



W A V E R L E Y
COUNCIL

COUNCIL MEETING

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

7.00 PM, TUESDAY 26 OCTOBER 2021

A handwritten signature in black ink, appearing to read 'Emily Scott'.

Emily Scott
General Manager

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Live Streaming of Meetings

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

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

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager will read the following Opening Prayer:

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

The Mayor will read the following Acknowledgement of Indigenous Heritage:

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

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The following matter is proposed to be dealt with in closed session. At the time of issuing this agenda, the report was not available. It will be issued to Councillors under separate confidential cover prior to the meeting.

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OBITUARIES CM/3/21.10

Subject: Obituaries
Author: Emily Scott, General Manager



The Mayor will ask Councillors for any obituaries.

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

CONFIRMATION AND ADOPTION OF MINUTES CM/5.1/21.10



Subject: Confirmation of Minutes - Council Meeting - 23 September 2021

TRIM No: SF21/279

Author: Richard Coelho, Governance Officer

RECOMMENDATION:

That the minutes of the Council Meeting held on 23 September 2021 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 Council meetings must be confirmed at a subsequent meeting of Council, in accordance with section 375 of the *Local Government Act 1993*.

Attachments

1. Council Meeting Minutes - 23 September 2021 .



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD BY VIDEO CONFERENCE ON THURSDAY, 23 SEPTEMBER 2021**

Present:

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

Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Acting Director, Community, Assets and Operations
Rachel Hensman	Acting Director, Customer Service and Organisation Improvement
Evan Hutchings	Director, Finance and Governance
Tony Pavlovic	Director, Planning, Environment and Regulatory

At the commencement of proceedings at 7.07 pm, those present were as listed above, with the exception of Cr Keenan who arrived at 7.09 pm during obituaries, Cr Wy Kanak who arrived at 7.11 pm during addresses by members of the public and Cr Wakefield who arrived at 8.18 pm during the mayoral and deputy mayoral elections.

Cr Masselos, the outgoing Mayor, chaired the meeting until item CM/7.1/21.09 and relinquished the chair to the Returning Officer to conduct the mayoral and deputy mayoral elections.

Cr Masselos, the newly elected Mayor, assumed the chair following the election of Mayor and Deputy Mayor.

At 8.28 pm, Cr Wakefield left the meeting and did not return.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

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

The Mayor read the following Acknowledgement of Indigenous Heritage:

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

1. Apologies/Leaves of Absence

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

3. Obituaries

There were no obituaries.

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

4. Addresses by Members of the Public

- 4.1 G Baigent – CM/5.2.2/21.09 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 August 2021 – TC/V.01/21.08 – 8 Consett Avenue, Bondi Beach – Partial Road Closure for Structural Panel Lift.
- 4.2 J Banks – CM/5.2.2/21.09 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 August 2021 – TC/V.01/21.08 – 8 Consett Avenue, Bondi Beach – Partial Road Closure for Structural Panel Lift.
- 4.3 J Freer – CM/8.1/21.09 – New Resident Parking Schemes.
- 4.4 M Schregardus – CM/8.1/21.09 – New Resident Parking Schemes.
- 4.5 E Meyer – CM/8.5/21.09 – Citizenship Ceremonies.

5. Confirmation and Adoption of Minutes**CM/5.1/21.09 Confirmation of Minutes - Council Meeting - 17 August 2021 (SF21/279)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That the minutes of the Council Meeting held on 17 August 2021 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

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

CM/5.2/21.09 Adoption of Minutes - Waverley Traffic Committee Meeting - 26 August 2021 (SF21/282)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 26 August 2021 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/C.01/21.08 – Grafton Street, Bondi Junction – Bicycle Shared Path.
2. TC/V.01/21.08 – 8 Consett Avenue, Bondi Beach – Partial Road Closure for Structural Panel Lift.

And that these items be dealt with separately below.

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

CM/5.2.1/21.09 Adoption of Minutes - Waverley Traffic Committee Meeting - 26 August 2021 - TC/C.01/21.08 - Grafton Street, Bondi Junction - Bicycle Shared Path (SF21/4020)

This item was saved and excepted by Cr Burrill.

MOTION / UNANIMOUS DECISION

Mover: Cr Burrill

Seconder: Cr Kay

That Council:

1. Installs shared path signage and blue shared path lines with associated text and symbols to the edge of footpath on the northern side of Grafton Street between Adelaide Street and the proposed commuter bicycle cage within Transport for NSW land beneath Syd Einfeld Drive on the western side of Grosvenor Street, Bondi Junction.
2. Reinstates shared path signage and installs blue shared path lines with associated text and symbols to the existing shared path beside Syd Einfeld Drive between Oxford Street and Adelaide Street.
3. Provides a kerb ramp to the north-eastern side of the roundabout at the intersection of Adelaide

Street and Grafton Street to facilitate on-road bicycle riders to access the existing shared path.

4. Installs cyclist dismount signs at the zebra crossing at the north side of the roundabout at the intersection of Adelaide Street and Grafton Street.
5. Refers the proposal of changing the existing pedestrian-only lantern lens covers to combined pedestrian and bicycle lantern lens covers at the intersections of Graton Street/Grosvenor Street to Transport for NSW for assessment.
6. Installs a cyclist dismount sign at the termination of the shared pathway north of Oxford Street.
7. Officers investigate improving the safety of the zebra crossing to the north of the roundabout at the intersection of Adelaide Street and Grafton Street, including consideration of a raised crossing and additional lighting, with a report to be prepared for the Traffic Committee.

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

**CM/5.2.2/21.09 Adoption of Minutes - Waverley Traffic Committee Meeting - 26 August 2021 -
TC/V.01/21.08 - 8 Consett Avenue, Bondi Beach - Partial Road Closure for
Structural Panel Lift (SF21/3285)**

This item was saved and excepted by Cr Masselos.

MOTION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Approves the temporary partial road and footpath closure of Consett Avenue, Bondi Beach, between Lamrock Avenue and Hall Street, over four consecutive weekdays on dates to be agreed with Council, in accordance with the Traffic Guidance Scheme attached to the report, subject to the applicant:
 - (a) Notifying NSW Police and obtaining relevant approvals.
 - (b) Notifying NSW Ambulance Service and NSW Fire and Rescue.
 - (c) Notifying affected residents and businesses at least five working days prior to the event, with a follow-up notification on the day prior to day one of the partial road closure.
 - (d) Obtaining written concurrence from owners of properties that the crane will operate over.
 - (e) Obtaining written concurrence from affected property owners/residents for blocking driveway access and ensuring access to those properties during the temporary closure.
 - (f) Using traffic controllers accredited by Transport for NSW.
 - (g) Obtaining approval of any tree pruning from Council's tree management team.
 - (h) Covering all costs associated with closing the road, including traffic control and permit fees.
2. Removes parking spaces from 4 pm the day before the first deliveries occur to facilitate the structural panel lift.

3. Relocates the existing accessible parking space in front of 6 Consett Avenue to the southern side of the driveway of 4 Consett Avenue for the duration of the works.
4. Delegates authority to the Executive Manager, Infrastructure Services, to approve the dates that the operation will occur and to extend the dates, if required.

FORESHADOWED MOTION

Mover: Cr Wy Kanak

That Council refers this item back to the Traffic Committee and assists affected residents to make representations on the item.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSES 1(d) and 1(e).

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Approves the temporary partial road and footpath closure of Consett Avenue, Bondi Beach, between Lamrock Avenue and Hall Street, over four consecutive weekdays on dates to be agreed with Council, in accordance with the Traffic Guidance Scheme attached to the report, subject to the applicant:
 - (a) Notifying NSW Police and obtaining relevant approvals.
 - (b) Notifying NSW Ambulance Service and NSW Fire and Rescue.
 - (c) Notifying affected residents and businesses at least five working days prior to the event, with a follow-up notification on the day prior to day one of the partial road closure.
 - (d) Obtaining written concurrence from owners of properties that the crane will operate over, subject to the approval of the Executive Manager, Infrastructure Services.
 - (e) Obtaining written concurrence from affected property owners/residents for blocking driveway access and ensuring access to those properties during the temporary closure, subject to the approval of the Executive Manager, Infrastructure Services.
 - (f) Using traffic controllers accredited by Transport for NSW.
 - (g) Obtaining approval of any tree pruning from Council's tree management team.
 - (h) Covering all costs associated with closing the road, including traffic control and permit fees.
2. Removes parking spaces from 4 pm the day before the first deliveries occur to facilitate the structural panel lift.
3. Relocates the existing accessible parking space in front of 6 Consett Avenue to the southern side of the driveway of 4 Consett Avenue for the duration of the works.
4. Delegates authority to the Executive Manager, Infrastructure Services, to approve the dates that the operation will occur and to extend the dates, if required.

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

G Baigent and J Banks addressed the meeting.

6. Mayoral Minutes

CM/6.1/21.09 Better Futures Australia Declaration (A09/1017)

MOTION

Mover: Cr Masselos

That Council pledges to support the joint statement of the Better Futures Australia Declaration.

Background

The Better Futures Australia Declaration is a joint statement of support that brings together private and public sector leaders in taking ambitious climate action to ensure Australia is on track for a prosperous, climate-resilient zero emissions future, in line with the goals of the Paris Agreement.

This declaration comes in advance of the climate change conference COP26 Glasgow, which will be held from the 31 October to 12 November 2021. It also comes after the release of the most recent Intergovernmental Panel on Climate Change (IPCC) Report that concluded that climate change is already having a significant and worsening impact on our planet and that there is only now a very small window to avoid catastrophic climate change through immediate and sustained greenhouse gas emissions reductions.

Those supporting the pledge include a range of Australian business and industry leaders, investors, local governments, Aboriginal and Torres Strait Islander peoples, healthcare and social institutions, farmers, developers, unions, workers, artists, academic and cultural institutions, and communities. Together, these groups have committed to leading by example and supporting Australia's international commitment to transition to net zero emissions before 2050.

The wording of the joint statement is as follows:

We commit to:

- Taking climate action through individual effort and collaboration to ensure Australia contributes to limiting average global warming to 1.5°C above pre-industrial levels.
- Showcasing new climate commitments and actions to inspire other Australians to realise zero emissions opportunities.
- Advocating for a national response that will deliver action at the scale required to reach net zero emissions well before 2050.
- Working together, alongside and in partnership with Federal, State and Local Government leadership, to support the delivery of the Paris Agreement.

We recognise that responding to climate change requires all of us to act, alongside and in partnership with federal, state and local government leadership. We invite all Australians to join us in helping to ensure our nation can, and will, meet its commitment under the Paris Agreement.

Council recently adopted a net zero by 2030 target and is ambitiously pursuing ambitious greenhouse gas emissions reductions for both Council and the community. This pledge supports the climate and biodiversity emergency that Council declared in 2019.

References:

ukcop26.org

ipcc.ch/reports

betterfutures.org.au/sign_the_declaration

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO THE MOTION.

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

UNANIMOUS DECISION:

That Council pledges to support the joint statement of the Better Futures Australia Declaration, and notes that this pledge adds to Council's previous climate action resolutions.

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

CM/6.2/21.09 COVID-19 - Vaccination Hub (A20/0245)

MOTION

Mover: Cr Masselos

That Council:

1. Notes that the Waverley local government area (LGA) has the third lowest first dose vaccination rate in the Greater Sydney area.
2. Believes a vaccination hub is urgently required.
3. Instructs the Mayor as a matter of urgency to write to the Minister for Health and Medical Research, the Hon. Brad Hazzard MP, seeking the establishment of a vaccination hub in the Eastern Suburbs.
4. Works with NSW Health to identify a suitable location within the Waverley LGA for a vaccination hub.

Background

After initially having strong vaccination rates, a recent *Sydney Morning Herald* story showed first dose vaccine rates in the Waverley LGA have significantly dropped to being the third lowest.

It is thought that the lack of a vaccination hub and limited access to Pfizer vaccinations may well have impacted vaccination rates in our area.

Our highly densely populated LGA is socioeconomically diverse, has significant numbers of young people, high levels of renters and therefore transient populations, as well as large cohorts of aged and vulnerable residents.

With the coming summer and the probable relaxation of the current public health orders, including the 5 km rule, under the State Government's road map it is expected that our beaches and parks will once again be hosting significant numbers of visitors from across Sydney.

In light of this significant influx of people to our LGA, it is essential that our community and businesses have equitable access to vaccinations, including Pfizer.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSES 3 AND 4 AND THE ADDITION OF A NEW CLAUSE 5.

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

UNANIMOUS DECISION:

That Council:

1. Notes that the Waverley local government area (LGA) has the third lowest first dose vaccination rate in the Greater Sydney area.
2. Believes a vaccination hub is urgently required.
3. Instructs the Mayor as a matter of urgency to write to the Minister for Health and Medical Research, the Hon. Brad Hazzard MP, seeking the establishment of a vaccination hub in the Eastern Suburbs, including pop-up clinics at various locations.
4. Works with NSW Health to identify a suitable location within the Waverley LGA for a vaccination hub, including pop-up clinics at various locations.
5. Informs adjacent councils of this resolution.

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

7. Reports

CM/7.1/21.09 Election of Mayor and Deputy Mayor by Councillors (SF21/4356)

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Notes that the term of office of the Mayor elected at this meeting is up to and including 3 December 2021.
2. Agrees to elect a Deputy Mayor to hold office up to and including 3 December 2021.
3. Notes the procedure for the election of Mayor and Deputy Mayor by Councillors outlined in the report.
4. Determines the method of voting for the election of Mayor and Deputy Mayor to be the open voting method.

Election of Mayor

The election of the Mayor was conducted by the Returning Officer as follows.

The Returning Officer informed the meeting that two written nominations in the prescribed form had been received and sought any further nominations before closing nominations.

At the close of nominations, the following nominations had been received:

Cr Kay and Cr Masselos.

The election of Mayor proceeded by means of open voting and the following votes were recorded:

Cr Masselos

6 votes – Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.

