2014

Attachment 3

Minutes of Council Meeting

21 July 2015

CM/10.5/15.07

**CONFIDENTIAL REPORT – Reclassification of Drainage Reserve – 2-4-6-8
Dickson Street, Bronte (A13/0437)****MOTION**

Mover: Cr Mouroukas

Seconder: Cr Kay

That:

1. The report be treated as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2) of the *Local Government Act 1993*.
2. Council approves the reclassification of a drainage reserve known as Lot 1 DP 1207222 located at the rear of 2-4-6 and 8 Dickson Street, Bronte, from Community Land to Operational Land.
3. Council notes that:
 - (a) As part of the reclassification process, a notice of public hearing into reclassification and exhibition will take place followed by an application to the Minister for Planning.
 - (b) If the reclassification to Operational Land is approved by the Minister for Planning, then fifty (50) year leases are entered into with the owners of 2-4-6 and 8 Dickson Street, Bronte, as approved by Council in July 2014.
4. The Mayor and General Manager be authorised to sign and execute the necessary documents.

AMENDMENT

Mover: Cr Kanak

Seconder: Cr Masselos

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

‘Council officers, as part of the public hearing process, approach the Lands Department and the Local Aboriginal Land Council to determine whether the land is subject to an unresolved claim.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division**For the Amendment:** Crs Kanak, Masselos and Wakefield.**Against the Amendment:** Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Kay and Mouroukas.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION: That the Motion be adopted.*Cr Kanak requested that it be recorded in the minutes that he voted against the Motion.*

This is page 12 of the Minutes of the Council Meeting held on 21 July 2015

ATTACHMENT 4

ASSESSMENT OF WAVERLEY LEP 2012 WITH SECTION 117 DIRECTIONS, SEPPS AND FORMER REPS

Consistency with:

PART A: Ministerial Directions under Section 117

PART B: State Environmental Planning Policies

PART C: Former Sydney Regional Environmental Plans (Deemed SEPPs)

Part A: Ministerial Directions under Section 117 of <i>EP&A Act 1979</i>	(Tick one only)		
	Not relevant	Consistent	Justifiably inconsistent
1. Employment and Resources			
1.1 Business and Industrial Zones	✓		
1.2 Rural Zones	✓		
1.3 Mining, Petroleum Production and Extractive Industries	✓		
1.4 Oyster Aquaculture	✓		
1.5 Rural Lands	✓		
2. Environment and Heritage			
2.1 Environmental Protection Zones	✓		
2.2 Coastal Protection	✓		
2.3 Heritage Conservation	✓		
2.4 Recreation Vehicle Area	✓		
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	✓		
3.2 Caravan Parks and Manufactured Home Estates	✓		
3.3 Home Occupations	✓		
3.4 Integrating Land Use and Transport	✓		
3.5 Development Near Licensed Aerodromes	✓		
3.6 Shooting Ranges	✓		
4. Hazard and Risk			
4.1 Acid Sulphate Soils	✓		
4.2 Mine Subsidence and Unstable Land	✓		
4.3 Flood Prone Land	✓		
4.4 Planning for Bushfire Protection	✓		
5. Regional Planning			
5.1 Implementation of Regional Strategies	✓		
5.2 Sydney Drinking Water Catchments	✓		
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	✓		
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	✓		
5.5 Development in the vicinity of Ellalong, Paxton, Millfield (Cessnock LGA) (Revoked)	✓		
5.6 Sydney to Canberra Corridor (Revoked)	✓		
5.7 Central Coast (Revoked)	✓		
5.8 Second Sydney Airport: Badgerys Creek	✓		
6. Local Plan Making			
6.1 Approval and Referral Requirements		✓	
6.2 Reserving Land for Public Purposes	✓		
6.3 Site Specific Provisions	✓		
7. Metropolitan Planning			
Implementation of Metropolitan Plan for Sydney 2036	✓		

ATTACHMENT 4

Part B: State Environmental Planning Policies (SEPPs)	(Tick one only)		
	Not Relevant	Consistent	Justifiably inconsistent
SEPP 1 – Development Standards	✓		
SEPP 2 – Minimum Standards for Residential Flat Development (repealed)	✓		
SEPP 3 – Castlereagh Liquid Waste Disposal Depot (repealed)	✓		
SEPP 4 – Development Without Consent & Miscellaneous complying Development	✓		
SEPP 5 – Housing for Older people or People with Disabilities (repealed)	✓		
SEPP 6 – Number of Storeys in a Building	✓		
SEPP 7 – Port Kembla Coal Loader (repealed)	✓		
SEPP 8 – Surplus Public Land (repealed)	✓		
SEPP 9 – Group Homes (repealed)	✓		
SEPP 10 – Retention of Low Cost Rental Accommodation (repealed)	✓		
SEPP 11 – Traffic Generating Developments (repealed)	✓		
SEPP 12 – Public Housing (Dwelling Houses) (repealed)	✓		
SEPP 13 – Sydney Heliport (repealed)	✓		
SEPP 14 – Coastal Wetlands	✓		
SEPP 15 – Rural Landsharing Communities	✓		
SEPP 16 – Tertiary Institutions (repealed)	✓		
SEPP 19 – Bushland in Urban Areas	✓		
SEPP 20 – Minimum Standards for Residential Flat Development (repealed)	✓		
SEPP 21 – Caravan Parks	✓		
SEPP 22 – Shops and Commercial Premises (repealed)	✓		
SEPP 25 – Residential Allotment Sizes (repealed)	✓		
SEPP 26 – Littoral Rainforests	✓		
SEPP 27 – Prison Sites (repealed)	✓		
SEPP 28 – Town House and Villa Houses (repealed)	✓		
SEPP 29 – Western Sydney Recreation Area	✓		
SEPP 30 – Intensive Agriculture	✓		
SEPP 31 – Sydney (Kingsford Smith) Airport (repealed)	✓		
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	✓		
SEPP 33 – Hazardous and Offensive Development	✓		
SEPP 34 – Major Employment Generating Industrial Development (repealed)	✓		
SEPP 35 – Maintenance Dredging of Tidal Waterways (repealed)	✓		
SEPP 36 – Manufactured Home Estates	✓		
SEPP 37 – Continued Mines & Extractive Industries (repealed)	✓		
SEPP 38 – Olympic Games and Related Projects (repealed)	✓		
SEPP 39 – Spit Island Bird Habitat	✓		
SEPP 41 – Casino Entertainment Complex (repealed)	✓		
SEPP 42 – Multiple Occupancy of Rural Land (repealed)	✓		
SEPP 43 – New Southern Railway (repealed)	✓		
SEPP 44 – Koala Habitat Protection	✓		
SEPP 45 – Permissibility of Mining (repealed)	✓		
SEPP 46 – Protection and Management of Native Vegetation (repealed)	✓		
SEPP 47 – Moore Park Showground	✓		
SEPP 48 – Major Putrescible Landfill Sites (repealed)	✓		
SEPP 50 – Canal Estates	✓		

ATTACHMENT 4

Part B: State Environmental Planning Policies (SEPPs)	(Tick one only)		
	Not Relevant	Consistent	Justifiably inconsistent
SEPP 51 – Eastern Distributor (repealed)	✓		
SEPP 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	✓		
SEPP 53 – Metropolitan Residential Development (repealed)	✓		
SEPP 54 – Northside Storage Tunnel (repealed)	✓		
SEPP 55 – Remediation of Land	✓		
SEPP 56 – Sydney Harbour Foreshores and Tributaries (repealed)	✓		
SEPP 58 – Protecting Sydney's Water Supply (repealed)	✓		
SEPP 59 – Central Western Sydney Regional Open Space and Residential	✓		
SEPP 60 – Exempt & Complying Development (repealed)	✓		
SEPP 61 – Exempt & Complying Development White Bay & Glebe Island Ports (repealed)	✓		
SEPP 62 – Sustainable Aquaculture 2000	✓		
SEPP 63 – Major Transport Projects (repealed)	✓		
SEPP 64 – Advertising and Signage	✓		
SEPP 65 – Design Quality of Residential Flat Development	✓		
SEPP 67 – Macquarie Generation Industrial Development Strategy (repealed)	✓		
SEPP 69 – Major Electricity Supply Projects (repealed)	✓		
SEPP 70 – Affordable Housing (Revised Schemes)	✓		
SEPP 71 – Coastal Protection	✓		
SEPP 72 – Linear Telecommunications Development – Broadband (repealed)	✓		
SEPP 73 – Kosciuszko Ski Resorts (repealed)	✓		
SEPP 74 – Newcastle Port and Employment Lands (repealed)	✓		
SEPP (Affordable Rental Housing) 2009	✓		
SEPP (Building Sustainability Index: BASIX) 2004	✓		
SEPP (ARTC Rail Infrastructure) 2004 (repealed)	✓		
SEPP (Sydney Metropolitan Water Supply) 2004 (repealed)	✓		
SEPP (Development on Kurnell Peninsula) 2005	✓		
SEPP (Major Developments) 2005	✓		
SEPP (Sydney Region Growth Centres) 2006	✓		
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	✓		
SEPP (Temporary Structures) 2007	✓		
SEPP (Infrastructure) 2007	✓		
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	✓		
SEPP (Rural Lands) 2008	✓		
SEPP (Exempt and Complying Development Codes) 2008	✓		
SEPP (Western Sydney Parklands) 2009	✓		
SEPP (Housing for Seniors or People with a Disability) 2004	✓		
SEPP (Western Sydney Employment Area) 2009	✓		
SEPP (Urban Renewal) 2010	✓		
SEPP (Sydney Drinking Water Catchment) 2011	✓		
SEPP (State and Regional Development) 2011	✓		
SEPP (Penrith Lakes Scheme) 1989	✓		

ATTACHMENT 4

Part C: Former Sydney Regional Environmental Plans (Deemed SEPPs)	(Tick one only)		
	Not Relevant	Consistent	Justifiably inconsistent
SYDNEY REP 1 – Dual Occupancy (repealed)	✓		
SYDNEY REP 2 – Dual Occupancy (repealed)	✓		
SYDNEY REP 3 – Kurnell Peninsula (replaced)	✓		
SYDNEY REP 4 – Homebush Bay (repealed)	✓		
SYDNEY REP 5 – Chatswood Town Centre (repealed)	✓		
SYDNEY REP 6 – Gosford Coastal Areas (repealed)	✓		
SYDNEY REP 7 – Multi-Unit Housing – Surplus Govt Sites (repealed)	✓		
SYDNEY REP 8 – Central Coastal Plateau Areas	✓		
SYDNEY REP 9 – Extractive Industry	✓		
SYDNEY REP 10 – Blue Mountains Regional Open Space (repealed)	✓		
SYDNEY REP 11 – Penrith Lakes Scheme (repealed)	✓		
SYDNEY REP 12 – Dual Occupancy (repealed)	✓		
SYDNEY REP 13 – Mulgoa Valley (repealed)	✓		
SYDNEY REP 14 – Eastern Beaches (repealed)	✓		
SYDNEY REP 15 – Terry Hills (repealed)	✓		
SYDNEY REP 16 – Walsh Bay	✓		
SYDNEY REP 17 – Kurnell Peninsula (repealed)	✓		
SYDNEY REP 18 – Public Transport Corridor	✓		
SYDNEY REP 19 – Rouse Hill Development Area	✓		
SYDNEY REP 20 – Hawkesbury-Nepean River	✓		
SYDNEY REP 21 – Warringah Urban Release Areas (repealed)	✓		
SYDNEY REP 22 – Parramatta River (repealed)	✓		
SYDNEY REP 23 – Sydney and Middle Harbours (repealed)	✓		
SYDNEY REP 24 – Homebush Bay Area	✓		
SYDNEY REP 25 – Orchard Hills (repealed)	✓		
SYDNEY REP 26 – City West	✓		
SYDNEY REP 27 – Wollondilly Regional Open Space (repealed)	✓		
SYDNEY REP 28 – Parramatta (repealed)	✓		
SYDNEY REP 29 – Rhodes Peninsula (repealed)	✓		
SYDNEY REP 30 – St Marys	✓		
SYDNEY REP 31 – Regional Parklands (repealed)	✓		
SYDNEY REP 33 – Cooks Cove	✓		
SYDNEY REP (Sydney Harbour Catchment) 2005	✓		



Mr Arthur Kyron
General Manager
Waverley Council
GPO Box 9
Bondi Junction NSW 1355

Our ref: PP_2016_WAVER_002_00 (16/03092)

Dear Mr Kyron

Planning Proposal to amend Waverley Local Environmental Plan 2012

I am writing in response to your Council's letter dated 1 February 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the Waverley Local Environmental Plan 2012 to reclassify a drainage reserve at the rear of 2-8 Dickson Street, Bronte, from community to operational.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The amending Local Environmental Plan (LEP) is to be finalised within **9 months** of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Wayne Williamson of the Department's regional office to assist you. Mr Williamson can be contacted on (02) 9228 6585.

Yours sincerely


13/04/2016
Martin Cooper
A/Director, Sydney Region East
Planning Services

Encl: Gateway Determination



Gateway Determination

Planning proposal (Department Ref: PP_2016_WAVER_002_00): to amend Waverley Local Environmental Plan 2012 to reclassify a drainage reserve at the rear of 2-8 Dickson Street, Bronte, from community to operational.

I, the A/Director, Sydney Region East, at the Department Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Waverley Local Environmental Plan 2012 to reclassify a drainage reserve at the rear of 2-8 Dickson Street, Bronte, from community to operational, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (*Department of Planning and Infrastructure 2013*) and must be made publicly available for a minimum of **14 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (*Department of Planning and Environment 2013*).
2. Consultation is required with Sydney Water under section 56(2)(d) of the Act. Sydney Water is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the Local Environmental Plan is to be **9 months** from the week following the date of the Gateway determination.

Dated 13TH day of APRIL 2016.

A handwritten signature in blue ink, appearing to read 'M. Cooper'.

Martin Cooper
A/Director, Sydney Region East
Planning Services

Delegate of the Greater Sydney Commission

WAVERLEY PP_2016_WAVER_002_00 (16/03092)



Thursday 16th June 2016

Waverly Council

Council reference: A16/0084

Subject: Proposed LEP Amendment, Dickson Street, Bronte

Dear Ben,

Sydney Water has no objection to the proposed LEP Amendment/Reclassification.

If this proposal requires a Subdivision Certificate you will need to engage an authorised Water Servicing Coordinator (Coordinator) to make a formal application to us for a Section 73 Certificate. Once we receive this application we will send you your Certificate immediately.

For a list of Coordinators either visit www.sydneywater.com.au ➤ Plumbing, building & developing ➤ Providers ➤ Lists or call 13 20 92. Coordinators will give you a quote or advice regarding costs for their services as well as other Sydney Water costs.

The Coordinator will be your point of contact with Sydney Water. They can answer most questions that you might have.

If a Subdivision Certificate is NOT required, no further action is necessary.

This advice is valid until (June 16th 2017).

Yours sincerely,

Andrew Smith
Planner
Urban Growth
Tel: 8849-4321
E-mail: assetservices@sydneywater.com.au

Sydney Water Corporation ABN 49 776 225 038
1 Smith St Parramatta 2150 | PO Box 399 Parramatta 2124 | DX 14 Sydney | T 13 20 92 | www.sydneywater.com.au
Delivering essential and sustainable water services for the benefit of the community

**Report on the public hearing on the Planning Proposal to amend
Waverley Local Environmental Plan 2012 – Reclassification of
land at rear of 2-8 Dickson Street, Bronte**

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1. The Council resolutions:

The Minute Extract from the Council meeting of 19 August, 2014 stated:

"Lease of Laneway 2-8 Dickson Street (A13/0437)

The motion that was adopted read:

"That:

1. The report titled Lease of Laneway 2-8 Dickson Street be treated as confidential in accordance with section 11(3) of the local Government Act 1993, as it relates to a matter specified in section 10A(2) of the Local Government Act 1993;
 2. Council approves four individual fifty (50) year leases to the owners of 2,4,6 and 8 Dickson Street, Bronte under Section 149 of the Roads Act 1993 as outlined in this report, subject to the approval of the Secretary, NSW Department of Planning & Environment;
 3. The Mayor and General Manager be authorised to complete negotiations, execute documents and affix the Council seal where necessary.
- Cnr Kanak requested it be recorded in the minutes that he voted against the motion."*

The Minute Extract from the Council meeting of 21 July, 2015 stated:

"Reclassification of Drainage Reserve -2-4-6-8 Dickson Street, Bronte (A13/0437)

The motion that was adopted read:

“That:

1. The report be treated as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2) of the *Local Government Act 1993*.
2. Council approves the reclassification of a drainage reserve known as Lot 1 DP1207222 located at the rear of 2-4-6 and 8 Dickson Street, Bronte, from Community Land to Operational Land.
3. Council notes that:
 - (a) As part of the reclassification process, a notice of public hearing into reclassification and exhibition will take place followed by an application to the minister for Planning.
 - (b) If the reclassification to Operational Land is approved by the Minister for Planning, then fifty(50) year leases are entered into with the owners of 2-4-6 and 8 Dickson Street, Bronte, as approved by Council in July 2014.
4. The Mayor and General Manager be authorised to sign and execute the necessary documents.

Cr Kanak requested that it be recorded in the minutes that he voted against the Motion.”

2. The Statutory and the Department's requirements:

The Local Government Act, 1993 provides:

“29 Public hearing into reclassification

- (1) A council must arrange a public hearing under section 68 of the *Environmental Planning and Assessment Act 1979* in respect of a proposal in a draft local environmental plan to reclassify community land as operational land as if it had received and decided to deal with a submission as referred to in that section that the land be so reclassified.
- (2) A council must, before making any resolution under section 32, arrange a public hearing in respect of any proposal to reclassify land as operational land by such a resolution.”

Section 68 of the *Environmental Planning and Assessment Act 1979* provides:

“68 Consideration of submissions

- (1) Where:
 - (a) a person making a submission so requests, and
 - (b) the council considers that the issues raised in a submission are of such significance that they should be the subject of a hearing before the council decides whether and, if so, what alterations should be made,
- the council shall, in the prescribed manner, arrange a public hearing in respect of the submission.

- (2) A report of the public hearing shall be furnished to the council and the council shall make public the report.
- (3) The council shall consider the submission and the report furnished pursuant to subsection (2) and may make any alterations it considers are necessary to the draft local environmental plan arising from its consideration of submissions or matters raised at any public hearing.
- (3A) An alteration made by a council pursuant to subsection (3) need not relate to a submission.
- (3B) The council may (but need not) give public notice of and publicly exhibit, wholly or in part, a draft local environmental plan that has been altered pursuant to subsection (3). The provisions of this section and sections 66 and 67, with any necessary adaptations, apply to any such exhibition of a draft plan, but not so as to require a further certificate under section 65.
- (4) The council shall, subject to and except as may be provided by the regulations, submit to the Director-General:
- (a) details of all submissions,
 - (b) the report of any public hearing,
 - (c) the draft local environmental plan and the reasons for any alterations made to the plan pursuant to subsection (3), and
 - (d) a statement:
 - (i) to the effect that the provisions of sections 66 and 67 and this section relating to public involvement in the preparation of the draft plan have been complied with,
 - (ii) specifying the environmental planning instruments and directions under section 117 that have been taken into consideration,
 - (iii) giving details of any inconsistency between the draft plan and any instrument or direction referred to in subparagraph (ii) and the reasons justifying the inconsistency, and
 - (iv) giving details of the reasons justifying the exclusion of provisions of the draft plan under subsection (5) or the exclusion from the application of the draft plan of any land under that subsection.
- (5) In submitting the draft local environmental plan, the council may exclude certain provisions of the draft plan or exclude part of the land from the draft plan, or both (in this section referred to as "the deferred matter") which, in its opinion, require or requires further consideration but which should not prejudice the consideration by the Director-General and the Minister of the draft plan as submitted.
- (6) The council may subsequently take action under this section in respect of the deferred matter, without having to publicly re-exhibit that deferred matter, as if it were a draft local environmental plan.
- (7) More than one public hearing may be held in respect of any submissions, and one hearing may be held in respect of more than one submission.
- (8) The regulations may make provision for or with respect to the conduct of a public hearing.
- (9) After a draft local environmental plan has been submitted to the Director-general under this section:

(a) the council and the Director-General may (on one or more occasions) agree to the council making changes to the draft plan and resubmitting it under this section, or

(b) the Director-General may (on one or more occasions) return the draft plan so that the council can make changes to accord with any applicable standard instrument under section 33A or to take into account any directions under section 117.

This subsection applies whether or not a report under section 69 has been furnished in respect of the draft plan."

In the DIPNR circular concerning amendment of Local Environmental Plans it was stated:

"Reclassification of council land

Where this is relevant, the report must briefly set out the council's interest in the land, any conflicts of interest, issues raised in any relevant submissions and an explanation of how these issues have been addressed or resolved (see Best Practice Guideline 'LEPs and Council Land' (Department of Urban Affairs and Planning, January 1997)."

3. Notification of the intention to hold a public hearing.

A copy of the advertisement in the Local Paper giving notice of intention to hold the public hearing is attached (**Attachment 1**)(Wentworth Courier of 8 June, 2016).

4. Planning proposal to amend Waverley Local Environmental Plan 2012- Reclassification of land at Nos. 2,4,6 and 8 Dickson Street, Bronte.

Attachment 2 is a letter to the Department of Planning and Environment explaining that a separate planning proposal for the reclassification is proposed (being separate from the housekeeping LEP). **Attachment 3** is the response from the Planning & Environment Department dated 13/04/2016 including the Gateway Determination. **Attachment 4** is this Planning Proposal.

5. Public Submissions.

There were no written submissions received by the Council and no members of the public attended to provide verbal submissions after 6.00pm on the advertised date being Wednesday 29th June, 2016. It is noted that three landowners from 2-8 Dickson Street attended the public hearing and gave verbal support to the reclassification.

6. Author of this report.

Michael McMahon (the author) is a solicitor with specialist accreditation in Planning and Environment Law and he has experience in acting both for and against councils. He conducts a private practice from Kiama Downs. He has been given freedom by Waverley Council to conduct this public hearing and report his findings arising from the public hearing.

7. Consideration of the proposed re-classification of the land.

The primary purpose of the public hearing was to consider submissions on whether the proposed classification of the land as "operational" land via an amendment to the Local Environmental Plan should proceed. The author visited the site before the hearing and observed that timber fence palings had been constructed at each end of the land and they prevented pedestrian access onto the land. There were no storm water grates in the concrete gutters on the higher end of the land in Belgrave Lane nor were there any in Read Street adjoining that end of the land suggesting that it is extremely unlikely that there are council storm water pipes existing within the land.

The landowners who attended the public hearing said that the fences at the ends of the land were constructed by council workers before 1993 when the *Local Government Act, 1993* came into force and so before the concepts of community land operational land started. Prior to the fences being constructed complaints were sent to the council as a thief had robbed one of the houses and had used the land to gain access to one of the houses and other antisocial activities had been taking place on the land.

The landowners were prepared to accept 50 year leases of the land adjoining their rear boundaries as one way of ending the protracted process of acquiring some form of legal control over that land. They were also willing to negotiate the purchase of that land. They were wondering why the 2014 resolution of council proposed 50 year leases, and so was the author (as this was never a consideration in public hearings the author had chaired over the years).

8. Observations on the legal history of the land.

To try and find the answer to the 50 year lease proposal in the council resolution of 19th August, 2014 several legal searches were undertaken to discover the history of the land.

Attachment 5 is a copy of Deposited Plan 3660. That Deposited plan shows the land and these words are on the land: "Reserve for Drainage 4 feet wide".

Section 398 of the Local Government Act, 1919 (now repealed) provided:

"398. Where, in the subdivision of any land, there has been provision made for a drainage reserve (whether by agreement between the owner and the council or between the vendor and any purchaser, or by the marking on any plan exhibited to the public or lodged with the Registrar-General of words indicating the reservation of land for drainage) the land so provided for a drainage reserve is hereby vested in the council in fee simple for drainage purposes".

Section 50 of the *Local government Act, 1993* provides:

"50 Public garden and recreation space and drainage reserves provided for in subdivisions approved before 15.6.1964

(1) This section applies to a subdivision of land the plan of which was approved by the council:

- in the case of public garden and recreation space-before 15 June 1964
- in the case of drainage reserves-after 24 November 1922 and before 15 June 1964.

Note : 15 June 1964 is the date of commencement of the *Local Government and Conveyancing (Amendment) Act 1964* . 24 November 1922 is the date of commencement of the *Local Government (Validation and Amendment) Act 1922* .

(2) If a subdivision made provision for public garden and recreation space, the council may direct:

- (a) that the space be conveyed or transferred to the council, or

(b) because the space is adjacent to land reserved or dedicated for the purpose of public recreation under the *Crown Lands Act 1989* or to a public park that is not vested in the council, that the space be surrendered to the Crown.

Public garden and recreation space surrendered to the Crown is taken to be Crown land.

(3) If a subdivision made provision for a drainage reserve, the council may direct that the reserve be conveyed or transferred to the council.

(4) Instead of directing that land be conveyed or transferred to it, the council may publish a notice in the Gazette notifying that the land is vested in it.

(5) On publication of the notice, the land vests in the council for an estate in fee simple and is taken:

- in the case of public garden and recreation space-to be dedicated as a public reserve
- in the case of drainage reserves-to be held by the council for drainage purposes.

(6) When creating a folio of the Register under the *Real Property Act 1900* for public garden and recreation space vested in the council under this section, the Registrar-General must record in the folio, by reference to this section or otherwise, that the land is dedicated as a public reserve."

Attachment 6 is a Request for the issue of a Certificate of Title to Waverley Council for the land.

Attachment 7 is the Certificate of Title which confirms that Waverley Council is the registered proprietor of the land and the second schedule states "the land within described is a drainage reserve".

Attachment 8 is a Departmental Deposited Plan prepared to provide a unique identity for the land in the certificate of title.

We conclude that Waverley Council is the owner of the land and holds it as Drainage Reserve.

9. The resolution of 19th August, 2014

The second item in the resolution stated:

"Council approves four individual fifty (50) year leases to the owners of 2,4,6 and 8 Dickson Street, Bronte under Section 149 of the Roads Act 1993 as outlined in this report, subject to the approval of the Secretary, NSW Department of Planning & Environment"

Section 149 of the Roads Act, 1993 provides:

"149 Leasing of land above or below public road

- (1) A roads authority may lease the air space above, or land below the surface of, any public road (other than a Crown road) that is owned by the authority.
- (2) Such a lease may not be granted by a roads authority other than RMS except with the approval of the Director of Planning.
- (3) The Director of Planning must not approve a lease in respect of a public road if the granting of the lease would be inconsistent with the rights of passage and access that exist with respect to the road.
- (4) The term of a lease, together with any option to renew, must not exceed 99 years."

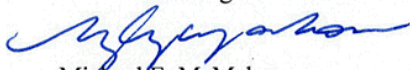
This gives an answer to the reasoning behind the 50 year leases but is also exposes a fundamental flaw in that resolution. Although the land may have looked like a lane, it was never a lane and was never a road. It was always a drainage reserve and the *Roads Act, 1993* could not have been used to authorise a 50 year lease of it.

However, if the land becomes operational land in the hands of the council it is possible for the council to lease the land like any other landowner can and it also enables the council to sell the land without restrictions that would inhibit the sale of a drainage reserve.

10. Conclusion

I conclude that the land has not been used for drainage purposes or other community purposes, and so the land could not easily be regarded as having any special community significance. In these circumstances and particularly when there were no public submissions against the proposal I conclude that council would be justified in proceeding with the planning proposal.

The result will be that if the land becomes operational the council will have more flexibility in its future dealings with the land.



Michael E. McMahon

Chair of the Public Meeting on 29th June, 2016.

Attachments:

1. Copy of public notification
2. Letter to the Department of Planning and Environment
3. Response from the Department of Planning and Environment
4. Planning Proposal
5. DP 3660
6. Request for issue of Certificate of Title
7. Certificate of Title 1/1207222
8. Deposited Plan 1207222

1.



Council News

WAVERLEY COUNCIL

MAYOR'S MESSAGE



Mill Hill Opening
I had the pleasure of reopening our refurbished Mill Hill Community Centre yesterday. This wonderful Centre is home to the Waverley Community and Seniors Centre Association and sees an average of 850 visitors per month. Yesterday was an opportunity to celebrate the building improvements that have created a more friendly and accessible space to welcome and support our seniors and broader community. Thank you Waverley Council staff who's hard work will allow us to better deliver services bringing joy, inspiration and education to our wonderful children, elderly residents and families in Waverley.

Waverley Youth Art Prize winners
It was a great privilege to once again present the Waverley Youth Art Prize. How in its 31st year, our annual competition did not disappoint with its bright and beautiful exhibition. The competition features students aged 9-18 years across a broad range of mediums including drawing, painting, sculpture, video and animation and is an important part of Waverley Community and Cultural programmes. This year's theme was 'Under the Big Top'. The formidable judges – Elysia Skyes Smith and Andrew Christie who have both won prestigious awards in their fields, had the difficult task of selecting our 2016 winners. The Junior Section award went to Chantel Nettis, the winner of the Intermediate Section was Casey O'Hagan and the Senior Section award winner was Finn McGrath. A huge congratulations to these emerging art stars. An exhibition of the entries will be in our library for a month and there is still a people's prize to be chosen. Please pop in and see what amazing talent we have and of course vote. I know you will be surprised at the professionalism of many of the entries.

North Bondi Club Presentation
I was thrilled to attend and hand out some awards at North Bondi Surf Life Saving Club Presentation on Saturday with Cllr. Leon Goldsman and Joy Clayton. The room was filled with people who come from all walks of life to train, patrol, compete and enjoy the friendly atmosphere that exists on one of the finest beaches in Sydney. It was great to share and celebrate the highlights of the season and to recognise various members for their outstanding contributions to both the Club and Surf Life Saving in general. Congratulations to Rosemarie Tabiano for receiving the Award as the most outstanding Club Member. Congratulations to all the award winners and to the Club on such a successful, fun and inspiring event.