Cr Kay

5 votes – Crs Betts, Burrill, Goltsman, Kay and Nemesh.

Cr Masselos was declared elected as Mayor of Waverley Council up to and including 3 December 2021.

Election of Deputy Mayor

The election of the Deputy Mayor was conducted by the Returning Officer as follows.

The Returning Officer informed the meeting that two written nominations in the prescribed form had been received and sought any further nominations before closing nominations.

At the close of nominations, the following nominations had been received:

Cr Keenan and Cr Nemesh.

The election of Deputy Mayor proceeded by means of open voting and the following votes were recorded:

Cr Nemesh

5 votes – Crs Betts, Burrill, Goltsman, Kay and Nemesh.

Cr Keenan

6 votes – Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.

Cr Keenan was declared elected as Deputy Mayor of Waverley Council up to and including 3 December 2021.

CM/7.2/21.09 Role of Acting General Manager (SF21/9)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That:

1. Council notes that at its extraordinary meeting on 1 June 2021, Council delegated/sub-delegated to the General Manager, Emily Scott, the functions in accordance with the Instrument of Delegation to the General Manager also dated 1 June 2021.
2. Evan Hutchings be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.

3. When acting as General Manager pursuant to this resolution, Evan Hutchings has all the functions, delegations and sub-delegations given to the General Manager by Council.

Crs Burrill and Wakefield were not present for the vote on this item.

CM/7.3/21.09 Local Government NSW Annual Conference 2021 (A13/0314)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

That Council:

1. Notes that the 2021 Local Government NSW Annual Conference will be held over two events as follows:
 - (a) A one-hour Annual Conference held online from 9.30 am on Monday, 29 November 2021.
 - (b) A Special Conference to be held in-person at the Hyatt Regency Sydney from Monday, 28 February, to Wednesday, 2 March 2022.
2. In respect of the one-hour Annual Conference to be held online on 29 November 2021:
 - (a) Nominates the Mayor, Deputy Mayor and Crs Lewis, Wy Kanak and Nemesh as voting delegates for motions and the election of the Board and Office Bearers of Local Government NSW (LGNSW).
 - (b) Nominates Crs Wakefield and Copeland as substitute voting delegates for motions and the election of the Board and Office Bearers of Local Government NSW (LGNSW).
 - (c) Nominates Cr Burrill to attend the Annual Conference as an observer.
 - (d) Approves the attendance of the General Manager or nominee at the Annual Conference.
3. Receives a further report after the local government election seeking Council's nominations for its voting delegates to attend the Special Conference in February/March 2022.

Crs Burrill and Wakefield were not present for the vote on this item.

CM/7.4/21.09 Investment Portfolio Report - August 2021 (A03/2211)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis

Seconder: Cr Copeland

That Council:

1. Receives and notes the Investment Summary Report for August 2021 attached to the report.
2. Notes that the Director, Finance and Governance, as the responsible accounting officer, advises 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.

Crs Burrill and Wakefield were not present for the vote on this item.

CM/7.5/21.09 Audit, Risk and Improvement Committee Meeting - 20 May 2021 - Minutes (SF21/529)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis
Seconder: Cr Copeland

That Council notes the minutes of the Audit, Risk and Improvement Committee Meeting held on 20 May 2021 attached to the report.

Crs Burrill and Wakefield were not present for the vote on this item.

CM/7.6/21.09 COVID-19 - Community and Business Support Initiatives Update (A20/0258)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Publicly exhibits for 28 days the approved delay in the increase to the Early Education Centre fees from 5 October 2021 to 27 October 2021, in accordance with section 610F(3) of the *Local Government Act 1993*.
2. Officers prepare a report to Council following the public exhibition period should any submissions be received.
3. Notes that if no submissions are received, the changes to the Schedule of Fees and Charges referred to in clause 1 above will be effective from 5 October 2021 to 26 October 2021.
4. Notes that the fee waiver for construction zones and hoardings was concluded by the General Manager under delegation and in accordance with the Public Health Order that allowed construction work to resume.

Crs Burrill and Wakefield were not present for the vote on this item.

8. Notices of Motions

CM/8.1/21.09 New Resident Parking Schemes (A02/0750)

MOTION / UNANIMOUS DECISION

Mover: Cr Kay
Seconder: Cr Burrill

That Council:

1. Officers investigate areas/streets with unrestricted parking within the Waverley Ward of the Waverley local government area to determine whether they are suitable for a Resident Parking

Scheme (RPS), commencing with, but not limited to, the following streets:

- (a) The western part of Area 11, including Silva Street, Carlisle Street and Fletcher Street.
 - (b) The eastern part of Area 22, including Paul Street (south of Bondi Road), Dalley Street and Council Street (between Bondi Road and Birrell Street).
 - (c) The north-eastern part of Area 25, including Henrietta Street (north of Victoria Street), Langlee Avenue and Seaview Street.
2. Officers survey the areas/streets in Waverley Ward that are deemed suitable for a new or extended RPS and report to the Waverley Traffic Committee on the survey results, with a recommendation to Council.
3. Officers expedite the RPS surveys and any approved RPS installations by bringing forward the timetable identified in the General Manager's comments, where possible and subject to resourcing, and maintain the latest schedule on the RPS section of Council's website.
4. Notes that the General Manager's comments state that the planned sequence and schedule for RPS surveys by Area is currently as follows:
 - (a) The western part of Area 11 (including Silva, Carlisle, Fletcher, Denham, Illawong, Carlisle, Gaerloch, Alexander) – November 2021.
 - (b) The eastern part of Area 22 (Paul, Dalley, Council), noting that Transport for NSW is the determining authority for parking on Council Street, as it is a State Road – April 2022.
 - (c) The north-eastern part of Area 25 (Henrietta, Langlee, Seaview) – August 2022.
 - (d) The eastern part of Area 15 (Jackaman, Avoca, Tasman, Philip, Imperial, Tamarama, Boonara, Farrellys) – February 2023.
 - (e) Streets within Areas 26 and 12 that do not already have resident parking – June 2023.
5. Notes that representations have been received from residents in the RPS areas mentioned above, with residents reporting that parking occupancy rates have increased to undue proportions over the last few years, especially during COVID-19 restrictions and the daylight-saving period.
6. Notes that in October 2013, Council unanimously resolved that Council officers have discretion to conduct RPS resident surveys where an on-street parking problem is identified.

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

J Freer and M Schregardus addressed the meeting.

CM/8.2/21.09 BreastScreen Clinic Closure (A20/0245)**MOTION / UNANIMOUS DECISION**

Mover: Cr Keenan
Seconder: Cr Copeland

That:

1. Council notes that the BreastScreen clinic at Myer in Bondi Junction has been closed as part of the NSW Health Department's decision to temporarily suspend all routine breast screening services in NSW due to COVID-19.
2. Council notes that one in seven women in NSW will develop breast cancer in their lifetime and that it is the most common cancer affecting women in our State.
3. Council notes that regular screening mammograms are the best way to find breast cancer early in women over 50, and that early screening saves women's lives.
4. Until such time as routine screenings return to normal, Council requests NSW Health to place a mobile screening van at a location in Bondi Junction.
5. Council requests the Mayor to write urgently to the NSW Premier, Gladys Berejiklian, and NSW Health Minister, Brad Hazzard, requesting that the decision to close the BreastScreen clinics in Bondi Junction and across NSW be reversed immediately.
6. The letter outline the serious concerns of Council that closing screening clinics will result in women not having the option of early detection and early treatment of breast cancer, and this will have life-threatening consequences for these women and their families.
7. The Mayor's letter also note that in 2020, 19,974 women were diagnosed with breast cancer and 3,031 women died.
8. Council also writes to the Shadow Minister for Health, Ryan Park, The Greens NSW health spokesperson, Cate Faehrmann, and the Local Government NSW President, Linda Scott, informing them of the grave concerns of Council and asking that they, too, request the State Government to reverse its decision.

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

CM/8.3/21.09 Varna Park - Removal of Seesaw (A06/0739)**MOTION**

Mover: Cr Keenan
Seconder: Cr Copeland

That Council investigates the removal of the steel seesaw from the playground at Varna Park, which parents claim poses a risk to children, and, if required, replaces the seesaw with a safer and more suitable piece of equipment.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO THE MOTION AND THE ADDITION OF NEW CLAUSES 2 AND 3 SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council:

1. Investigates the removal of the steel seesaw from the playground at Varna Park, which parents claim poses a risk to children.
2. Officers prepare a report to Council with options.
3. Notes paragraphs 2–4 of the General Manager’s comment, which state that:

‘Council regularly inspects and audits our playgrounds to ensure they are safe, and the equipment is in good repair. The most recent audit of Varna Park playground was completed in July 2021 by an independent playground certifier. On auditing Varna Park, the ‘hip hop’ equipment was reported in good condition with no repairs required. Officers have also inspected the equipment and have not reported any defects. There are very strict standards around the design of play equipment to ensure safety. Of course, there are some calculated risks of minor falls (for example, from a swings or ladders) and risks of scrapes and bruising in playgrounds. These risks are calculated risks and deemed acceptable.

Following reports from Councillors on safety, further investigation was done. However, there have not been any reports regarding the ‘hip hop’ equipment through the Merit system or through the recent community consultation in improving the park.

Understanding that the equipment complies with Australian Standards, is installed correctly and is not broken, the question raised regarding safety may be due to use of the equipment by younger children who may not have the height or co-ordination required to use the equipment as intended. Carers do need to watch out for younger children trying out new equipment to make sure they are up for the challenge.’

AMENDMENT

Mover: Cr Kay
Seconder: Cr Goltsman

That the following clause be added to the motion:

‘Notes paragraph 5 of the General Manager’s comment, which states that: “It is recommended that the equipment in Varna Park remain in place. As this report of safety has been raised, if there are any further complaints regarding the equipment it will be investigated to establish the circumstances under which the equipment was used and if further action needs to be taken.”’

THE AMENDMENT WAS PUT AND DECLARED LOST ON THE CASTING VOTE OF THE CHAIR.

Division

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

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

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

DECISION:

That Council:

1. Investigates the removal of the steel seesaw from the playground at Varna Park, which parents claim poses a risk to children.
2. Officers prepare a report to Council with options.
3. Notes paragraphs 2–4 of the General Manager’s comment, which state that:

‘Council regularly inspects and audits our playgrounds to ensure they are safe, and the equipment is in good repair. The most recent audit of Varna Park playground was completed in July 2021 by an independent playground certifier. On auditing Varna Park, the ‘hip hop’ equipment was reported in good condition with no repairs required. Officers have also inspected the equipment and have not reported any defects. There are very strict standards around the design of play equipment to ensure safety. Of course, there are some calculated risks of minor falls (for example, from a swings or ladders) and risks of scrapes and bruising in playgrounds. These risks are calculated risks and deemed acceptable.

Following reports from Councillors on safety, further investigation was done. However, there have not been any reports regarding the ‘hip hop’ equipment through the Merit system or through the recent community consultation in improving the park.

Understanding that the equipment complies with Australian Standards, is installed correctly and is not broken, the question raised regarding safety may be due to use of the equipment by younger children who may not have the height or co-ordination required to use the equipment as intended. Carers do need to watch out for younger children trying out new equipment to make sure they are up for the challenge.’

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos and Wy Kanak.

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

Cr Wakefield was not present for the consideration and votes on this item.

CM/8.4/21.09 Weonga Reserve - Removal of Buddleja (A14/0059)

MOTION

Mover: Cr Nemesh

Seconder: Cr Betts

That Council:

1. Notes resolution CM/8.1/20.09 adopted on 15 September 2020, which states:

That Council:

1. Removes the buddleja at the southern end of Weonga Reserve in a staged approach to ensure the stability of the slope.
 2. Immediately prunes the buddleja.
 3. Notes that the removal of this plant is specified in the Weonga, Rodney and Raleigh Reserve Biodiversity Action Plan 2014–2020.
 4. Condemns the vandalism and removal of the acacia longifolia located on an incline towards the cliff at Rodney Reserve opposite Dover Road and replaces the plants with coastal heath species.
2. Commences the removal of the buddleja plantings in Weonga Reserve within six weeks and commits to their full removal within six months.

3. Further notes that the removal of this plant is specified in the Weonga, Rodney and Raleigh Reserve Biodiversity Action Plan 2014–2020.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 2.

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

UNANIMOUS DECISION:

That Council:

1. Notes resolution CM/8.1/20.09 adopted on 15 September 2020, which states:

That Council:

1. Removes the buddleja at the southern end of Weonga Reserve in a staged approach to ensure the stability of the slope.
 2. Immediately prunes the buddleja.
 3. Notes that the removal of this plant is specified in the Weonga, Rodney and Raleigh Reserve Biodiversity Action Plan 2014–2020.
 4. Condemns the vandalism and removal of the acacia longifolia located on an incline towards the cliff at Rodney Reserve opposite Dover Road and replaces the plants with coastal heath species.
2. Commences the removal of the buddleja plantings in Weonga Reserve within six weeks and commits to their full removal within six months, if conditions permit.
 3. Further notes that the removal of this plant is specified in the Weonga, Rodney and Raleigh Reserve Biodiversity Action Plan 2014–2020.

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

CM/8.5/21.09 Citizenship Ceremonies (A16/0020)

MOTION

Mover: Cr Betts
Seconder: Cr Nemesh

That Council:

1. Notes that Council has now scheduled a citizenship ceremony for 27 September 2021 for 10 residents.
2. Urgently recommences holding further citizenship ceremonies online or in person, depending on the prevailing Public Health Orders.
3. Notes that online citizenship ceremonies are already being undertaken by many councils, including our neighbour Woollahra.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 2.

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

UNANIMOUS DECISION:

That Council:

1. Notes that Council has now scheduled a citizenship ceremony for 27 September 2021 for 10 residents.
2. Urgently recommences holding further citizenship ceremonies online or in person where possible and depending on the prevailing Public Health Orders.
3. Notes that online citizenship ceremonies are already being undertaken by many councils, including our neighbour Woollahra.

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

E Meyer addressed the meeting.

CM/8.6/21.09 COVID-19 - Case Locations and Vaccination Campaign (A20/0245)

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak

Seconder: Cr Copeland

That Council:

1. Notes that NSW Health has recently announced that information about COVID-19 casual contact, low-risk exposure venues will no longer be published on its website.
2. Notes that NSW Health has confirmed that the public will not be alerted to new low-risk transmission venues if NSW Health has already obtained details of people potentially exposed to the virus through the venue or other records.
3. Notes that it has recently promoted mandatory requirements for mask-wearing in common areas in Waverley's residential apartment buildings.
4. Officers confirm with NSW Health the details of the recent changes to processes on reporting low-risk, casual contact venues or locations and determine if Council assistance is required to provide this information to the community.
5. Officers consult and work with NSW Health to develop a campaign to encourage the community to get vaccinated. The campaign should use existing resources and networks, such as Council's website, to inform the Waverley community about current NSW Health vaccination messaging, information and booking choices.

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

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

There were no items of urgent business.

11. Closed Session

There were no matters dealt with in closed session

12. Meeting Closure

THE MEETING CLOSED AT 9.50 PM.

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SIGNED AND CONFIRMED
MAYOR
26 OCTOBER 2021

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/21.10



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 23 September 2021

TRIM No: SF21/282

Author: Richard Coelho, Governance Officer

RECOMMENDATION:

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 23 September 2021 be received and noted, and that the recommendations contained therein be adopted.

Introduction/Background

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

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

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

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

Attachments

1. Waverley Traffic Committee Minutes - 23 September 2021 .

**MINUTES OF THE WAVERLEY TRAFFIC COMMITTEE
MEETING HELD BY VIDEO CONFERENCE ON
THURSDAY, 23 SEPTEMBER 2021**



Voting Members Present:

Cr P Masselos	Waverley Council – Chair
Mr R Autar	Transport for NSW – Traffic Engineering Officer
Snr Cst D Cameron	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Mr P Pearce	Representing Marjorie O’Neill, MP, Member for Coogee
Ms J Zin	Representing Gabrielle Upton, MP, Member for Vaucluse

Also Present:

Mr B Gidiess	State Transit – Traffic and Services Manager (Eastern Region)
Cr T Kay	Waverley Council – Alternate Chair
Mr D Joannides	Waverley Council – Executive Manager, Infrastructure Services
Mr C Hutcheson	Waverley Council – Service Manager, Traffic and Transport
Mr C Yabuka	Waverley Council – Manager, Strategic Transport
Mr C Eccles	Waverley Council – Project Manager, Civil Infrastructure
Mr M Almuhanha	Waverley Council – Senior Traffic Engineer
Mr H Bahari	Waverley Council – Professional Engineer
Mr P Cai	Waverley Council – Traffic Engineer

At the commencement of proceedings at 10.03 am, those present were as listed above, with the exception of Ms J Zin who arrived at 10.06 am.

At 10.37 am, Mr P Pearce left the meeting and did not return.

Apologies

There were no apologies.

Declarations of Pecuniary and Non-Pecuniary Interests

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

Adoption of Previous Minutes by Council - 26 August 2021

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 26 August 2021 were adopted by Council at its meeting on 23 September 2021 with the following changes:

1. TC/C.01/21.08 – Grafton Street, Bondi Junction – Bicycle Shared Path.

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

That Council:

1. Installs shared path signage and blue shared path lines with associated text and symbols to the edge of footpath on the northern side of Grafton Street between Adelaide Street and the proposed commuter bicycle cage within Transport for NSW land beneath Syd Einfeld Drive on the western side of Grosvenor Street, Bondi Junction.
2. Reinstates shared path signage and installs blue shared path lines with associated text and symbols to the existing shared path beside Syd Einfeld Drive between Oxford Street and Adelaide Street.
3. Provides a kerb ramp to the north-eastern side of the roundabout at the intersection of Adelaide Street and Grafton Street to facilitate on-road bicycle riders to access the existing shared path.
4. Installs cyclist dismount signs at the zebra crossing at the north side of the roundabout at the intersection of Adelaide Street and Grafton Street.
5. Refers the proposal of changing the existing pedestrian-only lantern lens covers to combined pedestrian and bicycle lantern lens covers at the intersections of Grafton Street/Grosvenor Street to Transport for NSW for assessment.
6. Installs a cyclist dismount sign at the termination of the shared pathway north of Oxford Street.
7. Officers investigate improving the safety of the zebra crossing to the north of the roundabout at the intersection of Adelaide Street and Grafton Street, including consideration of a raised crossing and additional lighting, with a report to be prepared for the Traffic Committee.

2. TC/V.01/21.08 – 8 Consett Avenue, Bondi Beach – Partial Road Closure for Structural Panel Lift.

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

That Council:

1. Approves the temporary partial road and footpath closure of Consett Avenue, Bondi Beach, between Lamrock Avenue and Hall Street, over four consecutive weekdays on dates to be agreed with Council, in accordance with the Traffic Guidance Scheme attached to the report, subject to the applicant:
 - (a) Notifying NSW Police and obtaining relevant approvals.

- (b) Notifying NSW Ambulance Service and NSW Fire and Rescue.
 - (c) Notifying affected residents and businesses at least five working days prior to the event, with a follow-up notification on the day prior to day one of the partial road closure.
 - (d) Obtaining written concurrence from owners of properties that the crane will operate over, subject to the approval of the Executive Manager, Infrastructure Services.
 - (e) Obtaining written concurrence from affected property owners/residents for blocking driveway access and ensuring access to those properties during the temporary closure, subject to the approval of the Executive Manager, Infrastructure Services.
 - (f) Using traffic controllers accredited by Transport for NSW.
 - (g) Obtaining approval of any tree pruning from Council's tree management team.
 - (h) Covering all costs associated with closing the road, including traffic control and permit fees.
- 2. Removes parking spaces from 4 pm the day before the first deliveries occur to facilitate the structural panel lift.
 - 3. Relocates the existing accessible parking space in front of 6 Consett Avenue to the southern side of the driveway of 4 Consett Avenue for the duration of the works.
 - 4. Delegates authority to the Executive Manager, Infrastructure Services, to approve the dates that the operation will occur and to extend the dates, if required.

ITEMS BY EXCEPTION

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

- | | |
|---------------|--|
| TC/C.02/21.09 | Spring Street, Bondi Junction – Temporary Closure for Tower Crane Removal. |
| TC/C.03/21.09 | 12 Gipps Street, Bronte – 'P Disability Only' Zone. |
| TC/C.04/21.09 | 11 Avoca Street, Bondi – 'P Disability Only' Zone – Removal. |
| TC/V.02/21.09 | 19 Chambers Avenue, Bondi Beach – 'P Disability Only' Zone – Removal. |
| TC/V.03/21.09 | 18 Rickard Avenue, Bondi Beach – 'P Disability Only' Zone – Removal. |
| TC/V.04/21.09 | 55 Wellington Street, Bondi Beach – 'P Disability Only' Zone – Removal. |
| TC/V.05/21.09 | 244 Campbell Parade, Bondi Beach – Construction Zone in Ramsgate Avenue. |
| TC/V.06/21.09 | 515 Old South Head Road, Rose Bay – Construction Zone in Beaumont Street. |

PART 1 – MATTERS PROPOSING THAT COUNCIL EXERCISE ITS DELEGATED FUNCTIONS

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

TC/C STATE ELECTORATE OF COOGEE**TC/C.01/21.09 Park Parade to Watson Street, Bondi - Resident Parking Scheme - Area 15
(A02/0750)****COUNCIL OFFICER'S PROPOSAL:**

That Council introduces a '2P, 8 am–6 pm, Mon–Sat, Permit Holders Excepted, Area 15' resident parking scheme between Bondi Road and Birrell Street, Bondi, in the following streets, as shown in Figure 1 of the report:

1. Park Parade.
2. Bennett Street.
3. Watson Street.
4. King Street.
5. Ewell Street.
6. Ocean Street.
7. Ocean Lane.
8. Grove Street.
9. Coulton Street.
10. Stephen Street.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to an amendment and the addition of a new clause such that the recommendation now reads as follows:

That:

1. Council introduces for a 12-month trial a '2P, 8 am–6 pm, Mon–Sat, Permit Holders Excepted, Area 15' resident parking scheme between Bondi Road and Birrell Street, Bondi, in the following streets, as shown in Figure 1 of the report, with a report back to Council at the end of the trial:
 - (a) Park Parade.
 - (b) Bennett Street.
 - (c) Watson Street.

- (d) King Street.
- (e) Ewell Street.
- (f) Ocean Street.
- (g) Ocean Lane.
- (h) Grove Street.
- (i) Coulton Street.
- (j) Stephen Street.

2. Residents living within the consultation area identified in Figure 1 of the report be eligible for parking permits within this area.

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

C Johnson, M Mayoh and P B Vaughan and G Vaughan addressed the meeting.

TC/C.02/21.09 Spring Street, Bondi Junction - Temporary Closure for Tower Crane Removal (SF21/4377)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Approves the temporary closure of Spring Street, Bondi Junction, between Denison Street and Newland Street, from 6.00 am to 10.00 pm on a Sunday to be determined by the Executive Manager, Infrastructure Services, to facilitate the removal of a tower crane, subject to the applicant:
 - (a) Obtaining a Road Occupancy Licence from Transport for NSW.
 - (b) Obtaining approval from NSW Police.
 - (c) Notifying the State Transit Authority, NSW Ambulance Service and NSW Fire and Rescue.
 - (d) Notifying affected residents and businesses in Spring Street between Denison Street and Newland Street of the changes in traffic in writing prior to implementation of the road and footpath closure.
 - (e) Using traffic controllers accredited by Transport for NSW.
 - (f) Covering all costs associated with closing the road, including traffic control.
 - (g) Undertaking a before and after dilapidation survey of the trees in the vicinity of the mobile crane setup.
2. Requires a Council officer to be on-site for the duration of the works at the applicant's expense, and

that this be communicated to the applicant.

3. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of the road closure, or approve any backup date and times, if required.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/C.03/21.09 12 Gipps Street, Bronte - 'P Disability Only' Zone (SF21/4519)

COUNCIL OFFICER'S PROPOSAL:

That Council installs a 6 metre 'P Disability Only' parking zone outside 12 Gipps Street, Bronte.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/C.04/21.09 11 Avoca Street, Bondi - 'P Disability Only' Zone - Removal (A20/0534)

COUNCIL OFFICER'S PROPOSAL:

That Council approves the removal of the 6 metre 'P Disability Only' parking zone outside 11 Avoca Street, Bondi.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V STATE ELECTORATE OF VAUCLUSE

TC/V.01/21.09 Flood Street/Watkins Street, Bondi - Kerb Buildout (SF21/4465)

COUNCIL OFFICER'S PROPOSAL:

That Council, in accordance with the drawing attached to the report, installs:

1. A kerb buildout on both sides of the Watkins Street intersection with Flood Street, Bondi.

2. Kerb ramps aligned for direct access across Watkins Street.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.02/21.09 19 Chambers Avenue, Bondi Beach - 'P Disability Only' Zone - Removal (A20/0534)

COUNCIL OFFICER'S PROPOSAL:

That Council removes the 2.8 metre 'P Disability Only' parking zone outside 19 Chambers Avenue, Bondi Beach, and reinstates '2P Meter Registration 8 am–10 pm Permit Holders Excepted Area 8' parking restrictions in its place.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.03/21.09 18 Rickard Avenue, Bondi Beach - 'P Disability Only' Zone - Removal (A20/0534)

COUNCIL OFFICER'S PROPOSAL:

That Council removes the 5.5 metre 'P Disability Only' parking zone outside 18 Rickard Avenue, Bondi Beach, and reinstates '2P 8 am–10 pm Permit Holders Excepted Area 4' parking restrictions in its place.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.04/21.09 55 Wellington Street, Bondi Beach - 'P Disability Only' Zone - Removal (A20/0534)

COUNCIL OFFICER'S PROPOSAL:

That Council removes the 5.4 metre 'P Disability Only' parking zone outside 55 Wellington Street, Bondi Beach, and reinstates '2P 8 am–10 pm Permit Holders Excepted Area 4' parking restrictions in its place.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.05/21.09 244 Campbell Parade, Bondi Beach - Construction Zone in Ramsgate Avenue (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 12 metre 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Sat Council Authorised Vehicles Excepted' construction zone in Ramsgate Avenue at the rear of 244 Campbell Parade, Bondi Beach.
2. Notifies residents in the vicinity of the construction zone prior to it being installed.
3. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the construction zone, as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.06/21.09 515 Old South Head Road, Rose Bay - Construction Zone in Beaumont Street (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 12 metre 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Sat Council Authorised Vehicles Excepted' construction zone in Beaumont Street along the southern side of 515 South Head Road, Rose Bay.
2. Notifies residents in the vicinity of the construction zone prior to it being installed.
3. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the construction zone, as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Vacluse, NSW Police

representative, TfNSW representative and Waverley Council representative (Chair).

TC/V.07/21.09 Glenayr Avenue, Bondi Beach - Resheeting and Streetscape Upgrade (A20/0069)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs and upgrades traffic devices, signs and line marking in Glenayr Avenue, between Blair Street and O'Brien Street, Bondi Beach, in accordance with the drawings attached to the report.
2. Delegates authority to the Executive Manager, Infrastructure Services, to modify the designs should on-site circumstances, including feedback from community consultation, warrant changes.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to an amendment to clause 1 and the addition of a new clause such that the recommendation now reads as follows:

That Council:

1. Installs and upgrades traffic devices, signs and line marking in Glenayr Avenue, between Blair Street and O'Brien Street, Bondi Beach, in accordance with the drawings attached to the report, subject to the 'Left Turn Only Buses Excepted' sign on the southbound approach of Glenayr Avenue to Curlewis Street not being installed.
2. Further consults Transport for NSW regarding the design of the continuous footpath treatments.
3. Delegates authority to the Executive Manager, Infrastructure Services, to modify the designs should on-site circumstances, including feedback from community consultation, warrant changes.