Sally Betts, Mayor of Waverley

Events June 2016



Bondi Winter Magic
19 June–21 July 2016
Bondi Winter Magic is sparking to new depths this year and giving locals and international participants a new 'platform' to view the iconic beach and ocean setting with camel riding. For more information please visit bondiwintermagic.com.au. For more event info visit our website waverley.nsw.gov.au

JUNE COUNCIL MEETINGS

Council
22 June, 6.30pm
Waverley Development Assessment Panel (WDAP)
8 June, 12pm
Traffic Committee*
23 June, 10am

* Not open to the public.
All meetings are held on level three of the Waverley Council Chambers, corner of Bondi Road and Paul Street, Bondi Junction.
For more information – including details about speaking at meetings – please visit waverley.nsw.gov.au/council/council-meetings

PRECINCT MEETINGS

Come along to your resident run Precinct meeting and have your say about local issues, concerns or ideas.
If you are interested call Council's Community Liaison Coordinator on 9083 8128 or visit our website waverley.nsw.gov.au for a full list of meeting dates.

NOTICE OF PUBLIC HEARING

Planning Proposal to amend Waverley Local Environmental Plan 2012 – Reclassification of land at rear 2-8 Dickson Street, Bronte
In accordance with the Local Government Act 1979, Council wishes to advise that a public hearing arising out of the reclassification of drainage reserve land located at the rear of 2-8 Dickson Street, Bronte known as Lot 1 DP 1207222 from community to operational land will be held at Waverley Council Chambers, corner Paul Street and Bondi Road on Wednesday 29 June 2016 at 6pm. Enquiries to John Andrews on 9083 8659.

DEVELOPMENT APPROVALS

DA500/2015 21 St James Rd, BONDI JUNCTION
Alterations and additions to existing dwelling including first floor addition.

DA112/2016 1605/89-89 Sygny St, BONDI JUNCTION
Alterations and additions to existing Unit 1409 including internal works, part balcony enclosure.

DA52/2016 Westfield Shopping Centre, 512-548 Oxford St, BONDI JUNCTION
Replacement of existing signs.

DA111/2016 25 Sandringham Pde, BONDI BEACH
Removal of existing and installation of new awnings.

DA121/2016 22 Roberts St, ROSE BAY
New swimming pool in the rear yard of existing dwelling.

DA184/2016 81 Beaumont St, ROSE BAY
Demolition of existing garage and construct a new single garage.

DA602/2016 11 Bayview St, BRONTE
Alterations and additions to dwelling and garage.

DA589/2016 12 Victoria St, QUEENS PARK
Attic level addition and alterations to dwelling.

DA541/2016 88 Denison St, BONDI JUNCTION
Dormer window addition, internal alterations to terrace dwelling and reinstatement of front balcony.

DA36/2016 8 Walter St, BONDI JUNCTION
Attic level addition and dormer window to terrace dwelling.

DA315/2016 69 Newland St, BONDI JUNCTION
Alterations and additions to existing dwelling including internal reconfiguration and alterations to rear deck.

DA111/2016 34 Oakley Rd, NORTH BONDI
Alterations and additions to existing two-storey semi-detached dwelling.

DA132/2016 21 Orr St, BONDI
Carport to existing car space of semi-detached dwelling.

DA57/2016 2 Ben Eden St, BONDI JUNCTION
First floor addition and alterations to semi-detached dwelling.

DA85/2016 89 Ruthven St, BONDI JUNCTION
Extension to rear of terrace dwelling.

DA41/2016 43 Edward St, BONDI BEACH
Alterations and additions to semi-detached dwelling including lower ground floor excavation to accommodate a new living area, ground floor internal changes, new ground floor rear balcony and modification to the first floor dormer roof form.

DA80/2016 13 Belgrave St, BRONTE
Alterations and additions to existing dwelling including rear first floor extension and ground floor deck.

DA56/2016/A 1 Jacques Ave, BONDI BEACH
Section 94 modification to approved residential flat building including an additional unit on upper level at the rear.

DA547/2016 87-89 Glenayr Ave, BONDI BEACH
Demolition of structures and construction of two x three-storey (plus attic) mixed-use buildings containing ground level retail, total of 19 apartments and basement carpark.

DA621/2016 125 Bronte Rd, QUEENS PARK
Amended Plans: Demolition of existing building and construction of a part 3, part 4-storey boarding house over basement carpark.

CUSTOMER SERVICE CENTRE 55 Spring Street, Bondi Junction NSW 2022
PO Box 9, Bondi Junction NSW 1355 PHONE 9083 8000 WEB waverley.nsw.gov.au

14 WENTWORTH COURIER, Wednesday, June 8, 2016 WCC00200104-191

Connect with us:



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WAVERLEY COUNCIL

Waverley Council
PO Box 9, Bondi Junction NSW 1355
DX 12006, Bondi Junction
Customer Service Centre
55 Spring Street, Bondi Junction NSW 2022
ABN: 12 502 583 608

Our ref: A15/0397

1 February 2016

The Secretary
Department of Planning and Environment
GPO, Box 39
Sydney, NSW 2001

Dear Ms. McNally,

Re: Planning proposal to amend Waverley Local Environmental Plan 2012 – Reclassification of land at Nos. 2, 4, 6 and 8 Dickson Street, Bronte

On 14 January 2016, Council lodged a planning proposal for a housekeeping amendment to Waverley Local Environmental Plan 2012 (WLEP 2012). The planning proposal included the reclassification of a drainage lot running along the rear of properties at 2-8 Dickson Street, Bronte.

Following advice from the Sydney Region East team, Council has removed this item from the housekeeping LEP and created a separate planning proposal for the reclassification. This is intended to streamline the processing of both planning proposals.

Please find enclosed a new planning proposal that specifically addresses the reclassification of the drainage reserve from community to operational. The reclassification is required to facilitate the lease of the drainage lot with each of the four adjoining property owners. Given the minor nature of the reclassification a public exhibition period of 14 days is requested.

The Planning Proposal has been prepared under Part 3 of the *Environmental Planning and Assessment Act 1979* and in accordance with the requirements set out in the Department's "A guide to preparing local environmental plans" and "A guide to preparing Planning proposals".

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'George Bramis'.

George Bramis
Executive Manager, Shaping Waverley



**Planning &
Environment**

3

Mr Arthur Kyron
General Manager
Waverley Council
GPO Box 9
Bondi Junction NSW 1355

Our ref: PP_2016_WAVER_002_00 (16/03092)

Dear Mr Kyron

Planning Proposal to amend Waverley Local Environmental Plan 2012

I am writing in response to your Council's letter dated 1 February 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the Waverley Local Environmental Plan 2012 to reclassify a drainage reserve at the rear of 2-8 Dickson Street, Bronte, from community to operational.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The amending Local Environmental Plan (LEP) is to be finalised within **9 months** of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Wayne Williamson of the Department's regional office to assist you. Mr Williamson can be contacted on (02) 9228 6585.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Cooper', with a date '13/04/2016' written below it.

Martin Cooper
A/Director, Sydney Region East
Planning Services

Encl: Gateway Determination

Department of Planning & Environment
23-33 Bridge Street Sydney NSW 2000 | GPO Box 39 Sydney NSW 2001 | T 02 9228 6111 | F 02 9228 6445 | www.planning.nsw.gov.au



Planning & Environment

Gateway Determination

Planning proposal (Department Ref: PP_2016_WAVER_002_00): to amend Waverley Local Environmental Plan 2012 to reclassify a drainage reserve at the rear of 2-8 Dickson Street, Bronte, from community to operational.

I, the A/Director, Sydney Region East, at the Department Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Waverley Local Environmental Plan 2012 to reclassify a drainage reserve at the rear of 2-8 Dickson Street, Bronte, from community to operational, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (*Department of Planning and Infrastructure 2013*) and must be made publicly available for a minimum of **14 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (*Department of Planning and Environment 2013*).
2. Consultation is required with Sydney Water under section 56(2)(d) of the Act. Sydney Water is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the Local Environmental Plan is to be **9 months** from the week following the date of the Gateway determination.

Dated 13TH day of APRIL 2016.

A handwritten signature in black ink, appearing to read 'M. Cooper'.

Martin Cooper
A/Director, Sydney Region East
Planning Services

Delegate of the Greater Sydney Commission

WAVERLEY PP_2016_WAVER_002_00 (16/03092)

4



PLANNING PROPOSAL

Waverley Local Environmental Plan 2012

Reclassification of drainage lot at 2-8 Dickson Street, Bronte

February 2016

Public Notice
Exhibition of a Planning Proposal to Amend Waverley Local Environmental Plan
2012 – Reclassification of land at 2-8 Dickson Street, Bronte

Pursuant to Section 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979*, Waverley Council is currently inviting feedback on a planning to amend the Waverley Local Environmental Plan 2012. The planning proposal seeks to reclassify a drainage reserve at the rear of 2-8 Dickson Street, Bronte, from community to operational.

The planning proposal and supporting information will be on public exhibition from Wednesday 25 May to Wednesday 8 June 2016 and can be viewed at:

Waverley Customer Service Centre

55 Spring Street, Bondi Junction

Monday to Friday, 8.30am-5pm

Waverley Library

Level 1, 32 – 48 Denison Street, Bondi Junction

Monday to Friday, 9.30am - 9pm; Saturday 9.30am - 3pm; Sunday 1 - 5pm

Online at haveyoursaywaverley.com.au

You are invited to view the public exhibition material and make comments. To comment, please submit your feedback in writing by 5pm Wednesday 8 June:

- online at haveyoursaywaverley.com.au
- via email to waver@waverley.nsw.gov.au
- via post to:
Mr Peter Brown, Acting General Manager
Waverley Council
PO Box 9, Bondi Junction, NSW 1355

Please note that the comments submitted will form part of Council's public record and as such can be made available public viewing on request.

For more information, please contact Council's Shaping Waverley team on 9083 8139.

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

1. OBJECTIVES OR INTENDED OUTCOMES OF THE PROPOSED LOCAL ENVIRONMENTAL PLAN

The objective of the proposed local environmental plan is to reclassify a drainage lot at the rear of Nos. 2-8 Dickson Street, Bronte. The land (Lot 1 DP 1207222) is an unused drainage lot with a northern boundary of 1.65m, an eastern boundary of 36.5m, a southern boundary of 1.41m, and a western boundary of 36.5m with a total site area of 75.6m² (refer to Figure 1).

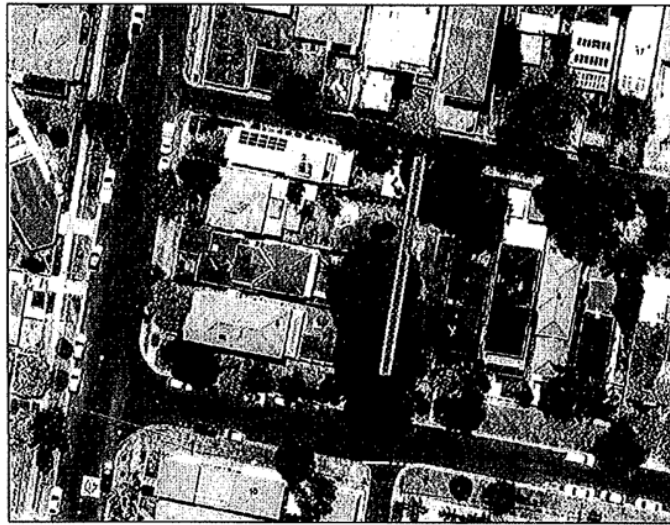


Figure 1 – Aerial photograph of site (identified by yellow hatching)

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

2. EXPLANATION OF THE PROVISIONS TO BE INCLUDED IN THE PROPOSED LOCAL ENVIRONMENTAL PLAN

The intended provisions to be included in the proposed local environmental plan relate to the reclassification of a drainage reserve of the laneway at 2-8 Dickson Street, Bronte, from community to operational.

On 19 August 2014, Council resolved to enter into four (4) individual 50 year leases for an unused drainage lot (Lot 1 DP 1207222) at the rear of 2-8 Dickson Street, Bronte (refer to Attachment 2). The leases have been approved under Section 149 of the *Roads Act 1993* and will divide the land into four lots according to the boundaries of each of the respective properties.

On 21 July 2015, Council resolved to reclassify the land from community to operational (refer to Attachment 3).

The planning proposal includes a reclassification of the drainage lot from community to operational under Schedule 4. The reclassification will enable the finalisation of the lease agreement with the owners of 2-8 Dickson Street, Bronte.

 PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

3. JUSTIFICATION FOR THOSE OBJECTIVES, OUTCOMES AND PROVISIONS AND THE PROCESS FOR THEIR IMPLEMENTATION

A. Need for the planning proposal

1. Is the planning proposal the result of any strategic study or report?

The proposed reclassification of land has been triggered by a Council resolution to enter into a lease agreement with the four respective owners of the adjoining properties. The planning proposal is not a result of a strategic study or report.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes. Or is there a better way?

Yes. The planning proposal is the best means of achieving the objectives as the LEP cannot be amended any other way.

B. Relationship to Strategic Planning Framework

3. Is the Planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The objectives and actions contained in the Plan for Growing Sydney and East Subregion Draft Subregional Strategy (ESDSS) were comprehensively addressed during the preparation of WLEP 2012. All of the objectives and actions contained within those plans were complied with. The proposed amendment to Schedule 4 is considered minor and will not affect WLEP's consistency with the Plan for Growing Sydney, ESDSS and priorities of the Central District.

4. Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

Waverley Council's current Community Strategic Plan, "Waverley Together 3" covers the period of 2013-2025. The plan was designed to focus Council's attention on what the community really wants; provide guidance on achieving these things sustainably; and help maximise efforts to speed up attainment of the vision.

The plan is structured according to the "Quadruple Bottom Line". The planning proposal is consistent with the strategies and is directly relevant to one of the strategies.

- Sustainable Governance which supports the "governance" framework for Waverley:

G2 Our community is actively engaged in well informed decision processes.

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

Response: The Gateway Determination will specify the minimum consultation requirements for this planning proposal and Council will comply fully with these requirements affording an opportunity for community engagement on all aspects of this planning proposal.

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

Yes. The planning proposal is consistent with all relevant State Environmental Planning Policies (refer to Attachment 3).

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

Yes. The planning proposal is consistent with all relevant Ministerial Section 117 Directions (refer to Attachment 3).

C. Environmental, Social and Economic Impact

7. 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?

No. The minor and administrative nature of the planning proposal will not have any impact upon critical habitat or threatened species, populations or ecological communities or their habitats.

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

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

No. The minor and administrative nature of the planning proposal will have no direct environmental effect. There are no proposed changes in development standards that would trigger further consideration of this matter.

9. How has the planning proposal adequately addressed any social and economic effects?

The amendments in the planning proposal will not alter the development potential of any land and will therefore have no economic effect.

D. State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

The amendments will permit the continuation of existing land uses and therefore will not have any impact on public infrastructure.

11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gate way determination and have they resulted in any variations to the Planning proposal?

No consultation with State or Commonwealth Public Authorities has occurred in relation to this planning proposal at this stage.