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

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE

TC/CV.01/21.09 Pick-up/Drop-off (PUDO) Bays (SF18/4225)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Makes permanent the pick-up/drop-off (PUDO) bays currently installed at the following locations, including signage and line marking:
 - (a) Glenayr Avenue, south side, between Glasgow Avenue and Beach Road, Bondi Beach (5.4 metres).
 - (b) Curlewis Street, north side, between Campbell Parade and Gould Street, Bondi Beach (9.0 metres).

- (c) Roscoe Street, north side, between Gould Street and Gould Lane, Bondi Beach (9.4 metres).
 - (d) Hall Street, north side, between Gould Lane and Campbell Parade, Bondi Beach (6.0 metres).
 - (e) Campbell Parade, west side, between Lamrock Avenue and Hall Street, Bondi Beach (6.7 metres).
 - (f) Hall Street, north side, between O'Brien Street and Gould Street, Bondi Beach (18.0 metres).
 - (g) Adelaide Street, west side, between Oxford Street and Grafton Street, Bondi Junction (15.0 metres).
 - (h) Bronte Road, west side, between Ebley Street and Spring Street, Bondi Junction (24.0 metres).
 - (i) Grafton Street, south side, between Grosvenor Street and Newland Street, Bondi Junction (16.9 metres).
 - (j) Ebley Street, north side, between Newland Street and Bronte Road, Bondi Junction (10.0 metres).
2. Assesses initiatives for future PUDO bays on a case-by-case basis via referral to the Waverley Traffic Committee.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to an amendment to clause 1(i) such that the recommendation now reads as follows:

That Council:

1. Makes permanent the pick-up/drop-off (PUDO) bays currently installed at the following locations, including signage and line marking:
- (a) Glenayr Avenue, south side, between Glasgow Avenue and Beach Road, Bondi Beach (5.4 metres).
 - (b) Curlewis Street, north side, between Campbell Parade and Gould Street, Bondi Beach (9.0 metres).
 - (c) Roscoe Street, north side, between Gould Street and Gould Lane, Bondi Beach (9.4 metres).
 - (d) Hall Street, north side, between Gould Lane and Campbell Parade, Bondi Beach (6.0 metres).
 - (e) Campbell Parade, west side, between Lamrock Avenue and Hall Street, Bondi Beach (6.7 metres).
 - (f) Hall Street, north side, between O'Brien Street and Gould Street, Bondi Beach (18.0 metres).
 - (g) Adelaide Street, west side, between Oxford Street and Grafton Street, Bondi Junction (15.0 metres).
 - (h) Bronte Road, west side, between Ebley Street and Spring Street, Bondi Junction (24.0 metres).

- (i) Grafton Street, south side, between Grosvenor Street and Newland Street, Bondi Junction (16.9 metres), with additional signage on time limits.
 - (j) Ebley Street, north side, between Newland Street and Bronte Road, Bondi Junction (10.0 metres).
2. Assesses initiatives for future PUDO bays on a case-by-case basis via referral to the Waverley Traffic Committee.

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

THE MEETING CLOSED AT 11.19 AM.

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SIGNED AND CONFIRMED
MAYOR
26 OCTOBER 2021

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MAYORAL MINUTES CM/6/21.10

Subject: Mayoral Minutes

Author: Mayor of Waverley, Cr Paula Masselos



Mayoral minutes are permissible at Waverley Council meetings under the Waverley Code of Meeting Practice. Clauses 9.7–9.11 of the Code state:

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

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

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

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

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

**REPORT
CM/7.1/21.10****Subject:** Quarterly Budget Review (Q1) - September 2021**TRIM No:** A03/0346**Author:** Teena Su, Executive Manager, Finance**Director:** Evan Hutchings, Director, Finance and Governance

RECOMMENDATION:

That Council:

1. Notes that the Director, Finance and Governance, as the responsible accounting officer, advises that the projected financial position of Council is satisfactory.
2. Notes the financial impact of the COVID-19 pandemic on the 2021–22 budget.
3. Adopts the variations to the 2021–22 Operating and Capital budgets in accordance with Attachments 1, 2 and 3 of the report.
4. Notes that the 2020–21 budget surplus of \$1,459,007 has been allocated to the Emergency Reserve, with \$1,338,606 of that Reserve applied to funding the COVID-impacted 2021–22 budget.

1. 1. Executive Summary

The Original Budget was under an assumption that business activities would return back to pre-COVID-19 levels. However, the COVID-19 Delta Variant outbreak and subsequent lockdown in the Greater Sydney Metropolitan region impacts the estimation. In response, Council reinstated both the business continuity initiatives to enable the organization to continue to deliver essential services to the community and the COVID-19 Community and Business Relief Packages to support small businesses and community during these challenging times.

The current COVID-19 lockdown has adversely impacted Council's operating services revenue, while simultaneously, Council has continued its Pandemic Works and Services Program.

Notwithstanding those impacts, through a strategic prioritisation review, no change to the net position of the current approved budget has been achieved for the first quarter budget review.

The Q1 proposed amendments are as follows:

- Decrease in operating income by \$7.82m.
- Increase in operating expenses by \$0.53m.
- Increase in capital income by \$5.36m.
- Decrease in capital expenses by \$5.37m.
- Decrease in reserves of \$2.39m.

The Q1 revised budget forecasts a small surplus of \$3,910 for FY 2021–22.

2. Introduction/Background

As part of the Integrated Planning and Reporting Framework for NSW Local Government, the Office of Local Government has a set of minimum reporting requirements for councils. These reporting requirements have been put in place to assist councils to facilitate progress reporting against the original and revised annual budgets. Reporting is required at the end of each quarter.

Collectively, these documents are known as the Quarterly Budget Review Statement (QBRs). Quarterly reports are required to be submitted at the end of each quarter to Council in accordance with the relevant legislation, clause 203 of the *Local Government (General) Regulation 2021*, and that the responsible accounting officer of the Council prepares and submits to Council a Budget Review Statement that indicates the latest estimates of income and expenditure for the current financial year. The QBRs must include, or be accompanied by:

- A report as to whether or not the responsible accounting officer believes that the Statement indicates that the financial position of the Council is satisfactory, having regard to the original estimates of income and expenditure.
- If that position is unsatisfactory, recommendations for remedial action.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 17 August 2021	CM/7.3/21.08	<p>That Council:</p> <ol style="list-style-type: none"> 1. Carries over \$14,820,779 from the 2020–21 financial year budget to 2021–22, as set out in Attachment 1 of the report. 2. Defers \$7,258,024 from the 2021–22 Capital Works Program to 2022–23, as set out in Attachment 2 of the report. 3. Defers \$2,486,589 from the 2021–22 Fleet Replacement Program to 2022–23, as set out in Table 4 of the report. 4. Establishes an Emergency Reserve for the purpose of providing funding to offset the financial impact of emergencies including COVID-19 with the projected budget result of \$2.7 million being allocated to this reserve, subject to audit and a report to Council.
Council 20 July 2021	CM/7.1/21.07	<p>That Council:</p> <ol style="list-style-type: none"> 1. In relation to the COVID-19 – Council Response, Business Continuity and Community Support Initiatives report: <ol style="list-style-type: none"> (a) Notes the business continuity arrangements put in place to ensure the continued delivery of essential services during the current pandemic restrictions. (b) Notes the community support that continues to be provided through Council's Compliance, Community Programs and Library teams. (c) Extends the COVID-19 Business and Childcare Support Package measures outlined in Table 1 and 2 of the

		<p>report until the Council meeting scheduled for 26 October 2021 or until such earlier time as determined by Council or the General Manager and in accordance with the prevailing public health orders.</p> <p>(d) Provides hand sanitiser at each of the outdoor fitness stations throughout the Waverley local government area.</p> <p>(e) Notes the financial impact of the COVID-19 Business Support Package, as outlined in Table 1 of the report.</p> <p>(f) Notes the financial impact of the COVID-19 Childcare Support, as outlined in Table 2 of the report.</p> <p>(g) Officers undertake a full assessment of the latest COVID-19 outbreak on Council's financial budget, taking into account changes in the latest public health orders, and a further report be prepared and submitted to Council as part of the Q1 budget review in October 2021.</p> <p>(h) Notes that the changes to the Schedule of Fees and Charges, as outlined in Table 2 of the report, are currently being publicly exhibited for a 28-day period in accordance with section 610F(3) of the <i>Local Government Act 1993</i>.</p> <p>2. In relation to the COVID-19 – Council Response, Business Continuity and Community Support Initiatives – Supplementary Report:</p> <p>(a) Approves the waiving of the childcare gap fee across Council's Early Education Centres in response to the Federal Government decision encouraging childcare service providers to waive gap-fees in cases where children are kept at home and are therefore not using the service due to the current COVID-19 restrictions.</p> <p>(b) Approves the waiving of construction zone and hoarding permit fees for construction sites across the local government area in response to changes to the public health orders regarding construction sites in Greater Sydney.</p> <p>(c) Approves the fee waivers in clauses 2(a) and (b) above to continue until the Council meeting scheduled for 26 October 2021 or until such earlier time as determined by Council or the General Manager.</p>
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4. Discussion

The September 2021 Quarterly Budget Review forecasts a decrease in income by \$2.46m to \$159.08m. It comprises of a \$7.82m decrease in operating income and a \$5.37m increase in capital income. It also forecasts a total decrease of \$4.84m in expenditure, comprising a \$0.53m increase in operating expense, and a \$4.90m decrease in the capital works program and a \$0.47m decrease in other capital expense. These have revised the expenditure program total to \$186.15m for FY 2021–22.

The following provides a comparison of Council's forecast position between current budget and Q1 proposed budget and actuals (including commitments) for the first quarter to 30 September 2021.

Table 1. Comparison of current budget and Q1 proposed budget.

Table 1 - Q1 Proposed Budget – '000	Original Budget	Current Budget	Q1 Amendments	Q1 Proposed Budget	Q1 Changes %	Actual (incl. Commitments) 30 September 2021	Note
Estimated Income	161,038	161,539	(2,457)	159,082	(1.5%)	80,431	
Operating Income	139,102	139,102	(7,824)	131,278	(5.6%)	78,763	1
Capital Income	21,936	22,437	5,367	27,805	23.9%	1,667	2
Estimated Expenses	(186,361)	(191,438)	4,843	(186,595)	(2.5%)	(90,516)	
Operating Expense	(117,651)	(118,336)	(529)	(118,865)	0.4%	(39,009)	3
Capital Works Program	(63,976)	(70,114)	4,896	(65,218)	(7.0%)	(50,707)	4
Other Capital Expense	(4,287)	(2,540)	476	(2,064)	(18.7%)	(692)	5
Loan Repayment	(447)	(447)		(447)	0.0%	(109)	
Net Income / (Expenses)	(25,324)	(29,899)	2,386	(27,512)	(8.0%)	(10,086)	
Reserve Funds	25,328	29,903	(2,386)	27,516	(8.0%)	(8,113)	6
Net Result - Surplus/(Deficit)	4	4		4	0%	(18,199)	

(Excluding depreciation expense)

Operating income

Operating income (excluding capital works income and proceeds from sale of assets) has decreased by \$7.82m:

- Service activities have been affected by the COVID and associated restrictions resulting in a \$7.92m income reduction being:
 - \$3.15m decrease from Street Parking meters.
 - \$2.15m decrease from parking fines.
 - \$0.83m decrease from car park fees.
 - \$0.55m decrease from a number of permits including road opening, crane and temporary truck zones due to low market activities.
 - \$0.55m decrease from commercial rental due to cancellation of C2S and other outdoor events affected by COVID.
 - \$0.48m decrease from hire of halls and rooms.
 - \$0.28m decrease from engineering plan assessment.
 - \$0.24m decrease from rental commercial due to community tenants' relocation, vacancies and rent increase not implemented by Council.
 - \$0.08m decrease from contribution to work in relation to cancellation of C2S.
 - \$0.05m decrease from service utility fees in Infrastructure services.
 - \$0.44m increase from sundry income from reimbursement from Bondi Beach COVID testing site.
- COVID-19 business and childcare support package resulting in a \$0.78m income reduction:
 - \$0.28m decrease from outdoor dining.

- \$0.21m decrease from childcare fees/childcare benefit as a result of support package to families with gap fee waived as well as deferral of fee increase until 27 October 2021.
 - \$0.11m decrease from trading rights.
 - \$0.1m decrease from hoarding fees.
 - \$0.08m decrease from temporary truck zones.
- Bondi Pavilion building project delay due to COVID restrictions resulting in a \$0.44m decrease from commercial rental mainly due to 3-6 months' rent-free incentives offered to tenants.
- Other operating income increases - \$1.34m from:
 - \$1.34m increase from hoarding and construction fee after incorporating the hoarding construction fee of \$2.43m from the capital projects (Bondi Pavilion and Tamarama SLSC). Income generated from non-Council projects has been revised down by approx. \$900k due to a low level of applications.

Capital income

Capital income has increased by \$5.36m being:

- \$1.71m increase in budgeted grants and contributions for the capital works program.
- \$3.6m increase in Voluntary Planning Agreement Contributions for pending DA. The majority of this additional income is conditioned to specific works which are planned in the future year.
- \$0.5m increase from Sydney Water Contribution towards capital works program project.
- \$0.45m reduction in proceeds from asset sale in line with the proposed change to the plant replacement program.