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

4. MAPPING

Lease of drainage lot (Lot 1 DP 1207222)

Drainage lot at rear of Nos. 2-8 Dickson Street, Bronte (identified with green hatching)

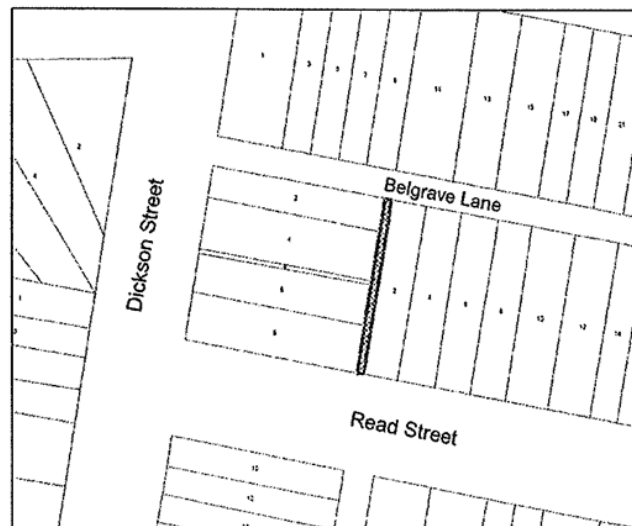


Figure 2 – Map identifying drainage lot at rear of Nos. 2-8 Dickson Street, Bronte

5. DETAILS OF THE COMMUNITY CONSULTATION THAT IS TO BE UNDERTAKEN ON THE PLANNING PROPOSAL

Future community consultation will occur in accordance with the Gateway Determination and will include:

- A public notice in the Wentworth Courier being the local paper that services the Waverley municipal area;
- A public hearing will be conducted in accordance with the requirements of the Gateway Determination.
- The planning proposal being advertised on Council's website;
- The planning proposal being exhibited in Council's Customer Service Centre and Library;
- Letters being sent to all adjoining and affected property owners at Council's discretion.

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

6. PROJECT TIMELINE

PART 6 - Project Timeline - Waverley LEP 2012 (Reclassification of drainage reserve 2-8 Dickson St)

STEPS	January	February	March	April	May	June	July	August	September
1 Anticipated commencement date (date of Gateway determination)			23rd February						
2 Anticipated timeframe for the completion of required studies		N/A							
3 Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)		N/A							
4 Commencement and completion dates for public exhibition period			9th March - 6th April						
5 Dates for public hearing (if required)			23rd March						
6 Timeframe for consideration of submissions				6th April - 20th April					
7 Report to Council re: public exhibitions and submissions					3rd May Ops Committee				
8 Timeframe for the consideration of a proposal post exhibition		N/A				11th May - 3rd June			
9 Finalise plan (drafting, editing, mapping)									
10 Anticipated date RPA will make the plan (if delegated)							20th July		
11 Anticipated date RPA will forward to the department for notification (if delegated).		N/A							

Page 8

PLANNING PROPOSAL - WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

7. LIST of ATTACHMENTS

1. Information Checklist.
2. Council resolution – Lease agreements – 19 August 2014.
3. Council resolution – Reclassify land at 2-8 Dickson St – 21 July 2015.
4. Table demonstrating consistency with State Environmental Planning Policies and Section 117 Directions.

ATTACHMENT 1 - INFORMATION CHECKLIST

STEP 1: REQUIRED FOR ALL PROPOSALS (under s55(a) - (e) of the EP&A Act)

- Objectives and intended outcome
- Mapping (including current and proposed zones)
- Community consultation (agencies to be consulted)
- Explanation of provisions
- Justification and process for implementation (including compliance assessment against relevant section 117 direction/s)

STEP 2: MATTERS - CONSIDERED ON A CASE BY CASE BASIS (Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A	PLANNING MATTERS OR ISSUES	To be considered	N/A
Strategic Planning Context			Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)		*
• Demonstrated consistency with relevant Regional Strategy	<input type="checkbox"/>	*	• Sea level rise	<input type="checkbox"/>	*
• Demonstrated consistency with relevant Sub-Regional strategy	<input type="checkbox"/>	*	Urban Design Considerations		
• Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy	<input type="checkbox"/>	*	• Existing site plan (buildings vegetation, roads, etc)	<input type="checkbox"/>	*
• Demonstrated consistency with Threshold Sustainability Criteria	<input type="checkbox"/>	*	• Building mass/block diagram study (changes in building height and FSR)	<input type="checkbox"/>	*
Site Description/Context			• Lighting impact	<input type="checkbox"/>	*
• Aerial photographs	*	<input type="checkbox"/>	• Development yield analysis (potential yield of lots, houses, employment generation)	<input type="checkbox"/>	*
• Site photos/photomontage	*	<input type="checkbox"/>	Economic Considerations		
Traffic and Transport Considerations			• Economic impact assessment	<input type="checkbox"/>	*
• Local traffic and transport	<input type="checkbox"/>	*	• Retail centres hierarchy	<input type="checkbox"/>	*
• TMAP	<input type="checkbox"/>	*	• Employment land	<input type="checkbox"/>	*
• Public transport	<input type="checkbox"/>	*	Social and Cultural Considerations		
• Cycle and pedestrian movement	<input type="checkbox"/>	*	• Heritage impact	<input type="checkbox"/>	*
Environmental Considerations			• Aboriginal archaeology	<input type="checkbox"/>	*
• Bushfire hazard	<input type="checkbox"/>	*	• Open space management	<input type="checkbox"/>	*
• Acid Sulphate Soil	<input type="checkbox"/>	*	• European archaeology	<input type="checkbox"/>	*
• Noise impact	<input type="checkbox"/>	*	• Social & cultural impacts	<input type="checkbox"/>	*
• Flora and/or fauna	<input type="checkbox"/>	*	• Stakeholder engagement	*	<input type="checkbox"/>
• Soil stability, erosion, sediment, landslip assessment, and subsidence	<input type="checkbox"/>	*	Infrastructure Considerations		
• Water quality	<input type="checkbox"/>	*	• Infrastructure servicing and potential funding arrangements	<input type="checkbox"/>	*
• Stormwater management	<input type="checkbox"/>	*	Miscellaneous/Additional Considerations		
• Flooding	<input type="checkbox"/>	*	<i>List any additional studies</i>		
• Land/site contamination (SEPP55)	<input type="checkbox"/>	*			

Attachment 2

Minutes of Council Meeting

19 August 2014

- ii. Improved direct and safer access to the transport interchange for pedestrian commuters in accordance with specifications to be confirmed by TfNSW.
 - iii. Design excellence.
 - iv. Adoption of a Heads of Agreement as the delivery tool to progress the project to the next stage of consideration.
5. Council adopts the draft Heads of Agreement as attached at *Attachment G* for discussion with Meriton and TfNSW.
 6. Council authorises Council's General Manager to sign the final Heads of Agreement.
 7. Council notes that Meriton's offer is conditional on the freehold sale of the Rowe Street lot from Council, together with the acquisition of the two privately owned properties. It is further noted that it is feasible to retain clear and direct public access to the interchange through creating appropriate covenants as part of the sale of the Council owned land.
 8. Commences the process to seek the closure of Rowe Street in order to create a freehold title for the purposes of the sale of the future lot to Meriton.
 9. Council seeks advice on appropriate conditions of the sale to achieve Council's public benefit objectives in relation to access and development form.

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

CON.21/14 CONFIDENTIAL REPORT – Lease of Laneway 2-8 Dickson Street (A13/0437)**MOTION / DECISION**

Mover: Cr Mouroukas

Seconder: Cr Cusack

That:

1. The report titled Lease of Laneway 2-8 Dickson Street be treated as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2) of the Local Government Act 1993;
2. Council approves four individual fifty (50) year leases to the owners of 2, 4, 6 and 8 Dickson Street, Bronte under Section 149 of the Roads Act 1993 as outlined in this report, subject to the approval of the Secretary, NSW Department of Planning & Environment;
3. The Mayor and General Manager be authorised to complete negotiations, execute documents and affix the Council seal where necessary.

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

This is page 15 of the Minutes of the Council Meeting held on 19 August 2014

Attachment 3

Minutes of Council Meeting

21 July 2015

CM/10.5/15.07

**CONFIDENTIAL REPORT – Reclassification of Drainage Reserve – 2-4-6-8
Dickson Street, Bronte (A13/0437)****MOTION**

Mover: Cr Mouroukas

Seconder: Cr Kay

That:

1. The report be treated as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2) of the *Local Government Act 1993*.
2. Council approves the reclassification of a drainage reserve known as Lot 1 DP 1207222 located at the rear of 2-4-6 and 8 Dickson Street, Bronte, from Community Land to Operational Land.
3. Council notes that:
 - (a) As part of the reclassification process, a notice of public hearing into reclassification and exhibition will take place followed by an application to the Minister for Planning.
 - (b) If the reclassification to Operational Land is approved by the Minister for Planning, then fifty (50) year leases are entered into with the owners of 2-4-6 and 8 Dickson Street, Bronte, as approved by Council in July 2014.
4. The Mayor and General Manager be authorised to sign and execute the necessary documents.

AMENDMENT

Mover: Cr Kanak

Seconder: Cr Masselos

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

'Council officers, as part of the public hearing process, approach the Lands Department and the Local Aboriginal Land Council to determine whether the land is subject to an unresolved claim.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division**For the Amendment:** Crs Kanak, Masselos and Wakefield.**Against the Amendment:** Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Kay and Mouroukas.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION: That the Motion be adopted.*Cr Kanak requested that it be recorded in the minutes that he voted against the Motion.*

This is page 12 of the Minutes of the Council Meeting held on 21 July 2015

ATTACHMENT 4

ASSESSMENT OF WAVERLEY LEP 2012 WITH SECTION 117 DIRECTIONS, SEPPS AND FORMER REPS

Consistency with:

PART A: Ministerial Directions under Section 117

PART B: State Environmental Planning Policies

PART C: Former Sydney Regional Environmental Plans (Deemed SEPPs)

Part A: Ministerial Directions under Section 117 of EP&A Act 1979	(Tick one only)		
	Not relevant	Consistent	Justifiably Inconsistent
1. Employment and Resources			
1.1 Business and Industrial Zones	✓		
1.2 Rural Zones	✓		
1.3 Mining, Petroleum Production and Extractive Industries	✓		
1.4 Oyster Aquaculture	✓		
1.5 Rural Lands	✓		
2. Environment and Heritage			
2.1 Environmental Protection Zones	✓		
2.2 Coastal Protection	✓		
2.3 Heritage Conservation	✓		
2.4 Recreation Vehicle Area	✓		
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	✓		
3.2 Caravan Parks and Manufactured Home Estates	✓		
3.3 Home Occupations	✓		
3.4 Integrating Land Use and Transport	✓		
3.5 Development Near Licensed Aerodromes	✓		
3.6 Shooting Ranges	✓		
4. Hazard and Risk			
4.1 Acid Sulphate Soils	✓		
4.2 Mine Subsidence and Unstable Land	✓		
4.3 Flood Prone Land	✓		
4.4 Planning for Bushfire Protection	✓		
5. Regional Planning			
5.1 Implementation of Regional Strategies	✓		
5.2 Sydney Drinking Water Catchments	✓		
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	✓		
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	✓		
5.5 Development in the vicinity of Ellalong, Paxton, Millfield (Cessnock LGA) (Revoked)	✓		
5.6 Sydney to Canberra Corridor (Revoked)	✓		
5.7 Central Coast (Revoked)	✓		
5.8 Second Sydney Airport: Badgerys Creek	✓		
6. Local Plan Making			
6.1 Approval and Referral Requirements		✓	
6.2 Reserving Land for Public Purposes	✓		
6.3 Site Specific Provisions	✓		
7. Metropolitan Planning			
Implementation of Metropolitan Plan for Sydney 2036	✓		

ATTACHMENT 4

Part B: State Environmental Planning Policies (SEPPs)	(Tick one only)		
	Not Relevant	Consistent	Justifiably inconsistent
SEPP 1 – Development Standards	✓		
SEPP 2 – Minimum Standards for Residential Flat Development (repealed)	✓		
SEPP 3 – Castlereagh Liquid Waste Disposal Depot (repealed)	✓		
SEPP 4 – Development Without Consent & Miscellaneous complying Development	✓		
SEPP 5 – Housing for Older people or People with Disabilities (repealed)	✓		
SEPP 6 – Number of Storeys In a Building	✓		
SEPP 7 – Port Kembla Coal Loader (repealed)	✓		
SEPP 8 – Surplus Public Land (repealed)	✓		
SEPP 9 – Group Homes (repealed)	✓		
SEPP 10 – Retention of Low Cost Rental Accommodation (repealed)	✓		
SEPP 11 – Traffic Generating Developments (repealed)	✓		
SEPP 12 – Public Housing (Dwelling Houses) (repealed)	✓		
SEPP 13 – Sydney Heliport (repealed)	✓		
SEPP 14 – Coastal Wetlands	✓		
SEPP 15 – Rural Landsharing Communities	✓		
SEPP 16 – Tertiary Institutions (repealed)	✓		
SEPP 19 – Bushland in Urban Areas	✓		
SEPP 20 – Minimum Standards for Residential Flat Development (repealed)	✓		
SEPP 21 – Caravan Parks	✓		
SEPP 22 – Shops and Commercial Premises (repealed)	✓		
SEPP 25 – Residential Allotment Sizes (repealed)	✓		
SEPP 26 – Littoral Rainforests	✓		
SEPP 27 – Prison Sites (repealed)	✓		
SEPP 28 – Town House and Villa Houses (repealed)	✓		
SEPP 29 – Western Sydney Recreation Area	✓		
SEPP 30 – Intensive Agriculture	✓		
SEPP 31 – Sydney (Kingsford Smith) Airport (repealed)	✓		
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	✓		
SEPP 33 – Hazardous and Offensive Development	✓		
SEPP 34 – Major Employment Generating Industrial Development (repealed)	✓		
SEPP 35 – Maintenance Dredging of Tidal Waterways (repealed)	✓		
SEPP 36 – Manufactured Home Estates	✓		
SEPP 37 – Continued Mines & Extractive Industries (repealed)	✓		
SEPP 38 – Olympic Games and Related Projects (repealed)	✓		
SEPP 39 – Spit Island Bird Habitat	✓		
SEPP 41 – Casino Entertainment Complex (repealed)	✓		
SEPP 42 – Multiple Occupancy of Rural Land (repealed)	✓		
SEPP 43 – New Southern Railway (repealed)	✓		
SEPP 44 – Koala Habitat Protection	✓		
SEPP 45 – Permissibility of Mining (repealed)	✓		
SEPP 46 – Protection and Management of Native Vegetation (repealed)	✓		
SEPP 47 – Moore Park Showground	✓		
SEPP 48 – Major Putrescible Landfill Sites (repealed)	✓		
SEPP 50 – Canal Estates	✓		

Attachment 2

Page 2

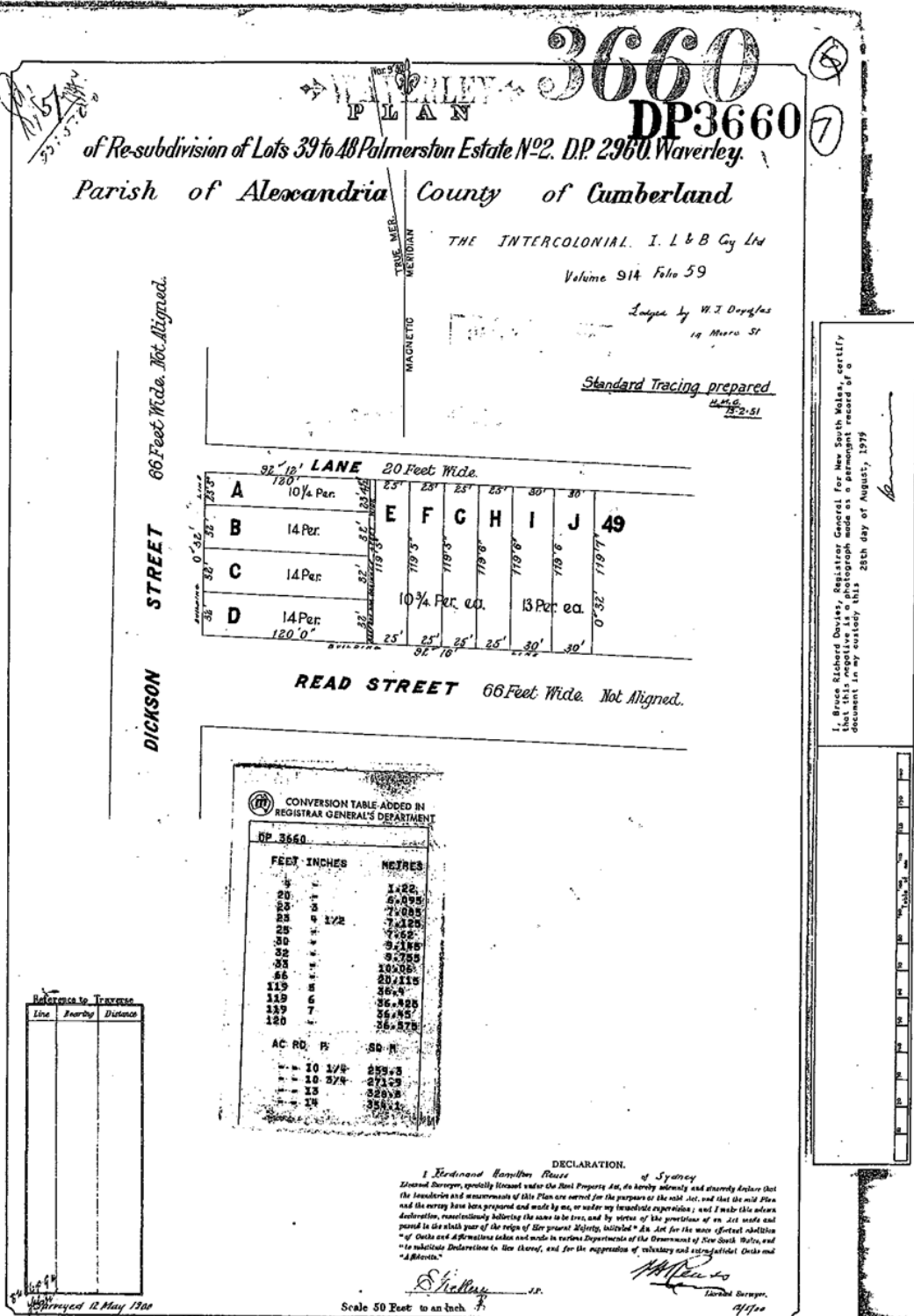
ATTACHMENT 4

Part B: State Environmental Planning Policies (SEPPs)	(Tick one only)		
	Not Relevant	Consistent	Justifiably Inconsistent
SEPP 51 – Eastern Distributor (repealed)	✓		
SEPP 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	✓		
SEPP 53 – Metropolitan Residential Development (repealed)	✓		
SEPP 54 – Northside Storage Tunnel (repealed)	✓		
SEPP 55 – Remediation of Land	✓		
SEPP 56 – Sydney Harbour Foreshores and Tributaries (repealed)	✓		
SEPP 58 – Protecting Sydney's Water Supply (repealed)	✓		
SEPP 59 – Central Western Sydney Regional Open Space and Residential	✓		
SEPP 60 – Exempt & Complying Development (repealed)	✓		
SEPP 61 – Exempt & Complying Development White Bay & Glebe Island Ports (repealed)	✓		
SEPP 62 – Sustainable Aquaculture 2000	✓		
SEPP 63 – Major Transport Projects (repealed)	✓		
SEPP 64 – Advertising and Signage	✓		
SEPP 65 – Design Quality of Residential Flat Development	✓		
SEPP 67 – Macquarie Generation Industrial Development Strategy (repealed)	✓		
SEPP 69 – Major Electricity Supply Projects (repealed)	✓		
SEPP 70 – Affordable Housing (Revised Schemes)	✓		
SEPP 71 – Coastal Protection	✓		
SEPP 72 – Linear Telecommunications Development – Broadband (repealed)	✓		
SEPP 73 – Kosciuszko Ski Resorts (repealed)	✓		
SEPP 74 – Newcastle Port and Employment Lands (repealed)	✓		
SEPP (Affordable Rental Housing) 2009	✓		
SEPP (Building Sustainability Index: BASIX) 2004	✓		
SEPP (ARTC Rail Infrastructure) 2004 (repealed)	✓		
SEPP (Sydney Metropolitan Water Supply) 2004 (repealed)	✓		
SEPP (Development on Kurnell Peninsula) 2005	✓		
SEPP (Major Developments) 2005	✓		
SEPP (Sydney Region Growth Centres) 2006	✓		
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	✓		
SEPP (Temporary Structures) 2007	✓		
SEPP (Infrastructure) 2007	✓		
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	✓		
SEPP (Rural Lands) 2008	✓		
SEPP (Exempt and Complying Development Codes) 2008	✓		
SEPP (Western Sydney Parklands) 2009	✓		
SEPP (Housing for Seniors or People with a Disability) 2004	✓		
SEPP (Western Sydney Employment Area) 2009	✓		
SEPP (Urban Renewal) 2010	✓		
SEPP (Sydney Drinking Water Catchment) 2011	✓		
SEPP (State and Regional Development) 2011	✓		
SEPP (Penrith Lakes Scheme) 1989	✓		

ATTACHMENT 4

Part C: Former Sydney Regional Environmental Plans (Deemed SEPPs)	(Tick one only)		
	Not Relevant	Consistent	Justifiably inconsistent
SYDNEY REP 1 – Dual Occupancy (repealed)	✓		
SYDNEY REP 2 – Dual Occupancy (repealed)	✓		
SYDNEY REP 3 – Kurnell Peninsula (replaced)	✓		
SYDNEY REP 4 – Homebush Bay (repealed)	✓		
SYDNEY REP 5 – Chatswood Town Centre (repealed)	✓		
SYDNEY REP 6 – Gosford Coastal Areas (repealed)	✓		
SYDNEY REP 7 – Multi-Unit Housing – Surplus Govt Sites (repealed)	✓		
SYDNEY REP 8 – Central Coastal Plateau Areas	✓		
SYDNEY REP 9 – Extractive Industry	✓		
SYDNEY REP 10 – Blue Mountains Regional Open Space (repealed)	✓		
SYDNEY REP 11 – Penrith Lakes Scheme (repealed)	✓		
SYDNEY REP 12 – Dual Occupancy (repealed)	✓		
SYDNEY REP 13 – Mulgoa Valley (repealed)	✓		
SYDNEY REP 14 – Eastern Beaches (repealed)	✓		
SYDNEY REP 15 – Terry Hills (repealed)	✓		
SYDNEY REP 16 – Walsh Bay	✓		
SYDNEY REP 17 – Kurnell Peninsula (repealed)	✓		
SYDNEY REP 18 – Public Transport Corridor	✓		
SYDNEY REP 19 – Rouse Hill Development Area	✓		
SYDNEY REP 20 – Hawkesbury-Nepean River	✓		
SYDNEY REP 21 – Warringah Urban Release Areas (repealed)	✓		
SYDNEY REP 22 – Parramatta River (repealed)	✓		
SYDNEY REP 23 – Sydney and Middle Harbours (repealed)	✓		
SYDNEY REP 24 – Homebush Bay Area	✓		
SYDNEY REP 25 – Orchard Hills (repealed)	✓		
SYDNEY REP 26 – City West	✓		
SYDNEY REP 27 – Wollondilly Regional Open Space (repealed)	✓		
SYDNEY REP 28 – Parramatta (repealed)	✓		
SYDNEY REP 29 – Rhodes Peninsula (repealed)	✓		
SYDNEY REP 30 – St Marys	✓		
SYDNEY REP 31 – Regional Parklands (repealed)	✓		
SYDNEY REP 33 – Cooks Cove	✓		
SYDNEY REP (Sydney Harbour Catchment) 2005	✓		

5



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Reg:R961303 Doc:DLA14846 Rev:31-Mar-2015 /SIS:NO OK /PS:ALL /Pr:28-Jun-2016 13:06/Seq:1 of 1
Ref: 0746 /Sic:M

Form: 11R
Licence: 05-1-483
Licence: Solicitors
Waverley Shire Council

REQUEST
New South Wales
Real Property Act 1900

AJ148466W

PRIVACY NOTE: Section 318 of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Registrar is made available to any person for search upon payment of a fee, if any.

(A) - Stamp Duty (if applicable, Office of State Revenue use only)

19 MAR 2015

(8) TORRENS TITLE

Reserve for drainage & foot wide within Deposited Plan 3660 4/3660 Part Volume 914
Folio 41 B

TIME: 7-57

DEALING

Number

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20 FEB 2015

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DX 777 Sydney NSW

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(7) NATURE OF REQUEST

The issue of a Certificate of Title to Waverley Council of land described "Reserve for Drainage & foot wide" in Deposited Plan 3660 between Belgrove Lane and Road Street Driveway.

(6) TEXT OF REQUEST

The Applicant requests:

1. The issue of a "Certificate of Title" to Waverley Council.
2. The issue of a "Certificate of Title" to Waverley Council of land described "Reserve for Drainage & foot wide" in Deposited Plan 3660 between Belgrove Lane and Road Street Driveway.

DATE 18/12/2015

(H) I certify I am an eligible witness and that the authorised officer of the applicant signed this dealing in my presence.
(See note below)

Certified correct for the purposes of the Real Property Act 1900 by the authorised officer named below.

Signature of witness:

JOHN MUMFELL

Justice of the Peace

No 199423

Signature of authorised officer:

IAN ROBERTS

Authority of officer: Acting Internal Ombudsman

Governing & C/O:

Signing on behalf of: WAVERLEY COUNCIL

Name of witness:

JOHN MUMFELL

Justice of the Peace

No 199423

Signature of authorised officer:

IAN ROBERTS

Authority of officer: Acting Internal Ombudsman

Governing & C/O:

Signing on behalf of: WAVERLEY COUNCIL

Name of witness:

JOHN MUMFELL

Justice of the Peace

No 199423

Signature of authorised officer:

IAN ROBERTS

Authority of officer: Acting Internal Ombudsman

Governing & C/O:

Signing on behalf of: WAVERLEY COUNCIL

Name of witness:

JOHN MUMFELL

Justice of the Peace

No 199423

Signature of authorised officer:

IAN ROBERTS

Authority of officer: Acting Internal Ombudsman

Governing & C/O:

Signing on behalf of: WAVERLEY COUNCIL

(I) This section is to be completed where a notice of sale is required and the relevant data has been forwarded through a V&A. The applicant's solicitor certifies that the ENOS data relevant to this dealing has been submitted and

Signature: *[Signature]*

Full Name: LUCY SINGH MATHIA

Signature: *[Signature]*

Full Name: LUCY SINGH MATHIA

Signature: *[Signature]*

Full Name: LUCY SINGH MATHIA

Signature: *[Signature]*

Full Name: LUCY SINGH MATHIA

Signature: *[Signature]*

Full Name: LUCY SINGH MATHIA

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Full Name: LUCY SINGH MATHIA

Signature: *[Signature]*

Full Name: LUCY SINGH MATHIA

Signature: *[Signature]*

Full Name: LUCY SINGH MATHIA

6/30/2016

Title Search Results

7

InfoTrack
An Approved LPI NSW
Information Broker

Title Search



LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/1207222

SEARCH DATE	TIME	EDITION NO	DATE
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26/6/2016	3:15 PM	1	24/3/2015

LAND

LOT 1 IN DEPOSITED PLAN 1207222
AT BRONTE
LOCAL GOVERNMENT AREA WAVERLEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1207222

FIRST SCHEDULE

WAVERLEY COUNCIL

(R AJ148466)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 THE LAND WITHIN DESCRIBED IS A DRAINAGE RESERVE

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

10746

PRINTED ON 26/6/2016

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

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Req:R959954 /Doc:DP 1207222 P /Rev:26-Mar-2015 /Sts:SC.OK /Pgs:ALL /Prt:28-Jun-2016 11:30 /Seq:1 of 1
 Ref:10746 /Src:M

<p>Full dimensions and/or areas are not available for all lots. Any division of the lands herein may necessitate the lodgement of a plan of survey.</p>	
<p>DP 1207222</p>	<p>Registered: 24.3.2015 Title System: TORRENS Purpose: DEPARTMENTAL Ref. Map: WAVERLEY SH8 Last Plan: D.P. 3660#</p>
<p>Lengths are in metres. Reduction Ratio - NTS LPI Ref: SM19</p>	<p>Sheet 1 of 1 sheets</p>
<p>L.G.A.: WAVERLEY LOCALITY: BRONTE PARISH: ALEXANDRIA COUNTY: CUMBERLAND</p>	<p>LOT PRIOR IDENTITY</p>
<p>THIS PLAN HAS BEEN PREPARED TO PROVIDE A UNIQUE IDENTITY FOR THE LAND IN THE CERTIFICATE OF TITLE REFERRED TO ABOVE. IT IS NOT A CURRENT PLAN IN THE TERMS OF THE CONVEYANCING ACT, 1919.</p>	

REPORT
CM/7.7/16.08

Subject: Solar Compactor Bins Infrastructure Project - Tender Exemption

TRIM No.: A14/0588

Author: Beth Kasumovic, Sustainable Waste Coordinator

Director: Peter Monks, Director, Waverley Futures

RECOMMENDATION:

That Council, pursuant to section 55(3)(i) of the *Local Government Act 1993*, exempts the purchase and installation of solar compacting bins from the tender requirements of the Act due to the unavailability of competitive tenderers.

1. Executive Summary

The purpose of this report is to seek an exemption under the *Local Government Act* tendering requirements for the supply, installation and maintenance of solar compacting bins at selected locations in the Bondi Beach and Bondi Junction areas. Currently in Australia there is only one provider of this infrastructure, a company called Solar Bins Australia, and this has been confirmed the Industry Capability Network.

Section 55 of the *Local Government Act 1993* requires all contracts over \$150,000 to be tendered with some exceptions. Of relevance here is the exception that applies when there is an unavailability of competitive or reliable tenderers: s55(3)(i). A resolution of Council stating the reason a tender is not likely to produce a satisfactory outcome is required.

2. Introduction/Background

The installation of innovative solar compacting bins in Waverley is a key, high priority action in Waverley's Sustainable Waste Strategy. This project will allow for greater capacity of waste and recycling storage to improve litter capture, public place recycling and reduce the likelihood that bins will overflow.