Operating expenses

Operating expenses (excluding capital purchase) have increased by \$0.53m. These increases are mainly due to:

- Services/activities have been impacted by the COVID and associated restrictions resulting in a \$1.72m expenses reduction being:
 - \$0.29m decrease in processing charges of parking fines due to lower volume of fines.
 - \$0.26m decrease in equipment rental due to cancellation of C2S.
 - \$0.20m decrease in abandonment of fines by SDR.
 - \$0.20m decrease in general expenses.
 - \$0.30m decrease in contractors across Infrastructure services, community services and environmental sustainability.
 - \$0.18m decrease across credit card fees and bank charges due to lower activities in street parking and car parks.
 - \$0.18m decrease in general maintenance costs.
 - \$0.17m decrease in general cleaning across a number of properties and events.
 - \$0.17m decrease in waste disposal costs.
 - \$0.15m decrease in educational expenses from environmental sustainability.
 - \$0.13m decrease in sustenance expenses.
 - \$0.12m decrease in security cash transit due to lower requirements.
 - \$0.11m decrease in motor vehicles running expenses.
 - \$0.04m decrease in stationery.
 - \$0.03m decrease in security property guarding.
 - \$0.03m decrease in electricity charges across a number of properties.
 - \$0.84m increase in pandemic costs as detailed in the table below.
- Other changes not related to COVID resulting in an increase of \$2.25m in expenses:
 - \$0.12m decrease in legal costs in Compliance and DA.

- \$0.11m decrease in stores and materials due to transfer of costs into our sports field maintenance contract.
- \$0.10m decrease relating to a delay in the delivery of the Bondi Pavilion cultural project associated with the capital works timetable.
- \$0.07m decrease in computer software licensing in IT.
- \$0.06m decrease in insurance excess on claims.
- \$0.05m decrease in consultant legal in DA and Compliance.
- \$0.05m decrease in advertising general.
- \$0.04m decrease in grants and donations.
- \$0.04m decrease in stationery and office supplies.
- \$1.85m increase in IT projects due to re-classification of the ICT program from Capital works. More detail is included in the ICT project section of this report.
- \$0.45m net increase in wages and salaries following the full reconciliation of the \$1.2m efficiency target set in the original budget, partially offset by vacancy savings.
- \$0.25m increase in the Operational Readiness project budget for Bondi Pavilion and the Boot Factory;
- \$0.18m increase in contractor costs for sportsfield maintenance under asset maintenance.
- \$0.16m increase in consultants for the tree audit work which was not carried over from FY 2020–21.

The following table shows the Q1 Proposed Pandemic Works and Services Program expenditure of \$0.84m for FY 2021–22 will be fully funded by reserves and reimbursement from the State Government.

Table 2. Pandemic costs.

Pandemic Proposed Budget \$	Current Approved	Q1 Amendment	Q1 Proposed
Wages & Salaries	-	(124,703)	(124,703)
Contractors (Bondi Beach Covid Testing site)	-	(490,936)	(490,936)
Cleaning	-	(170,370)	(170,370)
Personal Protective Equipment and Uniforms	-	(34,840)	(34,840)
Pre-Medical Checks for Beach Ambassadors	-	(5,000)	(5,000)
Miscellaneous Others	-	(14,836)	(14,836)
Total	-	(840,685)	(840,685)
Expected Reimbursement from Ministry of Health	-	442,815	442,815
Transfer from Domestic Waste Reserve for PPE	-	27,872	27,872
Transfer from Emergency Reserve	-	369,998	369,998
Net Cost	-	0	0

Capital works program (Attachment 2)

The Capital Works Program proposes amendments to 122 projects. These amendments will result in a net decrease in program expenditure by \$4.89m to \$65.22m following a reassessment of the project work delivery schedule and other priorities.

The table below provides a summary of expense changes to the capital works program:

Table 3. Expense changes to capital works program.

Capital Works Program - Q1 Amendments '000	No of Projects	Amount \$'000 (Increase)/Decrease)
Project & Program cost reduction/Not going ahead	80	7,012
Project cost defer to 2022/23	2	202
Project cost increase/Correction	28	(5,517)
Transfer to operational Budget	6	4,580
New Project	6	(1,380)
Total	122	4,896

The following provides more of information on the change to those 122 projects.

We have undertaken a thorough review of the capital works program to confirm priority projects, accurately project expenditure in 2021/22, reflect updated grant information and defer less urgent projects. In a number of cases projects will be scoped and design in 2021/22 with delivery in 2022/23 (or later years). This has resulted in a saving of \$7m. The savings are substantially from the following with detail included in Attachment 2:

1. \$638k - Bondi Junction Cycle Way / Street Scape Upgrade.
2. \$429k - Tamarama SLSC – Building Upgrade.
3. \$400k - Charing Cross Streetscape Upgrade.
4. \$362k - Rowe Street Development.
5. \$300k - AIF Washbay Construction.
6. \$270k - Waverley Park Slope Stabilisation and Path to Netball Court.
7. \$255k - Varna Park SQID.
8. \$220k - Waverley Park Playground and Fitness Station Upgrade.
9. \$216k - 40km/hr speed zone review.
10. \$200k - SAMP5 - Bus Shelters, Seats and Benches, bike furniture, bins.
11. \$200k - Local Village Beautification Planting.
12. \$200k - 2020/21 - RC - Curlew Street - Campbell Pde to Wellington Street.
13. \$190k - 74 Newland St.
14. \$180k - Coastal Fencing Renewal - Clarke Reserve.
15. \$170k - SAMP5 - Other: Fences, Stairs, Edging, walls / Retaining walls.
16. \$160k - 2020/21 - FC - Allens Pde (Hollywood to Botany).
17. \$150k - Bronte Surf Club & Community Facilities.
18. \$150k - 2020/21 - FC - Birrell Street - Cross St to Wolaroi Crescent.
19. \$135k - Council Chambers (normal repair/renewal allocations are no longer required while the major upgrade work in progress).
20. \$125k - Facilities Sustainable Energy upgrades (Social Housing).
21. \$105k - Grafton Street Safety Fence Installation.
22. \$100k - Council Chambers Upgrade.
23. \$100k - Coastal Path Improvements - Notts Ave.
24. \$100k - SAMP5 Renewal Roundabouts / Speedhumps Traffic Islands/ Line Marking.
25. \$100k - 65 Ebley Street, Bondi Junction.
26. \$100k - Newland Street Streetscape Upgrade.
27. \$80k - 2020/21 - KGC - Waratah Street (B/S), Murrivier Rd.
28. \$75k - Waverley Library.
29. \$72k - Bronte House - Bronte House.
30. \$70k - Alexandria Integrated Facility.
31. \$70k - 59 Newland St, Bondi Junction.

32. \$65k - 2021/22 - KGC - Roscoe Street - Wellington St to Glenayr Ave.
33. \$60k - Barracluff Park + Playground.
34. \$55k - 2021/22 -SWC - Pits/Pipes Various Locations.
35. \$50k - Bondi Bathers SLSC.
36. \$50k - SAMP Street Signage and Linemarking.
37. \$50k - SAMP5 Renewal of SQID's & Harvesting Systems.
38. \$50k - Waverley Cemetery Retaining Wall (Male Toilet) Investigation.
39. \$50k - South Head Cemetery Retaining wall reconstruction.
40. \$50k - Road Safety and Traffic Calming.
41. \$45k - SAMP5 Water Equipment Renewal.
42. \$45k - 2021/22 - KGC - Young Street - Clarke St to OSH Rd (E/S).
43. \$40k - Waverley signage strategy Implementation.
44. \$35k - Marlborough Reserve Upgrade.
45. \$35k - Bronte Surf Life Saving Club.
46. \$30k - Greening Steep Slopes.
47. \$30k - 2021/22 - RC - Andrew St - South of Darling St.
48. \$30k - 2021/22 - FC - Simpson Street - Blair St to Beach Rd (W/S).
49. \$27k - North Bondi Surf Life Saving Club.
50. \$25k - Eastgate Undercover Car Park.
51. \$25k - Waverley Cemetery Contemplation Shelters Renewal and Enhancement.
52. \$25k - 14-26 Ebley Street, Bondi Junction.
53. \$20k - Bondi Surf Life Saving Club.
54. \$20k - 2021/22 - FC - Gould Street - Hastings Pde to Ramsgate Ave.
55. \$20k - Grace Child Care.
56. \$17k - 2021/22 - FC - Wellington Street - Blair St to Curlewis St.
57. \$13k - The Terraces - The Terraces.
58. \$12k - SAMP5 Renewal of Tanks and Pumps.
59. \$10k - Military Rd Pinch Points.
60. \$10k - 2021/22 - RC - Harlow Place - East of Andrew St.
61. \$10k - 2021/22 - FC - Military Road - East Side.
62. \$10k - 2021/22 - FC - Dickson Reserve.
63. \$8k - 2020/21 - KGC - Military Road (B/S), Blake St to Myuna Street.
64. \$7k - Sports Field Improvement Program.
65. \$7k - 2021/22 - FC - Mitchell Steet - Oakley St to Blair Street.
66. \$6k - PPC Depot.
67. \$6k - Marks Park Amenities.
68. \$6k - North Bondi Amenities.
69. \$6k - Tamarama Amenities and Kiosk.
70. \$6k - 2021/22 - KGC - Gould Lane , Roscoe St to Hall St (B/S).
71. \$5k - SAMP5 Renewal of Solar Energy Infrastructure.
72. \$5k - 2021/22 -SWC - Bourke Street.
73. \$5k - 2021/22 -SWC - Edmund Street.
74. \$5k - 2021/22 - FC - Chris Bang Crescent (New - Park Side).
75. \$4k - South Bronte Amenities.
76. \$4k - Waverley Woollahra School of Arts.
77. \$3k - SES Depot Syd Einfeld Drive.
78. \$1k - 2021/22 - RC - O'Donnell St Dead End.
79. \$1k - 95 Carrington Road, Queens Park.
80. \$1k - Waverley Park Amenity Building.

Two projects are proposed to be rescheduled to 2022–23 or future years and value at \$202k align with the revised work schedule being:

1. \$145k - North Bondi Mosaic Renewal.

2. \$57k - Tamarama Lifeguard Tower.

Twenty-eight projects require additional funding of \$5.5m. The increases are mainly contributable to revised costs for the agreed scope of the projects, reflecting updated grant information and offsetting hoarding fee amounts for capitalisation purposes on major building projects. The detail is included in Attachment 2.

1. \$1.95m - Bondi Pavilion Conservation & Restoration. The increase relates to footpath hoarding fees for the site, which was not part of the original contract. This hoarding expenditure is fully funded by the corresponding hoarding income that the site generates. Therefore, there is no net increase to the Council's budget bottom line.
2. \$1.23m - Safety by design in public places.
3. \$556k - Boot Factory Restoration and Mill Hill Upgrade.
4. \$522k - 2020/21 - RC - Glenayr Avenue - Blair St to Hall St.
5. \$433k - 2020/21 - RC -York Road (Darley Rd to Queens Park Rd).
6. \$198k - Tamarama Marine Drive.
7. \$192k - SAMP5 Bondi Park Lighting & CCTV upgrades.
8. \$89k - Campbell Pde - Traffic Island Renewal.
9. \$70k - 19/20 - RC - Macpherson Street near Lugar Street.
10. \$57k - 2020/21 - RC - Roscoe Street - Wellington St to Glenayr Ave.
11. \$52k - 2020/21 - KGC - Wallangra Road (B/S), Dover Rd to Liverpool St.
12. \$42k - South Bronte (Community Centre) Toilet.
13. \$34k - Level 4 Office Eastgate.
14. \$30k - 141 Bronte Rd, Bronte.
15. \$30k - 158 Carrington Rd, Charing Cross.
16. \$25k - 63a Wairoa WAYS Youth Centre.
17. \$20k - Coastal Path Improvements – Bronte Cutting.
18. \$14k - OSH Pedestrian Crossing Upgrades.
19. \$13k - The Terraces - The Terraces.
20. \$7k - Bondi Beach Cottage.
21. \$7k - 2020/21 - TI -Old South Head Rd & Diamond Bay Rd.
22. \$7k - Paul Street Bicycle Improvements.
23. \$6k - Gardiner Early Education Centre.
24. \$4k - Bronte Park Community Centre.
25. \$4k - South Bronte Amenities.
26. \$3k - Tamarama Surf Life Saving Club - Tamarama SLSC Storage.
27. \$1k - 2020/21 - FC - Ebley Street, Mill Hill Rd to Denison St.
28. \$1k - Small Park Signage – Delivery.
29. \$1k - 2021/22 - FC - Ray Street at Kimberley St.
30. \$1k - Irrigation Control System.

Six new projects are proposed with the budget of \$1.4m:

1. \$594k - York Road Slip Lane (fully funded by grant).
2. \$283k - Williams Park Walking Track (fully funded by grant).
3. \$200k - Macpherson Street Albion Street Roundabout Refuge (fully funded by grant).
4. \$150k - Birrell Street Pedestrian Crossing - Henrietta Street (fully funded by grant).
5. \$135k - Integriti access control system.
6. \$18k - Bondi Lifeguard Tower.

ICT program projects are proposed to be transferred out of the capital work program to the IT Operating Budget. According to recent changes to the Accounting Standards, costs of implementation of Software as a Service (SaaS) are not capital expenditure, but expenses as incurred.

During the Q1 review, it proposed to revise this year's spend requirement from \$4.58m to \$2.35m to align with the project's delivery timeframe.

Subject to the Council's approval of these adjustments, \$65.22m of capital works program projects are scheduled to be delivered in this financial year following the Q1 review. The following table illustrates how the revised capital works program is proposed to be funded.

Table 4. Funding of revised capital works program.

Capital Works Program - Funding Sources '000	Current Budget	Q1 Proposed Budget	Q1 Amendments- Increase/(Decrease)
Expenditure	70,114	65,218	(4,896)
<u>Funding Sources:</u>			
Grants and Contribution	16,858	19,070	2,212
External Restricted Reserves	6,829	6,563	(266)
Internal Restricted Reserves	32,345	30,447	(1,898)
General Fund	14,082	9,138	(4,944)
Total Funding Sources	70,114	65,218	(4,896)

Other capital expense

Other capital expenses have decreased by net \$0.47m being:

- \$1.01m saving from fleet purchase, all of which have been deferred to next year.
- \$0.5m increase in relation to ICT project reclassification from the capital works program.
- \$0.01m increase in relation to kitchen equipment purchases for early education centres.
- \$0.01m increase in capital purchase of floor scrubber machine for Bondi Pavilion.
- \$0.01m increase in relation to temporary toilet amenities for the Bondi Beach compound.