For the Bondi Beach and Park Area, solar compacting bins were identified as the optimal infrastructure options assessed as part of the Bondi Beach Area Waste Management Study (2015). This can be attributed to their relatively low capital costs and requirement for minimal site preparation works (relative to other options). The solar compacting bins for waste and recycling can be installed at several locations thus catering for the public access requirements of the parklands and promenade area, while providing the flexibility to accommodate the fluctuations in waste generation from events and the holiday season.

Solar compacting bins also offer the highest cost savings over a 20 year period as indicated by the Net Present Value calculations and the best potential for minimisation of greenhouse gas emissions and waste diversion.

The solar compacting bins have been successful in other beach side areas and metro areas, and have shown to significantly reduce the frequency of collection by 75% at the City of Hamburg.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council Meeting 17 November 2015	CM/7.9/15.11	That Council: 1. Adopts the Sustainable Waste Strategy 2015-2020. 2. Proceeds to implement the 3-bin domestic waste service in Waverley.

4. Discussion

The solar compacting bin infrastructure is an improvement upon existing infrastructure where numerous bins are placed along the Bondi Beach promenade and within the park area, which is unsightly and labour intensive when collection is required.

The solar compacting bins can be positioned as a station with two bins – one for recycling and one for waste. The bins have compactors that compact to a ratio of 5:1, smart technology, and are suitable for public places, including beach environments. The Bondi Beach Waste Management Study recommends installing several bin stations within the Bondi Beach and Park area and along Campbell Parade. Initially, 10 bin stations will be installed around the Bondi Pavilion and main area of Bondi Beach, as well as litter priority areas around the Bondi Junction train/bus station.

Additional benefits of the solar compacting bins include:

- Improved efficiency of Council collection service;
- Improved data management;
- Improved amenity at the beach and park; and
- Contribution to EPA targets.

It is proposed that the solar compacting bins will be installed as part of the following projects in 2016/17:

- *Bondi Unwrapped* – partially EPA Funded Project for 2016/2017
- Solar Compactor Bins Capital Works Project

The contract with Solar Bins Australia would include the purchase and installation of 16 solar compactor bins for the waste and recycling streams. The contract agreement is estimated to total \$158,500 (excluding GST). A summary of the estimated costs (excluding GST) are listed below:

Outright purchase of 16 dual solar compactor bins (\$11,995 each) - \$119,950
 Smart system management for 5 years- \$19,900
 Delivery of bins (freight- domestic) - \$9,950
 Service Support over lifetime - \$8,700

The contract with Solar Bins Australia would allow for additional bins to be purchased under this contract in the future, along with the replacement of hardware such as the hopper, the internal lift bin, the advertising decal for the bin or the hopper liner, which will be listed as additional items in the contract.

This infrastructure has the highest cost savings over 20 year period as indicated by the Net Present Value calculations (compared to other infrastructure assessed).

Council will undertake a quotation process to ensure Council's needs are met and to minimise risks of high or undisclosed additional costs associated with the supply of solar bin infrastructure.

Expected Benefits

Financial benefits

- Utility cost savings (solar powered);
- Maintenance cost savings;

Service benefits

- Fewer waste trucks on the road alleviates trucks to do other work;
- Response to waste and recycling collection in real-time;
- Improved data management and monitoring system;

Governance benefits

- Inform future strategies and work-plans.

Environmental benefits

- Resource recovery savings;
- Improved public place litter management;
- Greenhouse gas emissions savings; and,
- Improved amenity as fewer bins are required.

Social benefits

- Environmental sustainability leadership;
- Opportunity to have targeted engagement programs using real data;

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction:	E3 Waverley's community, including its visitors, reduces the amount of waste it generates and increases the amount it reuses and recycles.
Strategy:	E3a Reduce waste generation and maximising recycling in Council operations, homes, businesses, schools, development sites and public places..
Deliverable:	A waste and litter management strategy for public places that integrates infrastructure, education, management and enforcement.

6. Financial impact statement/Timeframe/Consultation

Financial impact statement

The contract value is covered within the approved budgets for the *Bondi Unwrapped* operational project which is part funded by a state government grant and the Solar Compactor Bins Capital Works Project. No additional budget is required.

Timescale

Project Brief/Plan	June 2016
Solar Compacting Bins Report To Council	July 2016
Procurement Process for Supplier (Solar Bins Australia)	August 2016
Solar Compacting Bins tender appointment	August 2016
Installation of Solar Compacting Bins	September 2016- December 2016
Benefits review	October 2016 – November 2016

Consultation

The Industry Capability Network (ICN) search generated no list for infrastructure suppliers in Australia that met the recommendations in the Bondi Beach Waste Management Study. A search internationally identified an external company, Solar Bins Australia based in the US that met the recommended infrastructure specifications. As Solar Bins Australia has an Australian distributor, it is an optimal candidate to supply council with the infrastructure, pending local government procurement requirements are met.

The solar compactor bins were presented at a Council workshop in June 2015 as part of the overall presentation of the Bondi Beach Waste Management Study findings.

Waverley Council programs, including Creating Waverley, Waverley Renewal, Sustainable Waverley, and Clean and Attractive, were also engaged throughout the Bondi Beach Waste Management Project. Representatives from these areas provided valuable input to the study with respect to Council's ongoing waste and recycling service and they attended a workshop held in April 2015 to discuss the Study's recommendations. All attendees supported the recommendation of solar compactor bins for the Bondi Beach area.

7. Conclusion

It is recommended that an exemption to the request for tender process is granted under the *Local Government Act* as it is evident that Solar Bins Australia is the sole source for solar bin infrastructure in Australia and that Council enter into a negotiated contract with Solar Bins Australia.

8. Attachments

1. Solar compactor bins infosheet



Solar Compacting Bins



Solar compacting bins

How it works



1

Solar powered compactor and bin fullness sensor

2

Compatible with existing garbage truck

3

Each bin has a volume of up to 120L

4

Compaction ratio of up to 5:1

5

Smart system for data collection and monitoring bin fullness for collection purposes.

Strengths



- Improved amenity as fewer bins required
- Renewable energy source (solar)
- Requires fewer bins as waste is compacted
- Compatible with existing collection trucks
- Capable of real-time data reporting
- Minor civil works required for installation
- Allows for more efficient collection program
- Ability to wrap bins with targeted messaging
- Able to weather-proof exterior with coating

Weaknesses



- Requires key access during servicing
- Requires level surface for installation
- Requires access to sunlight
- Public may not want to touch handle to access bin
- Risk of sand wearing the movable parts



SUSTAINABLE



Computer and device interface

REPORT
CM/7.8/16.08

Subject: Bronte Pool Relining - Evaluation of Tenders

TRIM No.: A16/0450

Author: Alex Tautau, Project Manager

Director: Emily Scott, Director, Waverley Renewal

RECOMMENDATION:

That Council:

1. Treats the Evaluations of Findings report attached to Council's file as confidential as it contains information specified in section 10A(2)(c) of the *Local Government Act 1993*.
2. Enters into a contract under clause 178 of the *Local Government (General) Regulation 2005* with FCS Concrete Repairs for the Bronte Pool Relining.
3. In accordance with clause 179 of the *Local Government (General) Regulation 2005*, notifies unsuccessful tenderers of the decision.

1. Executive Summary

The purpose of this report is to seek Council's approval for the appointment of the preferred contractor for the relining of the Bronte Pool as recommended by the Tender Evaluation Committee (TEC).

The Bronte Pool Relining project includes relining of the walls, floor and steps.

2. Introduction/Background

Bronte beach was severely affected by the storm event with damage to the pool and general area. Waverley Council is seeking an experienced contractor to repair any damages to the pool and reline the pool to ensure longevity and stop current leakages. The pool is currently closed to the public due to dilapidated access and hazards caused by the storm.

Council has resolved to approve the calling for a Request for Tender (RFT).

3. Relevant Council Resolutions

Nil.

4. Discussion

Tenders were evaluated strictly in accordance with Council's Purchasing Policy, Procedures and Evaluation Plan. Compliance with the provisions of the *Local Government Act 1993* and *Local Government (General) Regulation 2005* were also strictly adhered to.

The Tender Evaluation criteria were developed and approved by the TEC prior to the tender being issued. The roles and responsibilities of the TEC members and Council are outlined in the signed conflict of interest and deed of non-disclosure declarations held on Council's file.

Tenderers Received

The Tenders received by the advertised closing date of 5.00 pm, 9 August 2016 were as follows:

- FCS Concrete Repairs
- DGL Contractors
- Fitt Resources

Conforming Tenders

All tenders met the compliance requirements.

Evaluation Criteria and Process

The objective of the evaluation was to select the tenderer offering the best value for money in a rational and defensible way that is fair to all tenderers. The evaluation criteria and criteria weightings were agreed to by all TEC members and detailed in the Evaluation Plan prior to the tender close date and time.

It was proposed that one tenderer be selected. The evaluation was conducted in 6 chronological stages:

Stage 1: Initial Cull

Opening and recording of all submissions received and noting any late submissions.

Stage 2: Compliance Criteria (Conforming)

Ensuring each Respondent's response to the compliance criteria as specified in the Tender Schedules ('Yes' or 'No');

Stage 3: Non-price Criteria (Qualitative)

Evaluating of all submissions against the evaluation criteria (Design Excellence, Methodology & Approach and Capacity & Program) as specified in the Tender Schedules. The scoring criteria included a 0-5 rating.

Stage 4: Price (Quantitative)

Comparing the Respondents price through a Normalised price model.

A ratio of Price 20% and Non-price 80% was applied to the formula.

Stage 5: Financial Details

The TEC could have requested financial details from the preferred tenderer or indeed the top two tenderers in order to test the company's financial standing. However, the TEC agreed that this stage of the evaluation process was not necessary given the standing of the preferred tenderer.

Tender Evaluation Committee (TEC)

- Robert Sabato, Project Manager, Project Waverley
- Alex Tautau, Project Manager, Project Waverley
- William Neary, Project Manager, Project Waverley

Evaluation Results

All tenderers were assessed and scored against the advertised evaluation criteria listed in the tender document and weightings agreed to by the TEC. The tender assessment scoring summary attached to Council's file details the TEC agreed scores and resulting ranking of Respondents.

Tender Evaluation Committee Endorsement

Tenders were evaluated strictly in accordance with Council's Purchasing Policy and Procedures and the *Local Government Act* and *Local Government (General) Regulation*.

Following a rigorous evaluation process of all submitted tenders, the Tender Evaluation Committee is confident in its recommendation that the services offered by the recommended tenderer conform to Council's requirements.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: L3 Waverley's public places and spaces look and feel good.
Strategy: L3a Ensure that public places are clean and well maintained..
Deliverable: Beach cleaning and beach pool cleaning program undertaken

6. Financial impact statement/Timeframe/Consultation

The tendered price received by FCS Concrete Repairs was \$256,750 (ex. GST). The funding has been fully allocated under the Natural Disaster Relief Funding – Federal Grant.

Construction tender awarded	August 2016
Construction commences	August 2016
Construction Completion	October 2016

7. Conclusion

The TEC agreed that the tender process has enabled the Committee to recommend FCS Concrete Repairs as principal contractor for the Bronte Pool Relining. FCS Concrete Repairs scored well in all criteria non-price and were the number 1 ranked for this stage. FCS Concrete Repairs has completed a number of construction projects of similar scope and of equal or greater value and are a well-established company with diverse experience. FCS Concrete Repairs work demonstrates a high level of innovation and has attracted an impressive list of clientele. Projects have included:

- Malabar WWTP Remedial Works
- Heritage Wall Campbell Parade
- Quakers Hill STP
- Warragamba Dam

The TEC has formed the view that this company, taking into consideration all of the information provided, are the most suitable company to recommend for the Bronte Pool Relining project.

8. Attachments

Nil.

REPORT
CM/7.9/16.08

Subject: Supply and Lay of Asphalt and Associated Services -
Evaluation of Tenders

TRIM No.: A16/0387

Author: Velibor Trlin, Manager, Maintenance & Construction

Director: Emily Scott, Director, Waverley Renewal

RECOMMENDATION:

That Council:

1. Treats the Evaluations of Findings report attached to Council's file as confidential as it contains information specified in section 10A(2)(c) of the *Local Government Act 1993*.
2. Enters into a contract under clause 178 of the *Local Government (General) Regulation 2005* with NA Group Pty Ltd for the Supply and Lay of Asphalt and Associated Services at the price detailed in this report.
3. In accordance with clause 179 of the *Local Government (General) Regulation 2005*, notifies unsuccessful tenderers of the decision.

1. Executive Summary

The purpose of this report is to seek Council's approval for the appointment of the preferred tenderer for the Supply and Lay of Asphalt and Associated Services as recommended by the tender evaluation committee, NA group Pty Ltd.

The contract is to undertake the re-surfacing of 30 roads and laneways identified strategic asset management plan and scheduled within the 2016/2017 Capital Works program. Work expected to take place before the end of 2016.

2. Introduction/Background

Council contracts out the supply and laying of asphalt and associated services and selective tenders were called on 1 July 2016 and closed at 10 am Friday, 22 July 2016.

Tenderers from the pre-qualified LGP panel were asked to provide a submission to perform the upgrade works in line with the designs prepared by the Creating sub-program.

The lump sum prices of all tenders received were within the estimated price range.

The roads and laneways identified for 2016/17 and covered by this tender are:

Adelaide Street, Oxford Street to Grafton Street
Arnold Street, dead end to Bourke Street
Belgrave Street, Murray Street to Dickson Street
Birrell Street, Bennett Street to Jackaman Street
Bronte Road, Carrington Road to Albion Street
Ethel Street, Kimberley Street to dead end
Francis Street, Wellington Street to Barracluff Avenue
Gardyne Street, #47 to dead end (lower section)
Gardyne Street, split level to Pacific Street (upper section)
Grafton Street, Junction Street to Vernon Street
King Street, Bennett Street to Ocean Street
Liverpool Street, Hardy Street to dead end
Murray Street, Gipps Street to 35 Murray Street
Newland Street, Ebley Street to Spring Street
Norton Avenue, Oceanview Avenue to dead end
Oceanview Avenue, Military Road to Old South Head Road
Raleigh Street, Military Road to Wallangra Road
Sir Thomas Mitchell Road, Campbell Parade to Lucius Street
Yanko Avenue, Macpherson Street to Evans Street
Alice Lane, Pine Street to dead end
Busby Lane, Maroo Street to Chesterfield Parade
Castlefield Lane, Denham Street to Castlefield Street
Grosvenor Lane, Newland Street to Grosvenor Street
Newland Lane, Cuthbert Street (north) to Newland Lane
Newland Lane, Cuthbert Street (south) to Newland Lane
Newland Lane, Manning St to Newland St
Newland Lane, Stanley Street to Newland Street
Read Lane, Read Lane to Murray Street
Read Lane, Read Street to Hewlett Street
York Lane, Birrell Street to Aston Street

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council Meeting 15 July 2015	CM/10.4/15.07	<p>That:</p> <ol style="list-style-type: none"> 1. The report be treated as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as it relates to a matter specified in section 10A(2) of the <i>Local Government Act 1993</i>. 2. Council endorses the recommendation to enter into a contract arrangement with Avijohn Contracting Pty Ltd and Downer EDI Pty Ltd for the Supply and Lay of Asphalt and Associated Services at various locations within Waverley LGA as per Attachment B. 3. The successful and unsuccessful tenderers be notified of the

		<p>decision.</p> <p>4. The General Manager be authorised to do all things necessary to execute the contract.</p>
<p>Council Meeting 14 October 2014</p>	<p>CM/10.3/14.10</p>	<p>That:</p> <p>1. The Evaluation of Findings report attached to Council's file be treated as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2) of the Local Government Act 1993.</p> <p>2. Council endorses the recommendation to enter into a contract arrangement with Avijohn Contracting Pty Ltd and Downer EDI Pty Ltd for Supply and Lay of Asphalt and Associated Services at various locations within Waverley Local Government Area as per Attachment B of the report</p> <p>3. Council notifies the unsuccessful tenderers of the decision.</p>

4. Discussion

Tender Assessment

The tenders were evaluated strictly in accordance with Council's Purchasing Procedure and Evaluation Plan and in compliance with the provisions of the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.

A Tender Evaluation Plan was developed and approved by the Corporate Procurement Manager prior to the tender close and is attached to Council's file. The roles and responsibilities of the Tender Evaluation Committee members and Council are outlined in the Tender Evaluation Plan.

Tenders Received

The Tenders received were as follows:

- Avijohn Contracting Pty Ltd
- Bitupave Limited Boral Asphalt
- D&M Excavations Pty Ltd
- Downer EDI Limited
- Fulton and Hogan
- NA Group Pty Ltd
- Ozpave Asphalt, Concrete and Civil Contractors
- State Asphalt Services Pty Ltd

Late Tenders

No late tenders were received.

Conforming Tenders

Seven (7) tenders met the mandatory requirements and proceeded to tender evaluation. Submission by State Asphalt Services is not compliant with the tender requirements.

Evaluation Methodology

The objective of the evaluation was to select a contractor offering the best value for money for the services outlined in the tender in a rational and defensible way.

Evaluation Criteria

A ratio of price 50% and non-price 50% was applied, given all tenderers were from the pre-qualified LGP panel.

Following an evaluation process of all submitted tenders, the Evaluation Team is confident in its recommendation that the services offered by the recommended tenderer conform to Council's requirements.

Tender Evaluation Committee

- Construction and Maintenance Coordinator
- Construction Supervisor

Tender Evaluation Process

There was no recorded data on previous performance of tenderers in relation to working for Waverley Council that could be used to support the evaluation process.

Tender Findings

The tenders were assessed and a score was completed against the advertised evaluation criteria in the tender document and weightings agreed to by the TEC. The tender assessment scoring summary attached to Council's file details the TEC agreed scores and resulting ranking of tenderers.

TEC recommendation

Following a rigorous evaluation process of all complying tender, the tender evaluation team recommends that Council awards the works to NA Group Pty Ltd to achieve 2016/17 work program. The tendered contract price of \$1,282,573.24 (ex GST) is within the approved budget for the works.

The company profile indicated that they have the equipment, skills and expertise to complete road works identified in the contract and they have submitted very competitive prices for the works.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction:	G6 Waverley's assets are well maintained for their current purpose and for future generations.
Strategy:	G6c Implement the adopted Asset Management Continuous Improvement Plan..
Deliverable:	On-track delivery of 80% of scheduled activities in adopted Asset Management Continuous Improvement Plan each year.

6. Financial impact statement/Timeframe/Consultation**Financial**

The funds for these services will be sourced from Council's Capital Works Budget as required.

Council has adopted a budget of \$1,899,864 as part the 2016/17 Capital Works Program for the Supply and Lay of Asphalt and Associated Services within Waverley LGA.

The tendered prices are in the order of the construction estimates.

Consultation

Council's affected staff have been consulted.

Timeframe

Following approval from Council, contracts will be executed.

7. Conclusion

Evaluation of tenderers against the specified evaluation criteria demonstrated that NA Group Pty Ltd has submitted the best value to Council for Supply and Lay of Asphalt and Associated Services.

8. Attachments.

Nil.

NOTICE OF MOTION CM/8.1/16.08



Subject: RESCISSION MOTION - Extraordinary Council Meeting - 2 August 2016 - CM/5.1/16.08E - Rescission Motion - Bondi Pavilion Plan of Management

TRIM No.: A15/0272

Submitted by: Councillor Mouroukas
Councillor Burrill
Councillor Goltsman

MOTION:

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its Extraordinary Meeting on 2 August 2016. Immediately after the meeting, the following Notice of Rescission was submitted by Crs Mouroukas, Burrill and Goltsman:

‘We the undersigned Councillors wish to rescind the Council decision for Item CM/5.1/16.08[E] – Bondi Pavilion Plan of Management adopted at the Council Meeting on Tuesday 2 August 2016.

Cr Mouroukas, Cr Burrill and Cr Goltsman.’

BELOW IS THE MINUTE EXTRACT FROM THE EXTRAORDINARY COUNCIL MEETING HELD ON 2 AUGUST 2016:

CM/5.1/16.08E RESCISSION MOTION – Council Meeting 19 July 2016 – CM/8.7/16.07 – Bondi Pavilion Plan of Management (A15/0272)

Immediately following the meeting, a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the next Council Meeting.

Notice of Motion submitted by Crs Masselos, Wakefield and Wy Kanak.

MOTION

Mover: Cr Wakefield
Seconder: Cr Masselos

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its meeting on 19 July 2016. Subsequently, the following Notice of Rescission was submitted by Crs Masselos, Wakefield and Wy Kanak:

‘We the undersigned Councillors wish to rescind the following decision made by Council at its meeting on Tuesday 19 July 2016:

CM/8.7/16.07 – Bondi Pavilion Plan of Management

Councillors Masselos, Wakefield and Wy Kanak’.

BELOW IS THE MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 19 JULY 2016:

CM/8.7/16.07 Bondi Pavilion Plan of Management (A15/0272)

Subsequent to the meeting a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the August Council Meeting.

MOTION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council appoints an external consultant to determine the extent to which the current proposal to re-develop the Bondi Pavilion is supported by the Statutory Plan of Management. This report to be completed coincidental with the current community consultation process.

THE MOTION WAS PUT AND DECLARED LOST.

Division

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

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

FORESHADOWED MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council appoints an external consultant to determine the extent to which the current proposal to redevelop the Bondi Pavilion is supported by the Statutory Plan of Management. This report to be completed coincidental with the current community consultation process.

THE RESCISSION MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

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

DECISION: That the Rescission Motion be adopted.

THE FORESHADOWED MOTION NOW BECAME THE SUBSTANTIVE MOTION.

THE MOVER AND SECONDER OF THE SUBSTANTIVE MOTION ACCEPTED AN AMENDMENT TO THE MOTION SUCH THAT IT NOW READ AS FOLLOWS:

That Council appoints an external consultant to determine the extent to which the current proposal to redevelop the Bondi Pavilion is supported by the Statutory Plan of Management and the Conservation Management Plan 2015 prepared by TKD Architects and adopted in full by Council. This report to be completed coincidental with the current community consultation process.

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

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

DECISION: That the Substantive Motion be adopted.

NOTICE OF MOTION CM/8.2/16.08



Subject: RESCISSION MOTION - Extraordinary Council Meeting - 2 August 2016 - CM/5.2/16.08E - Rescission Motion - Bondi Pavilion Heritage

TRIM No.: A15/0272

Submitted by: Councillor Mouroukas
Councillor Burrill
Councillor Goltsman

MOTION:

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its Extraordinary Meeting on 2 August 2016. Immediately after the meeting, the following Notice of Rescission was submitted by Crs Mouroukas, Burrill and Goltsman:

‘We the undersigned Councillors wish to rescind the Council decision for Item CM/5.2/16.08[E] – Bondi Pavilion Heritage adopted at the Council Meeting on Tuesday 2 August 2016.

Cr Mouroukas, Cr Burrill, Cr Goltsman.’

BELOW IS THE MINUTE EXTRACT FROM THE EXTRAORDINARY COUNCIL MEETING HELD ON 2 AUGUST 2016:

CM/5.2/16.08E RESCISSION MOTION – Council Meeting 19 July 2016 – CM/8.9/16.07 – Bondi Pavilion Heritage (A15/0272)

Immediately following the meeting, a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the next Council Meeting.

Notice of Motion submitted by Crs Masselos, Wakefield and Wy Kanak.

MOTION

Mover: Cr Wakefield
Seconder: Cr Masselos

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its meeting on 19 July 2016. Subsequently, the following Notice of Rescission was submitted by Crs Masselos, Wakefield and Wy Kanak:

‘We the undersigned Councillors wish to rescind the following decision made by Council at its meeting on Tuesday 19 July 2016:

CM/8.9/16.07 – Bondi Pavilion Heritage

Councillors Masselos, Wakefield and Wy Kanak’.

BELOW IS THE MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 19 JULY 2016:

CM/8.9/16.07 *Bondi Pavilion Heritage (A15/0272)*

Subsequent to the meeting a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the August Council Meeting.

MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

Council appoints an independent external heritage consultant to appraise the proposed architectural and functional usage of the Pavilion. The appraisal will consider the proposed treatment of the Pavilion against best practice considerations for places of cultural significance. This report to be completed coincidental with the current community consultation process.

THE MOTION WAS PUT AND DECLARED LOST.

Division

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

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

FORESHADOWED MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council appoints an independent external heritage consultant to appraise the proposed architectural and functional usage of the Pavilion. The appraisal will consider the proposed treatment of the Pavilion against best practice considerations for places of cultural significance. This report to be completed coincidental with the current community consultation process.

THE RESCISSION MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

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

DECISION: That the Rescission Motion be adopted.

THE FORESHADOWED MOTION NOW BECAME THE SUBSTANTIVE MOTION AND WAS PUT AND DECLARED CARRIED.

Division

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

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

DECISION: That the Substantive Motion be adopted.

NOTICE OF MOTION CM/8.3/16.08



Subject: RESCISSION MOTION - Extraordinary Council Meeting - 2 August 2016 - CM/5.3/16.08E - Rescission Motion - Establishment of Councillor Transition Reference Group

TRIM No.: A16/0054

Submitted by: Councillor Mouroukas
Councillor Burrill
Councillor Goltsman

MOTION:

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its Extraordinary Meeting on 2 August 2016. Immediately after the meeting, the following Notice of Rescission was submitted by Crs Mouroukas, Burrill and Goltsman:

'We the undersigned Councillors wish to rescind the Council decision for Item CM/5.3/16.08[E] – Councillor Transition Reference Group adopted at the Council Meeting on Tuesday 2 August 2016 and foreshadow that the original motion be reaffirmed.

That:

1. Council establishes a Councillor Transition Reference Group on the terms outlined in this report.
2. Council appoints two Councillors, being the Mayor Cr Sally Betts and Deputy Mayor Cr Tony Kay, to the Councillor Transition Reference Group, similar to the number suggested in the Department of Premier and Cabinet (DCP) Guidelines for post proclamation.
3. Council notes that updates on activities of the Councillor Transition Reference Group will be included as part of the General Manager's regular Transition Update reports to Council.
4. The General Manager seeks advice under the *Local Government Act* on these procedures.

Cr Mouroukas, Cr Burrill and Cr Goltsman.'

BELOW IS THE MINUTE EXTRACT FROM THE EXTRAORDINARY COUNCIL MEETING HELD ON 2 AUGUST 2016:

**CM/5.3/16.08E RESCISSION MOTION – Council Meeting 19 July 2016 – CM/9.2/16.07 –
Establishment of Councillor Transition Reference Group (A16/0054)**

Immediately following the meeting, a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the next Council Meeting.

Notice of Motion submitted by Crs Masselos, Wakefield and Wy Kanak.

MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

That the Rescission Motion be adopted.

Background

This matter was last considered by Council at its meeting on 19 July 2016. Subsequently, the following Notice of Rescission was submitted by Crs Masselos, Wakefield and Wy Kanak:

‘We the undersigned Councillors wish to rescind the following decision made by Council at its meeting on Tuesday 19 July 2016:

CM/9.2/16.07 – Establishment of Councillor Transition Reference Group

Councillors Masselos, Wakefield and Wy Kanak’.

BELOW IS THE MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 19 JULY 2016:

CM/9.2/16.07 Establishment of Councillor Transition Reference Group (A16/0054)

Council resolved to deal with this item as an item of urgent business.

Subsequent to the meeting a motion to rescind this decision was lodged with the General Manager. The motion will be considered at the August Council Meeting.

MOTION

Mover: Cr Goltsman

Seconder: Cr Burrill

That:

- 1. Council establishes a Councillor Transition Reference Group on the terms outlined in this report.*
- 2. Council appoints two Councillors, being the Mayor Cr Sally Betts and Deputy Mayor Cr Tony Kay, to the Councillor Transition Reference Group, similar to the number suggested in the Department of Premier and Cabinet (DPC) Guidelines for post proclamation.*
- 3. Council notes that updates on the activities of the Councillor Transition Reference Group will be included as part of the General Manager’s regular Transition Update reports to Council.*
- 4. The General Manager seeks advice under the Local Government Act on these procedures.*

AMENDMENT 1 (WITHDRAWN)

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

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

‘All Councillors receive notice by e-mail of the same notice sent to the appointed Councillors, including any attachments.’

AMENDMENT 2**Mover:** Cr Wakefield**Seconder:** Cr Masselos

That the Motion be adopted subject to clause 2 reading as follows:

'Council appoints all Councillors to the Councillor Transition Reference Group, similar to the number suggested in the Department of Premier and Cabinet (DPC) Guidelines for post proclamation.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Masselos, Wakefield and Wy Kanak.

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

AMENDMENT 3**Mover:** Cr Wakefield**Seconder:** Cr Wy Kanak

That the Motion be adopted subject to all other Councillors being invited to all meetings of the group as observers.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Cusack, Masselos, Wakefield and Wy Kanak.

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

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

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

Against the Substantive Motion: Crs Clayton, Masselos, Wakefield and Wy Kanak.

FORESHADOWED MOTION**Mover:** Cr Wakefield**Seconder:** Cr Masselos

That:

1. Council establishes a Councillor Transition Reference Group on the terms outlined in this report.
2. Council appoints two Councillors, being the Mayor Cr Sally Betts and Deputy Mayor Cr Tony Kay, to the Councillor Transition Reference Group, similar to the number suggested in the Department of Premier and Cabinet (DPC) Guidelines for post proclamation.
3. Council notes that updates on the activities of the Councillor Transition Reference Group will be included as part of the General Manager's regular Transition Update reports to Council.
4. The General Manager seeks advice under the *Local Government Act* on these procedures.
5. All Councillors receive notice by e-mail of the same notice sent to the appointed Councillors, including any attachments.

THE RESCISSION MOTION WAS THEN PUT AND DECLARED CARRIED.

Division**For the Motion:** Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.**Against the Motion:** Crs Betts, Burrill, Goltsman, Kay and Mouroukas.**DECISION:** That the Rescission Motion be adopted.

THE FORESHADOWED MOTION NOW BECAME THE SUBSTANTIVE MOTION.