The deferral in the purchase of fleet in the plant replacement program is illustrated in the table below:

Table 5. Fleet.

Fleet Type	2021/22 Current Approved Budget		Q1 Amendments		2021/22 Q1 Budget	
	Qty	Budget	Reduction/Deferral/Addition		Qty	Budget
			Qty	Budget		
Passenger Vehicle	28	\$ 965,238	(16)	(\$571,400)	12	\$ 393,838
Light Commercial Vehicle	24	\$ 856,016	(13)	(\$468,890)	11	\$ 387,126
Truck Fleet	1	\$ 81,516	NA	\$0	1	\$ 81,516
Specialised Equipment	7	\$ 251,532	2	\$30,167	9	\$ 281,699
Small Plant	7	\$ 75,800	NA	\$0	7	\$ 75,800
Total	67	\$ 2,230,101	(27)	(\$1,010,122)	40	\$ 1,219,979

Establishment of Emergency Reserve

At its meeting on 17 August 2021, Council resolved to establish an Emergency Reserve from the 2020–21 budget surplus, for the purpose of providing funding to offset the financial impact of emergencies.

The 2020/21 budget surplus of \$1,459,007 has been allocated to this new Reserve. Through the Q1 budget review, it is proposed that \$1,338,606 be applied to the 2021–22 budget to offset some of the financial impacts caused by the 2021 COVID lockdowns.

Reserves

As a result of the Q1 budget amendments, \$2.39m is proposed to be allocated to Council's reserves.

A total of \$27.52m in reserve money has been applied to fund the revised FY 2021–22 budget. The reserves balance is projected to be \$112.54 m as at 30 June 2022.

In summary, the first quarter budget review has proposed no change to the net position of the current approved budget, with a small surplus of \$3,910 forecast for FY 2021–22.

Financial performance measures

The following financial performance measures indicate that Council meets most of the fit-for-future measures, except for the Operating Performance Ratio. Council's financial results have been negatively impacted by the COVID-19 pandemic; there are increased costs for ensuring safe Council operations (i.e. PPE provision, modified staffing rosters) and public space safety, as well as reduced revenues due to Council assistance programs, reduced fees and loss of income from parking and other sources. The recent changes to the Accounting Standards regarding the treatment of ICT expenditure has also had an adverse impact. While there is a forecast operating surplus of approximately \$12.41m pre-depreciation, the Operating Performance (OP) Ratio (which includes depreciation) is currently forecast at a -6.76% this year.

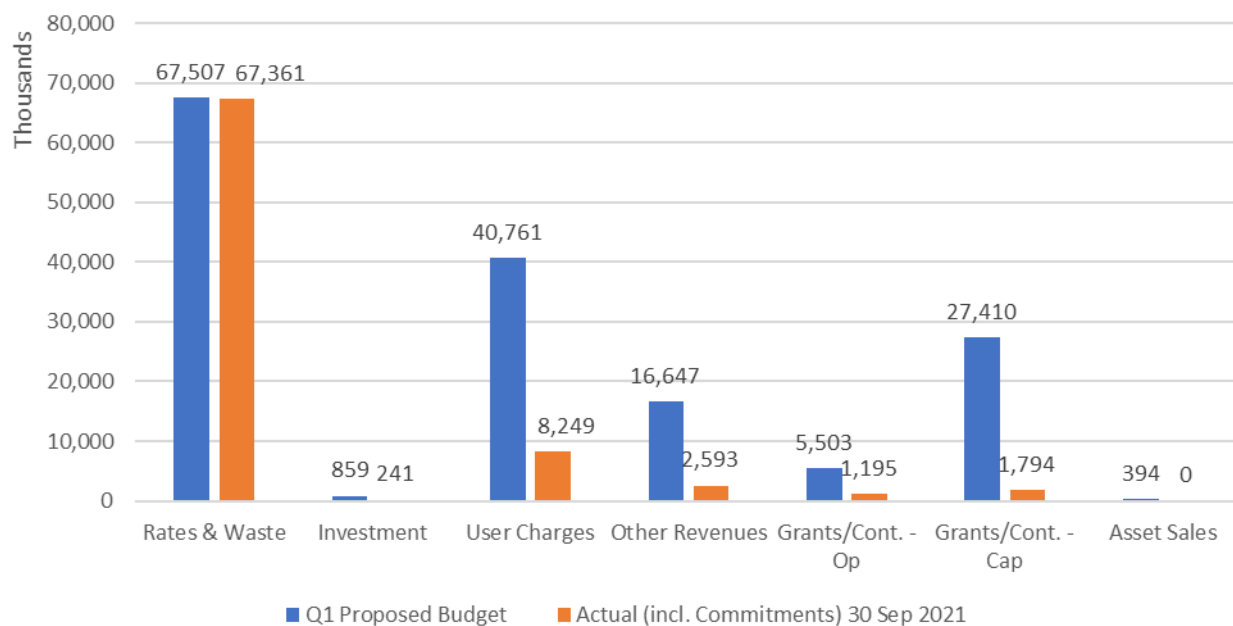
Table 6. Financial performance measures.

	Forecasted indicator		Benchmark
Key Performance Indicators:	30-Jun-22		
1. Operating Performance Ratio	-6.76%	✗	>0.00%
This ratio measures Council's achievement of containing operating expenditure within operating revenue.			
2. Own source operating revenue ratio	79.31%	✓	>60.00%
This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contri			
3. Unrestricted current ratio	3.98	✓	>1.50x
To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities c			
4. Debt service cover ratio	25.11	✓	>2.00x
This ratio measures the availability of operating cash to service debt including interest, principal and lease payments			
5. Rates, annual charges, interest and extra charge outstanding percentage	4.00%	✓	<5.00%
To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts			
6. Buildings and Infrastructure renewals ratio	289.02%	✓	>=100.00%
To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating			
Note. Asset fair valuation adjustment and net gain on asset disposal are excluded in the above calculations.			

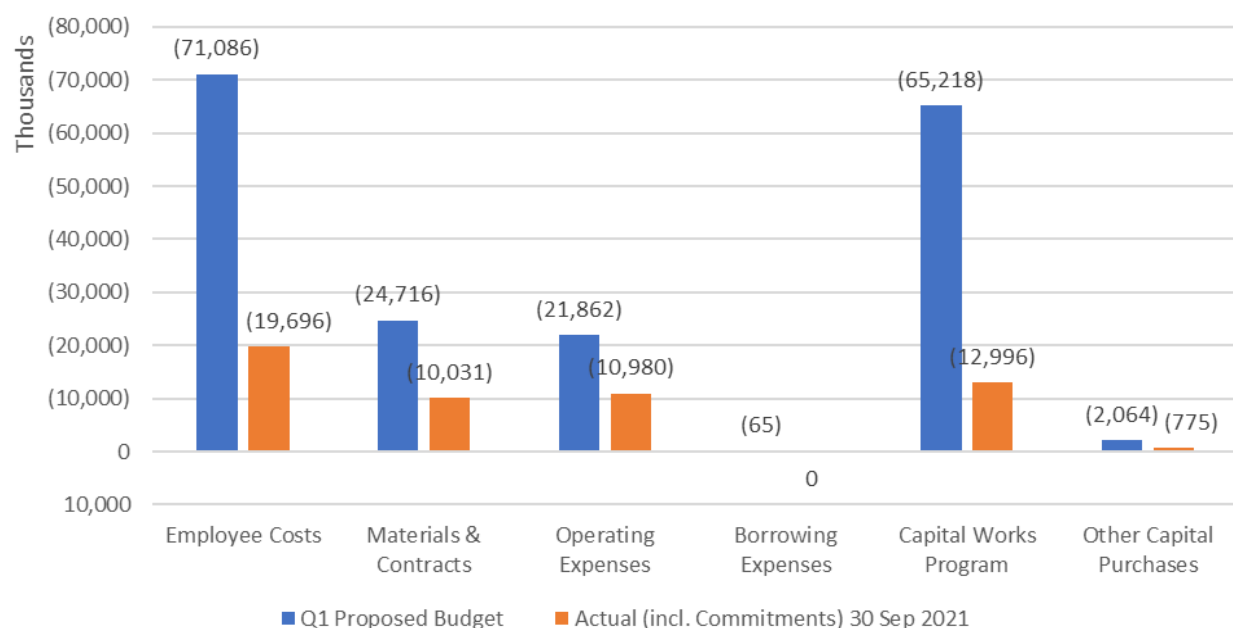
Income and expense performance as at 30 September 2021

Graphs 1 and 2 below illustrate the income and expense performance for the first quarter of the year ending 30 September 2021 compared to the Q1 proposed budget for the year ending 30 June 2022.

Graph 1: Income Performance as at 30 Sep 2021



Graph 2: Expense Performance as at 30 Sep 2021



See Attachment 3 for Directorates' Q1 budget performance as at 30 September 2021.

5. Financial impact statement/Time frame/Consultation

Council is required under clause 203 of the *Local Government (General) Regulation 2021* to, not later than two months after the end of each quarter, prepare and submit a reviewed budget statement showing, by reference to the estimate of income and expenditure which is set out in the operational plan, a revised estimate of the income and expenditure.

6. Conclusion

Council's Director, Finance and Governance, as the responsible accounting officer, advises that Council's overall projected financial position is satisfactory.

1. 5. Attachments

1. 2021-22 Q1 Review - QBRS [↓](#)
2. 2021-22 Q1 Review - Revised Capital Works Program [↓](#)
3. 2021-22 Q1 Review - Budget Statement Council and by Directorate [↓](#) .

Waverley Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

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Waverley Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2021:

30 September 2021

It is my opinion that the Quarterly Budget Review Statement for Waverley Council for the quarter ended 30/09/21 indicates that Council's projected financial position at 30/6/22 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____

Date:

Evan Hutchings
Responsible Accounting Officer

Waverley Council

Quarterly Budget Review Statement

for the period 01/07/21 to 30/09/21

Income & Expenses Budget Review Statement

Budget review for the quarter ended 30 September 2021

Income & Expenses - Council Consolidated

(\$000's)

Income

	Original Budget 2021/22	Approved Changes			Revised Budget 2021/22	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Sep QBRS	Dec QBRS					
Rates and Annual Charges	67,507				67,507			67,507	67,361
User Charges and Fees	45,582				45,582	(4,820)	1	40,761	8,249
Interest and Investment Revenues	859				859			859	241
Other Revenues	19,645				19,645	(2,998)	2	16,647	2,593
Grants & Contributions - Operating	5,509				5,509	(6)		5,503	1,195
Grants & Contributions - Capital	20,961	635			21,596	5,815	3	27,410	1,794
Net gain from disposal of assets	975	(134)			841	(447)	4	394	
Share of Interests in Joint Ventures									
Total Income from Continuing Operations	161,038	501			161,539	(2,457)		159,082	81,433

Expenses

Employee Costs	70,420	27			70,446	639	5	71,086	19,672
Borrowing Costs	65				65			65	
Materials & Contracts	18,850	198			19,048	(204)	6	18,845	3,987
Depreciation	21,282				21,282			21,282	
Legal Costs	1,210				1,210	(118)	7	1,092	378
Consultants	3,107	288			3,395	1,385	8	4,780	579
Other Expenses	23,998	173			24,172	(1,174)	9	22,998	6,444
Total Expenses from Continuing Operations	138,933	685			139,618	529		140,147	31,060

Net Operating Result from Continuing Operations	22,105	(184)			21,921	(2,986)		18,935	50,373
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Net Operating Result from All Operations	22,105	(184)			21,921	(2,986)		18,935	50,373
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Net Operating Result before Capital Items	1,144	(819)			325	(8,800)		(8,475)	48,579
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Waverley Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	<p>Unfavourable change of \$4.8m to User Charges and Fees due to following reasons:</p> <p>\$3.15m decrease from Street Parking meters</p> <p>\$0.83m decrease from car park fees</p> <p>\$0.63m decrease from a number of permits including road opening, crane and temporary truck zones due to low market activities</p> <p>\$0.48m decrease from hire of halls and room</p> <p>\$0.28m decrease from engineering plan assessment</p> <p>\$0.12m decrease from rent of ovals, parks and open space</p> <p>\$0.10m decrease from parking permits</p> <p>\$0.08m decrease from contribution to work in relation to cancellation of C2S</p> <p>\$0.05m decrease from service utility fees in Infrastructure services</p> <p>\$0.28m decrease from outdoor eating</p> <p>\$0.21m decrease from childcare fees/childcare benefit as a result of support package to families with gap fee waived as well as deferral of fee increase until 27th October</p> <p>\$0.11m decrease from trading rights</p> <p>\$1.44m increase from hoarding and construction fee after incorporating the hoarding construction fee of \$2.43m from the capital projects (Bondi Pavilion and Tamarama SLSC). Income generated from non-Council projects has been revised down by approx. \$900k due to a low level of applications.</p>
2	<p>Unfavourable change of \$2.9m to other revenue due to following reasons:</p> <p>\$2.15m decrease from parking fines</p> <p>\$0.55m decrease from rental commercial due to cancellation of C2S and other outdoor events</p> <p>\$0.24m decrease from rental commercial due to community tenants' relocation, vacancies and rent increase not implemented by Council</p> <p>\$0.44m decrease from commercial rental and 3-6 months' rent free incentives offered to tenants in relation to Bondi Pavilion building project delay due to COVID restrictions</p> <p>\$0.44m increase from reimbursement of St Vincent Health in relation to costs incurred for Bondi Beach testing clinic</p>
3	<p>Favourable change of \$5.8m to Grants & Contributions - Capital due to following reasons:</p> <p>\$1.71m increase in budgeted grants and contributions for capital works program,</p> <p>\$3.6m increase in Voluntary Planning Agreement Contribution for pending DA, majority of this additional income is conditioned toward to specific works which are planned in the future year.</p> <p>\$0.5m increase from Sydney Water Contribution towards capital works program project.</p>