THE MOVER AND SECONDER OF THE SUBSTANTIVE MOTION ACCEPTED AN AMENDMENT TO THE MOTION SUCH THAT IT NOW READ AS FOLLOWS:

That:

1. Council establishes a Councillor Transition Reference Group on the terms outlined in this report.
2. Council appoints all Councillors to the Councillor Transition Reference Group.
3. Council notes that updates on the activities of the Councillor Transition Reference Group will be included as part of the General Manager's regular Transition Update reports to Council.
4. The General Manager seeks advice under the *Local Government Act* on these procedures.
5. All Councillors receive notice by e-mail of the same notice sent to the appointed Councillors, including any attachments.

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division**For the Motion:** Crs Clayton, Guttman-Jones, Masselos, Strewe, Wakefield and Wy Kanak.**Against the Motion:** Crs Betts, Burrill, Goltsman, Kay and Mouroukas.**DECISION:** That the Substantive Motion be adopted.

NOTICE OF MOTION CM/8.4/16.08



Subject: Bondi Pavilion Community Cultural Centre – \$1 Million
National Historic Sites Grant

TRIM No.: A15/0272

Submitted by: Councillor Wy Kanak

MOTION:

That Council:

1. Notes that historic Bondi Pavilion on Bondi Beach has received \$1 million under the Australian Government's 'Protecting National Historic Sites' Programme.
2. Allocates/reallocates some of this funding, or applies for further funding, to document and tell the 'Bondi Story', with special emphasis on the geological and Aboriginal (ancient and contemporary) history of community connection to Bondi Beach and Pavilion.
3. Provides detailed public information to Councillors and the community about how that 'Protecting National Historic Sites' Programme grant money is being/was spent, and provides this information with a view to developing an alternative proposal for the Bondi Pavilion rear courtyard to include an Indigenous cultural performance and teaching natural ground and earth oven (underground cooking) space.
4. Emails this public budget expenditure document for the Bondi Pavilion National Historic Site \$1 million grant to Councillors as soon as possible.
5. Documents this public budget expenditure for the Bondi Pavilion National Historic Site \$1 million funding by also making this information available as an attachment to the online publicly accessible minutes of Council's meeting as part of this resolution.

Background

Council has received \$1 million of Federal Department of Environment (and Heritage) funding for Bondi Pavilion.

<http://www.malcolmturnbull.com.au/media/1-million-to-restore-bondi-pavilion>

<http://www.gregghunt.com.au/Home/LatestNews/tabid/133/ID/3293/1-million-to-restore-Bondi-Pavilion.aspx>

Quote from a related media release: '..Waverley Council, who will use the \$1 million to carry out important design and conservation work on Bondi Pavilion that will enhance visitor understanding of and access to Bondi Beach.'

NOTICE OF MOTION CM/8.5/16.08



Subject: Bondi Pavilion Upgrade – Further Community Consultation – Explanatory Information for Survey

TRIM No.: A15/0272

Submitted by: Councillor Wy Kanak

MOTION:

That:

1. Council notes that In the current community survey for the further consultation on the Bondi Pavilion, respondents are being asked whether they agree or disagree with the continued use of commercial activities to fund Bondi Pavilion services, cultural activities, repairs and maintenance. No explanatory information is provided so that an informed answer can be given to the question.
2. In order to enable a meaningful response to the survey, the following information be provided on Council's website:
 - (a) The income that Bondi Pavilion generates each year, by categories or activity type, including all classes, commercial activities, festivals, events, etc.
 - (b) The recorded annual costs associated with running the Pavilion by category including staff costs, operating and maintenance costs, capital works etc.
 - (c) The annual income generated from parking meters and parking fines around Bondi Pavilion (Queen Elizabeth Drive).

NOTICE OF MOTION CM/8.6/16.08



Subject: Bondi Pavilion Upgrade – Letter from Mayor of Randwick Council

TRIM No.: A15/0272

Submitted by: Councillor Masselos
Councillor Strewe
Councillor Wakefield

MOTION:

That Council:

1. Receives and notes the following letter dated 19 July 2016 from Cr D'Souza, Mayor of Randwick, to Cr Betts, Mayor of Waverley.

Dear Mayor Betts

Planned redevelopment of Bondi Pavilion

I draw your attention to parts (c) and (d) of the resolution made at the Council Meeting of 28 June 2016 in relation to the planned redevelopment of the Bondi Pavilion (see below).

'That Council:

a) notes that Waverley Council has agreed to a \$38 million redevelopment of Bondi Pavilion and that there is growing community concern and opposition from the residents of the Waverley, Woollahra and Randwick local government areas in response;

b) resolves that, considering the very likely amalgamation between Randwick, Waverley and Woollahra Councils, that Council writes to the Minister for Local Government noting that the decision was made during the merger proposal period and is considered to be inappropriate at this time;

c) resolves to write to the current Mayors of Waverley and Woollahra Councils and the Minister for Local Government raising fiscal concerns that ratepayers from the three Council areas will be burdened with a debt of over \$20 million; and

d) that Council resolve to write to the Mayor of Waverley Council calling for a suspension of work on the Pavilion project until the pending merged Council entity can itself assess the tender documents received for the conceptual design.'

In accordance with the above resolution, Randwick City Council calls on Waverley Council to suspend work on the Bondi Pavilion project until the pending merged Council entity has the opportunity to assess the tender documents received for the conceptual design.

2. Forwards the letter to the General Manager of Waverley Council, and the Mayor and General Manager of Woollahra Council, as well as the Minister for Lands and Water.

NOTICE OF MOTION CM/8.7/16.08



Subject: Bondi Pavilion Upgrade – Suspension of Work until
Community Consultation Completed

TRIM No.: A15/0272

Submitted by: Councillor Masselos
Councillor Strewe
Councillor Wakefield

MOTION:

That Council, consistent with the request of Randwick Council, suspends work on the Bondi Pavilion project after the completion of the current round of community consultation.

Background

Letter dated 19 July 2016 from Cr D'Souza, Mayor of Randwick, to Cr Betts, Mayor of Waverley, regarding the Bondi Pavilion proposal:

Dear Mayor Betts

Planned redevelopment of Bondi Pavilion

I draw your attention to parts (c) and (d) of the resolution made at the Council Meeting of 28 June 2016 in relation to the planned redevelopment of the Bondi Pavilion (see below).

'That Council:

a) notes that Waverley Council has agreed to a \$38 million redevelopment of Bondi Pavilion and that there is growing community concern and opposition from the residents of the Waverley, Woollahra and Randwick local government areas in response;

b) resolves that, considering the very likely amalgamation between Randwick, Waverley and Woollahra Councils, that Council writes to the Minister for Local Government noting that the decision was made during the merger proposal period and is considered to be inappropriate at this time;

c) resolves to write to the current Mayors of Waverley and Woollahra Councils and the Minister for Local Government raising fiscal concerns that ratepayers from the three Council areas will be burdened with a debt of over \$20 million; and

d) that Council resolve to write to the Mayor of Waverley Council calling for a suspension of work on the Pavilion project until the pending merged Council entity can itself assess the tender documents received for the conceptual design.'

In accordance with the above resolution, Randwick City Council calls on Waverley Council to suspend work on the Bondi Pavilion project until the pending merged Council entity has the opportunity to assess the tender documents received for the conceptual design.

NOTICE OF MOTION CM/8.8/16.08



Subject: Financial Contribution to Woollahra Council's Court Case
against Amalgamation

TRIM No.: A16/0248

Submitted by: Councillor Masselos
Councillor Strewe
Councillor Wakefield

MOTION:

That Council contributes \$20,000 to Woollahra Council to assist in their legal challenge after the recent decision by the Land and Environment Court in regard to *Woollahra Municipal Council v Minister for Local Government* [2016] NSWLEC 86.

NOTICE OF MOTION CM/8.9/16.08



Subject: Council Amalgamations – Legal Proceedings against State Government

TRIM No.: A16/0248

Submitted by: Councillor Masselos
Councillor Strewe
Councillor Wakefield

MOTION:

That Council commences legal proceedings against the State Government in line with other Councils opposed to forced merger.

NOTICE OF MOTION CM/8.10/16.08



Subject: Varna Park Master Plan

TRIM No.: A06/0739

Submitted by: Councillor Masselos

MOTION:

That Council:

1. Develops a Master Plan for Varna Park
2. As part of the consultation process, consults with the students of Clovelly State Primary School.

NOTICE OF MOTION

CM/8.11/16.08



Subject: Bondi Pavilion Upgrade – Space Use Classifications and Square Meterage

TRIM No.: A15/0272

Submitted by: Councillor Masselos
Councillor Strewe
Councillor Wakefield

MOTION:

That Council officers verify and report on the following space use classifications and square meterage for the Bondi Pavilion.

Existing			
	Ground	First	Grand Total
Amenities	239	47	286
Commercially Leased - Indoor	1177	73	1250
Common Internal	331	246	577
Community Hireable	684	260	944
Council Use	455	111	566
Services/Plant	75	7	82
Theatre		437	437
Balcony First fl		204	204
Commercially Leased Outdoor	507		507
Covered Outdoor & Colonnade	636		636
Grand Total	4104	1385	5489

Proposed			
	Ground	First	Grand Total
Amenities	405	41	446
Commercially Leased - Indoor	857		857
Common Internal	401		401
Community Hireable	490		490
Council Use	189	91	280
Services/Plant	199	172	371
Theatre	571	95	666
Undecided		955	955
Balcony First fl		209	209
Commercially Leased Outdoor	406		406
Covered Outdoor & Colonnade	1192		1192
Grand Total	4710	1563	6273

NOTICE OF MOTION CM/8.12/16.08



Subject: Bondi Pavilion Upgrade – Process

TRIM No.: A15/0272

Submitted by: Councillor Masselos
Councillor Strewe
Councillor Wakefield

MOTION:

That Council:

1. Acknowledges the ongoing concern among the community about the processes involved in selecting the proposal by Tonkin Zulaikha Greer Architects for the Bondi Pavilion in December 2015.
2. Notes the release under the *Government Information (Public Access) Act* ('GIPA Act') the Bondi Pavilion Commercial Review ('Urbis Report'), dated February 2015, which was presented to Councillors at its 17 February 2015 meeting as part of CM/10.2/15.02 – CONFIDENTIAL REPORT – Bondi Pavilion Upgrade Projects.
3. Be advised if the Urbis Report was provided to Tonkin Zulaikha Greer Architects as part of the briefing documents, and, if it was provided, under what caveats.
4. Notes that the Council resolution CM/10.2/15.02 in relation to the Bondi Pavilion Upgrade Projects did not endorse the Urbis Report or approve either the report or any of its contents.
5. Notes that part of the Council resolution CM/10.2/15.02 setting out Council's procedures for the selection of Council's preferred tender is as follows:
 5. *Authorises the commencement of an open, advertised expression of interest and selective tender process for the consultant on the basis of the above brief, and delegate to the General Manager the power to approve the list invited for select tender.*
 6. *Notes that later in 2015 Council will receive and consider a report recommending the awarding of the consultant's tender.*
 7. *Notes that after the consultants are appointed, a concept design will be presented for consideration by Council and for community consultation, after which a development application will be prepared.*
6. Requests the relevant officers to consider the urgent proactive release under the *GIPA Act* of all documents presented to the Councillors at its 17 February 2015 meeting as part of Council resolution CM/10.2/15.02.

NOTICE OF MOTION
CM/8.13/16.08**Subject:** Bondi Pavilion Upgrade – Timeframe**TRIM No.:** A15/0272**Submitted by:** Councillor Masselos
Councillor Strewe
Councillor Wakefield

MOTION:

That Council instructs the General Manager to ensure that the advice currently being provided to the community in relation to the proposed \$38 million project for the Bondi Pavilion, that '[t]he development application for the project will not be progressed until after October 2016' (<http://haveyoursaywaverley.com.au/bondi-pavilion-upgrade>), be communicated to the architects contracted for the job, to ensure that no further funds are expended in this exercise.

NOTICE OF MOTION CM/8.14/16.08



Subject: Bondi Pavilion Upgrade – Further Community Consultation – Process

TRIM No.: A15/0272

Submitted by: Councillor Masselos
Councillor Strewe
Councillor Wakefield

MOTION:

That Council requires the agency conducting the current community consultation into the \$38 million proposal for the Bondi Pavilion to:

1. Liaise with community stakeholder groups during the process of collating, aggregating and correlating all data gathered from the various sources.
2. Be required to provide Council with the raw data from all consultations (i.e. note from meetings, conversations etc.).
3. Be required to accept written submissions as part of its data gathering.

**NOTICE OF MOTION
CM/8.15/16.08**

Subject: Bondi Pavilion Upgrade – Further Community Consultation – Design of Community Survey

TRIM No.: A15/0272

Submitted by: Councillor Wy Kanak

MOTION:

That Council improves the design of the Bondi Pavilion survey to remove any perceived push polling bias.

Background

There have been concerns recently raised with the Bondi Pavilion Survey suggesting that there is bias built in to some questions. Constituents may be tempted to not do this survey if this is not reviewed.

URGENT BUSINESS
CM/9/16.08

Subject: Urgent Business

Author: Peter Brown, General Manager



In accordance with clause 241 of the *Local Government (General) Regulation 2005* and clause 3.5 of Council's Code of Meeting Practice, business may be transacted at a meeting of Council even though due notice of the business has not been given to Councillors. However, this can happen only if:

1. the business proposed to be brought forward is ruled by the chairperson to be of great urgency; and
2. a motion is passed to have the business transacted at the meeting.

Such a motion can be moved without notice.

Only the mover of a motion can speak to the motion before it is put. A motion to have urgent business transacted at the meeting requires a seconder.

For business to be considered urgent it must be of a kind:

1. that requires immediate action or attention, and
2. that cannot be dealt with as a Mayoral Minute or Notice of Motion at a later meeting or by any other means.

The mover of the motion must, when speaking to the motion, explain why he or she believes the business to be of great urgency.

CLOSED SESSION
CM/10/16.08

Subject: Moving into Closed Session

Author: Peter Brown, General Manager

**RECOMMENDATION:**

That:

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

CM/10.1/16.08 CONFIDENTIAL REPORT - Shop 1, 276-278 Bronte Road, Waverley - Lease

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

2. Pursuant to section 10A(1), 10(2) and 10A(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) of the *Local Government Act 1993*.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act 1993*.

Introduction/Background

In accordance with section 10A(2) of the Act, a Council may close part of its meeting to deal with business of the following kind:

- (a) personnel matters concerning particular individuals.
- (b) personal hardship of any resident or ratepayer.
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) commercial information of a confidential nature that would, if disclosed:
 - i prejudice the commercial position of a person who supplied it: or
 - ii confer a commercial advantage on a competitor of Council;
 - iii reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of law.
- (f) matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any Code of Conduct requirements applicable under Section 440.

It is my opinion that the business listed in the recommendation is of a kind referred to in section 10A(2) of the *Local Government Act 1993* and, under the provisions of the Act and the *Local Government (General) Regulation 2005*, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clause 252 of the *Local Government (General) Regulation*, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

RESUMING IN OPEN SESSION
CM/11/16.08

Subject: Resuming in Open Session
Author: Peter Brown, General Manager

**RECOMMENDATION:**

That Council resumes in Open Session.

Introduction/Background

In accordance with clause 253 of the *Local Government (General) Regulation 2005*, when the meeting resumes in open session the Chair will announce the resolutions made by Council, including the names of the movers and seconders, while the meeting was closed to members of the public and the media.