- 4 Unfavourable change of \$0.45m to net gain on disposal of assets due to following reason:
\$0.45m reduction on proceeds from asset sale in line with the proposed change to the plant replacement program.
- 5 Unfavourable change of \$0.64m to Employee Costs is due to following reason:
Release of \$1.2m efficiency dividend
\$0.85m decrease in Salaries & Wages mainly due to vacancies
\$0.25m increase in salaries provision for interim venue GM for Bondi Pavilion operation
- 6 Favourable change of \$0.2m to Materials & Contracts is due to following reasons:
\$0.29m decrease in processing charges of parking fines due to lower volume of fines
\$0.26m decrease in equipment rental due to cancellation of C2S
\$0.3m decrease in contractors across Infrastructure services, community services and environmental sustainability
\$0.18m decrease in general maintenance costs
\$0.17m decrease in general cleaning across a number of properties and events
\$0.13m decrease in sustenance expenses
\$0.12m decrease in security cash transit due to lower requirements
\$0.04m decrease in stationery
\$0.03m decrease in security property guarding
\$0.84m increase in pandemic costs
\$0.48m increase in computer/laptop purchase due to ICT reclassification
\$0.1m increase relates to Bondi Pavilion cultural project which is not proceeding due to delay with the capital works
\$0.11m decrease in stores and materials due to outsourcing sportsfield maintenance work rather than doing it in house
\$0.07m decrease in computer software licensing in IT
\$0.05m decrease in consultant legal in DA and Compliance
\$0.18m increase in contractor for sportsfield maintenance under asset maintenance due to the fall through of the business case of bringing it in house
- 7 Favourable change of \$0.12m to legal costs is due to following reasons:
\$0.12m decrease in legal costs in Compliance and DA
- 8 Unfavourable change of \$1.39m to Consultant is mainly due to following reason:
\$1.3m increase in ICT project cost due to reclassification from Capital works program
\$0.16m increase in consultants for the tree audit work which wasn't approved in the carry over requests
\$0.07m decrease across a number of departments
- 9 Favourable change of \$1.17m to Other Expenses is mainly due to following reason:
\$0.2m decrease in abandonment of fines by SDR
\$0.2m decrease in general expense
\$0.18m decrease across credit card fee and bank charges due to lower activities in street parking and car parks
\$0.17m decrease in waste disposal costs
\$0.15m decrease in educational expense from environmental sustainability
\$0.11m decrease in motor vehicles running expenses
\$0.03m decrease in electricity charges across a number of properties
\$0.05m decrease in advertising general

Waverley Council

Quarterly Budget Review Statement

for the period 01/07/21 to 30/09/21

Capital Budget Review Statement

Budget review for the quarter ended 30 September 2021

Capital Budget - Council Consolidated

(\$000's)

Capital Expenditure

New Assets

	Original Budget 2021/22	Approved Changes			Revised Budget 2021/22	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Sep QBRs	Dec QBRs					
- Plant & Equipment	4,040	(1,747)			2,293	(1,010)	1	1,283	333
- Land & Buildings	862	70			933	(662)	2	270	21
- Roads, Bridges, Footpaths	8,826	2,214			11,040	512	3	11,552	671
- Other	5,450	111			5,561	(4,177)	4	1,384	23

Renewal Assets (Replacement)

- Plant & Equipment									
- Land & Buildings	26,676	3,305			29,980	1,121	5	31,101	4,721
- Roads, Bridges, Footpaths	12,567	(704)			11,863	399	6	12,262	566
- Other	9,842	1,142			10,984	(1,554)	7	9,430	(271)
Loan Repayments (Principal)	447				447			447	109

Total Capital Expenditure

68,711	4,391			73,101	(5,372)		67,730	6,172
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Capital Funding

Rates & Other Untied Funding	13,012	(685)			12,327	(3,784)		8,543	(3,274)
Capital Grants & Contributions	17,790	635			18,425	2,212		20,636	1,221

Reserves:

- External Restrictions/Reserves	10,335	(922)			9,413	(912)		8,501	1,761
- Internal Restrictions/Reserves	26,599	5,497			32,096	(2,440)		29,655	6,463

New Loans

Receipts from Sale of Assets

- Plant & Equipment	975	(134)			841	(447)		394	
- Land & Buildings									

Total Capital Funding

68,711	4,391			73,101	(5,372)		67,730	6,172
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Net Capital Funding - Surplus/(Deficit)

(0)	0	-	-	(0)	(0)		(0)	(0)
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Waverley Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21**Capital Budget Review Statement**
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Deferral purchase of passenger vehicles and light commercial vehicles to 22/23 year
2	Reduction in budget mainly due to reduction in program scoping in 21/22 with construction in 22/23
3	Increased mainly due to additional fully grant funded projects
4	Reduction mainly due to transfer of ICT Implementation projects to Operational budget
5	Increase in expenses mainly due to capitalisation of hoarding fees
6	Increase mainly due to procurement of bollards in line with HVM measures along Queen Elizabeth Drive for Cliff Walk Remediation
7	Reduction on project costs mainly to align with projects timeframe

Waverley Council

Quarterly Budget Review Statement

for the period 01/07/21 to 30/09/21

Cash & Investments Budget Review Statement

Budget review for the quarter ended 30 September 2021

Cash & Investments - Council Consolidated

(\$000's)	Original Budget 2021/22	Approved Changes			Revised Budget 2021/22	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards & Other	Sep QBRs	Dec QBRs					
Externally Restricted ⁽¹⁾									
Developer Contributions	22,309	510			22,819	3,849	1	26,668	23,638
Domestic Waste Reserve	12,168	608			12,776	351	2	13,128	25,561
Unexpended Grant/Subsidy	1,563	(426)			1,137	25		1,162	1,544
Stormwater Management Service Reserve	521	230			751	(35)		716	475
Total Externally Restricted	36,561	922			37,483	4,190		41,673	51,217
(1) Funds that must be spent for a specific purpose									
Internally Restricted ⁽²⁾									
Affordable Housing Program	1,938	(94)			1,844	(25)		1,819	1,884
Cemetery	514				514	61		574	790
Centralised - Other	10,158	(2,684)			7,474	(1,467)	3	6,006	12,818
Deposits & Bonds	16,290				16,290			16,290	16,290
Election	165				165			165	491
Employees Leave Entitlements	5,636				5,636			5,636	5,636
Property Investment Strategy	17,714	(2,949)			14,765	66		14,831	28,070
IT Equipment & Upgrade	933	(233)			700	(700)	4	()	1,869
Other Internal Restricted	5,488	(226)			5,262	695	5	5,957	6,183
Parking - Car Park	1,603	(29)			1,574	37		1,611	2,435
Parking - Meter	1,923				1,923	(29)		1,894	1,923
Plant & Vehicles Replacement	3,501	1,005			4,507	531	6	5,038	5,175
SAMP Infrastructure	11,684	(176)			11,508	(917)	7	10,591	12,810
Social Housing	568	(111)			456	(4)		452	525
Unexpended Loans	51				51	(51)			51
Total Internally Restricted	78,166	(5,497)			72,669	(1,804)		70,865	96,950
(2) Funds that Council has earmarked for a specific purpose									
Unrestricted (i.e. available after the above Res)	37,880				37,880			37,880	271
Total Cash & Investments	152,607	(4,575)			148,032	2,386		150,418	148,439

Waverley Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21**Cash & Investments Budget Review Statement****Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes Details

1	Majority of the VPA increases is due to additional DA and less capital works program funding
2	Increase in Domestic Waste holding of \$351k mainly due to reduction of ICT Implementation funding of Domestic Waste reserve
3	Decrease centralised reserve holding by \$1.47m predominately due to transfer to Emergency reserve
4	Decrease in computer reserve holding by \$700k due to funding of various IT projects
5	Increase in reserve holding by \$695k due to reduction in Capital Works projects costs to align project timeframe
6	Deferral of fleet replacement for light commercial and passenger vehicles into 22/23 year
7	Reduce SAMP Reserve holding by \$917k as a result of the capital works projects timeframe realignment

Waverley Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key Performance Indicators Budget Review Statement - Council specific KPI's

Budget review for the quarter ended 30 September 2021

(\$000's)	Current Projection		Original Budget 21/22	Actuals	
	Amounts	Indicator		Prior Periods	
	21/22	21/22		20/21	19/20

The Council monitors the following Key Performance Indicators:

1. Operating Performance Ratio

Total continuing operating revenue (1) excluding capital grants and contributions less operating expenses

Total continuing operating revenue (1) excluding capital grants and contributions

(8,869)	-6.8%	0.1%	-3.4%	-8.6%
131,278				

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

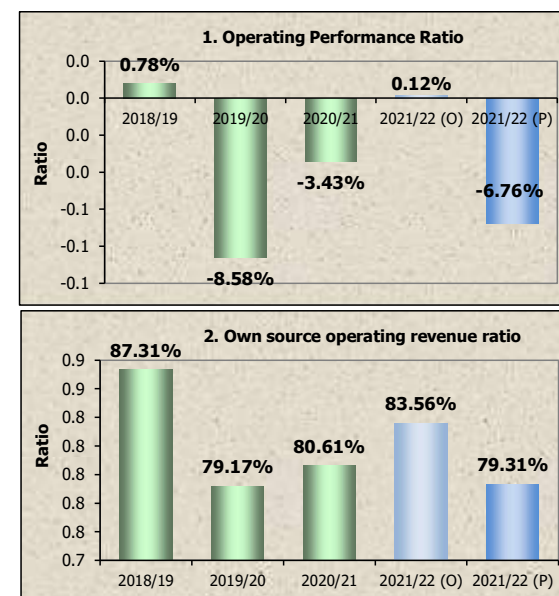
2. Own source operating revenue ratio

Total continuing operating revenue (1) excluding all grants and contributions

Total continuing operating revenue (1)

126,169	79%	84%	81%	79%
159,082				

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.



Waverley Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key Performance Indicators Budget Review Statement - Council specific KPI's

Budget review for the quarter ended 30 September 2021

(\$000's)	Current Projection		Original Budget 21/22	Actuals	
	Amounts	Indicator		Prior Periods	
	21/22	21/22		20/21	19/20

3. Unrestricted current ratio

Current assets less all external restrictions (2)	106,765	4.0	3.6	5.5	7.2
Current liabilities less specific purpose liabilities (3, 4)	26,794				

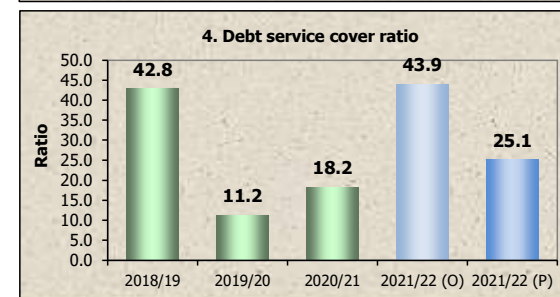
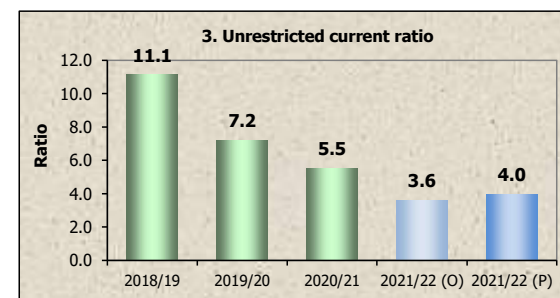
To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.

The Council monitors the following Key Performance Indicators:

4. Debt service cover ratio

Operating result (1) before capital excluding interest and depreciation/impairment/amortisation	12,872	25.1	43.9	18.2	11.2
Principal repayments (Statement of Cash Flows)	513				
plus borrowing costs (Income Statement)					

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments



Waverley Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key Performance Indicators Budget Review Statement - Council specific KPI's

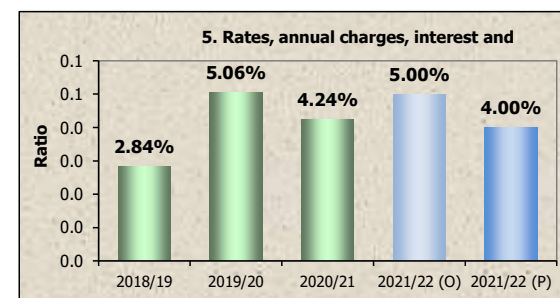
Budget review for the quarter ended 30 September 2021

(\$000's)	Current Projection		Original Budget 21/22	Actuals Prior Periods	
	Amounts	Indicator		20/21	19/20
	21/22	21/22			

5. Rates, annual charges, interest and extra charges outstanding percentage

Rates, annual and extra charges outstanding	2,789	4.0%	5%	4%	5%
Rates, annual and extra charges collectible	69,716				

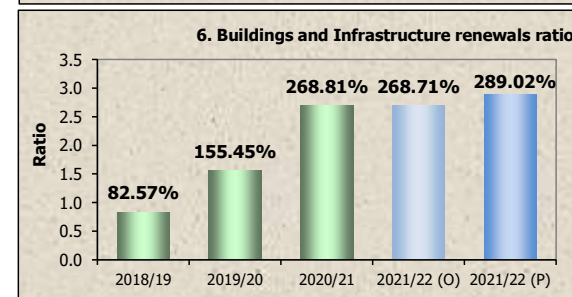
To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.



6. Buildings and Infrastructure renewals ratio

Asset Renewals	52,793	289%	269%	269%	155%
Depreciation, amortisation and impairment	18,266				

To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating



Waverley Council

Quarterly Budget Review Statement

for the period 01/07/21 to 30/09/21

Contracts Budget Review Statement

Budget review for the quarter ended 30 September 2021

Part A - Contracts Listing - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)
Quality Management & Constructions Pty Ltd	York Road Civil Works	1,530,533	02/07/21	3 Months	Y
Plantabox Pty Ltd	Planter Boxes and Hanging Planters	747,467	23/07/21	5 Years	Y
TMA Technology (Australia) Pty Ltd	Car Park Access Infrastructure Upgrade Works	1,411,876	27/09/21	4 Months	Y
Datacom Systems Pty Ltd	Firewall Replacement	317,088	29/09/21	5 Years	Y

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

Waverley Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	1,283,879	Y
a. Operational	500,672	Y
b. Capital	783,207	Y
Legal Fees	303,260	Y
a. Operational	303,260	Y
b. Capital	-	

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.



Budget Review Project Expenditure - Capital Works

As at Period 03

Financial Year Ending June 2022

Table 4 - Capital Works Program Q1 Amendments	No of projects	Amount - \$'000	Capital Works Program Summary Q1 Amendments	Amount - \$'000
Project cost reduction	11	1,306	No of Projects	16
Program Reduction	68	5,656	Expenditure	(65,218)
Project cost defer to 2022/23	2	202	funding sources:	
Project cost increase/Correction	28	(5,517)	Grants and Contribution	19,07
New Project	6	(1,380)	New Borrowing	
Project Not going ahead	1	50	External Restricted Reserves	6,56
Transfer to operational Budget	6	4,580	Internal Restricted Reserves	30,44
Total	122	4,896	General Fund	9,13

Project Number	Project Description	Original Budget \$	Current Budget \$	Q1 Adjustment	Proposed Budget \$	Actuals \$	Commitments \$	YTD \$	YTD %	DE	Budget Commentary
.D 01 - Buildings - Buildings											
0004	Bondi Bathers SLSC	(250,000)	(250,000)	50,000	(200,000)	(45,020)	(492,236)	(537,256)	268.63%	R	Funds to cover commitments within 2021/22: \$1,954,953 to be offset for accounting purposes for hoarding fee capitalisations
0006	Bondi Pavilion Conservation & Restoration	(8,750,000)	(10,750,183)	(1,954,953)	(12,705,136)	(4,522,404)	(6,039,051)	(10,561,455)	83.13%	I	Funds to cover commitments within 2021/22:
0007	Bronte Surf Club & Community Facilities	(250,000)	(250,000)	150,000	(100,000)	(16,375)	(690,986)	(707,360)	707.36%	R	Funds to cover commitments within 2021/22:
0125	South Bronte (Community Centre) Toilet	-	-	(42,220)	(42,220)	-	(42,220)	(42,220)	100.00%	I	
0289	Bronte Pump House Upgrade and Pump Replacement	(88,100)	(88,100)		(88,100)	(3,017)	(86,607)	(89,624)	101.73%	R	Funds to cover commitments within 2021/22:
0547	Council Chambers Upgrade	(400,000)	(400,000)	100,000	(300,000)	(65,281)	(687,717)	(752,997)	251.00%	R	\$471,240 to be offset for accounting purposes for hoarding fee capitalisations
0688	Tamarama SLSC – Building Upgrade	(5,518,523)	(5,847,372)	428,760	(5,418,612)	(405,004)	(3,523,427)	(3,928,431)	72.50%	C	
0708	Skate Park Amenities	-	(70,476)		(70,476)	(16,047)	(197,897)	(213,944)	303.57%	R	
0712	2A Edmund Street (Social Housing) Redevelopment	(1,250,000)	(625,000)		(625,000)	(5,351)	(128,056)	(133,407)	21.35%	R	Grant funding to cover Seniors Centre Upgrade LRCI Phase 3
0726	Boot Factory Restoration and Mill Hill Upgrade	(6,318,100)	(7,287,009)	(555,634)	(7,842,643)	(720,568)	(6,917,923)	(7,638,492)	97.40%	I	Funds to cover commitments within 2021/22:
0837	Level 4 Office Eastgate	-	-	(34,050)	(34,050)	(34,050)	-	(34,050)	100.00%	I	
0867	Bondi Lifeguard Facilities Upgrade	(500,000)	(880,103)		(880,103)	(21,853)	(818,768)	(840,620)	95.51%	R	
0879	SAMP5 Tunnel 1 Feasibility Study and design	-	(20,000)		(20,000)	(8,380)	-	(8,380)	41.90%	R	Allocated in line with the multi year delivery timeline
0970	AIF Washbay Construction	(400,000)	(400,000)	300,000	(100,000)	(6,849)	-	(6,849)	6.85%	R	Allocated in line with the multi year delivery timeline
0980	Rowe Street Development	(462,400)	(462,400)	362,400	(100,000)	(7,918)	-	(7,918)	7.92%	R	
ew	Integrity access control system			(135,000)	(135,000)					N	
Total Buildings - Buildings		(24,187,123)	(27,330,643)	(1,330,697)	(28,661,340)	(5,878,117)	(19,624,887)	(25,503,004)	88.98%		
.D 02 - SAMP Amenities											
Total SAMP Amenities		(54,500)	(73,399)	19,100	(54,299)	(2,284)	(8,079)	(10,363)	19.08%	R	Reduction in program, scoping in 21/22 with construction in 22/23
.D 03 - SAMP Carparks											
Total SAMP Carparks		(146,000)	(163,250)	25,000	(138,250)	(17,250)	-	(17,250)	12.48%	R	Reduction in program, scoping in 21/22 with construction in 22/23
.D 04 - SAMP Cemeteries											
Total SAMP Cemeteries		(27,700)	(27,700)	-	(27,700)	-	-	-	-		
.D 05 - SAMP Childcare Facilities											
Total SAMP Childcare Facilities		(212,000)	(218,150)	-	(218,150)	(8,478)	(33,403)	(41,881)	19.20%		
.D 06 - SAMP Community Centres & Halls											
Total SAMP Community Centres & Halls		(270,000)	(342,409)	79,000	(263,409)	(135,143)	(145,230)	(280,372)	106.44%	R	Reduction in program, scoping in 21/22 with construction in 22/23
.D 07 - SAMP Community Tenants											
Total SAMP Community Tenants		(296,000)	(296,000)	254,438	(41,562)	(35,437)	-	(35,437)	85.26%	R	Reduction in program, scoping in 21/22 with construction in 22/23
.D 08 - SAMP Council Administration											



Budget Review Project Expenditure - Capital Works

As at Period 03

Financial Year Ending June 2022

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New Project	6	(1,380)	New Borrowing	
Project Not going ahead	1	50	External Restricted Reserves	6,56
Transfer to operational Budget	6	4,580	Internal Restricted Reserves	30,44
Total	122	4,896	General Fund	9,13

Project Description	Original Budget \$	Current Budget \$	Q1 Adjustment	Proposed Budget \$	Actuals \$	Commitments \$	YTD \$	YTD %	DE	Budget Commentary
Total SAMP Council Administration	(242,900)	(280,300)	213,900	(66,400)	(21,083)	(126,950)	(148,033)	222.94%	R	Reduction in program, scoping in 21/22 with construction in 22/23
D 09 - SAMP Residential Lease										
0838 95 Carrington Road, Queens Park	(15,200)	(15,200)	1,200	(14,000)	-	-	-	-	R	Reduction in program, scoping in 21/22 with construction in 22/23
0839 Bronte House - Bronte House	(190,000)	(261,720)	71,720	(190,000)	(39,151)	(55,081)	(94,233)	49.60%	R	Reduction in program, scoping in 21/22 with construction in 22/23
Total SAMP Residential Lease	(205,200)	(276,920)	72,920	(204,000)	(39,151)	(55,081)	(94,233)	46.19%		
D 10 - Surf Clubs and Ancillary Coastal Facilities										
Total Surf Clubs and Ancillary Coastal Facilities	(175,800)	(175,800)	117,830	(57,970)	(26,930)	(9,970)	(36,900)	63.65%	R	Reduction in program, scoping in 21/22 with construction in 22/23
D 11 - SAMP Commercial Buildings										
Total SAMP Commercial Buildings	(231,800)	(239,800)	124,800	(115,000)	(16,609)	(6,650)	(23,259)	20.23%	R	Reduction in program, scoping in 21/22 with construction in 22/23
D 12 - SAMP Social & Affordable Housing										
Total SAMP Social & Affordable Housing	(127,000)	(127,000)	-	(127,000)	-	-	-	-		
J1 - ICT implementation										
Total ICT implementation	(4,580,000)	(4,580,000)	4,580,000	-	-	-	-	-		
J1 - Living - Corridors										
0041 Thomas Hogan Environmental Restoration Action Plan regener.	(30,000)	(30,000)	0	(30,000)	(1,397)	(21,658)	(23,055)	76.85%		
0570 Revegetation - Thomas Hogan Revegetation (Deliver 60 reserve /	-	(13,089)	0	(13,089)	-	(364)	(364)	2.78%		
0882 Greening Steep Slopes	-	(135,504)	30,000	(105,504)	(46,325)	(31,144)	(77,469)	73.43%	C	Engaged contractor. Allowance for variation: made.
Total Living - Corridors	(30,000)	(178,593)	30,000	(148,593)	(47,721)	(53,166)	(100,887)	67.90%		
J2 - Living - Trees										
0186 Planting Street Trees (SAMP 11)	(140,000)	(195,359)		(195,359)	(13,431)	(32,253)	(45,684)	23.38%		
Total Living - Trees	(140,000)	(195,359)	-	(195,359)	(13,431)	(32,253)	(45,684)	23.38%		
J4 - Living - Turf										
0263 Turf improvement program	(110,000)	(110,000)	-	(110,000)	(19,489)	(12,311)	(31,799)	28.91%		
0880 Sports Field Improvement Program	-	(38,297)	7,353	(30,944)	(17,585)	(13,359)	(30,944)	100.00%	C	Consultant engaged, savings made.
Total Living - Turf	(110,000)	(148,297)	7,353	(140,944)	(37,074)	(25,670)	(62,743)	44.52%		
I1 - Parking Infrastructure - Carparks										
0843 Car Park Access Infrastructure Upgrade	(1,350,000)	(1,350,000)		(1,350,000)	(46,590)	(1,175,313)	(1,221,903)	90.51%		
0844 On Street Parking Infrastructure (Meter Replacement)	-	(28,849)		(28,849)	-	(802,157)	(802,157)	2,780.54%		
Total Parking Infrastructure - Carparks	(1,350,000)	(1,378,849)	-	(1,378,849)	(46,590)	(1,977,471)	(2,024,060)	146.79%		
O1 - Public Domain Infrastructure - Lighting / Electrical Equipme										
0848 SAMP5 Lighting & Electrical Infrastructure Renewal	(100,000)	(100,000)		(100,000)	(3,425)	-	(3,425)	3.42%		



Budget Review Project Expenditure - Capital Works

As at Period 03

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Project Not going ahead	1	50	External Restricted Reserves	6,56
Transfer to operational Budget	6	4,580	Internal Restricted Reserves	30,44
Total	122	4,896	General Fund	9,13

Project Number	Project Description	Original Budget \$	Current Budget \$	Q1 Adjustment	Proposed Budget \$	Actuals \$	Commitments \$	YTD \$	YTD %	Comments
0851	SAMP5 Bondi Park Lighting & CCTV upgrades	(772,000)	(772,000)	(191,853)	(963,853)	(13,219)	(4,120)	(17,339)	1.80%	I Additional trenching and pits required to facilitate new pole lights.
Total Public Domain Infrastructure - Lighting / Electrical Equipment		(872,000)	(872,000)	(191,853)	(1,063,853)	(16,644)	(4,120)	(20,764)	1.95%	
02 - Public Domain Infrastructure - Water Equipment										
0033	Irrigation Control System	-	(954)	954	0	-	-	-	-	X
0704	Stormwater quality improvement project	-	-	-	-	-	(2)	(2)	-	
0849	SAMP5 Water Equipment Renewal	(50,000)	(50,000)	45,000	(5,000)	-	(2,170)	(2,170)	43.40%	R Reduction in program, scoping in 21/22 with construction in 22/23
Total Public Domain Infrastructure - Water Equipment		(50,000)	(50,954)	45,954	(5,000)	-	(2,172)	(2,172)	43.44%	
03 - Public Domain Infrastructure - Street Furniture										
0735	Small Park Signage - Delivery	-	-	(295)	(295)	(295)	-	(295)	100.00%	X Reduction in program, scoping in 21/22 with construction in 22/23
0845	SAMP5 - Bus Shelters, Seats and Benches, bike furniture, bin	(250,000)	(331,842)	200,000	(131,842)	(4,281)	(76,705)	(80,986)	61.43%	R Reduction in program, scoping in 21/22 with construction in 22/23
0850	Waverley signage strategy Implementation	(100,000)	(138,290)	40,000	(98,290)	(3,425)	(18,070)	(21,495)	21.87%	R Reduction in program, scoping in 21/22 with construction in 22/23
Total Public Domain Infrastructure - Street Furniture		(350,000)	(470,132)	239,705	(230,427)	(8,000)	(94,775)	(102,775)	44.60%	
04 - Public Domain Infrastructure - Structures										
0581	Cliff Walk Remediation	(1,000,000)	(500,000)	-	(500,000)	(52,206)	(115,689)	(167,895)	33.58%	
0811	Safety by design in public places	(500,000)	(500,000)	(1,232,000)	(1,732,000)	(111,429)	(241,843)	(353,272)	20.40%	I Procurement of bollards in line with HVM measures along Queen Elizabeth Drive
0847	Park Drive Retaining Wall - Remediation	-	(89,021)	-	(89,021)	-	-	-	-	
0865	Coastal Fencing Renewal - Clarke Reserve	(100,000)	(400,332)	180,000	(220,332)	(32,457)	(172,185)	(204,642)	92.88%	C Project savings realised
0883	SAMP5 - Other: Fences, Stairs, Edging, walls / Retaining wall	(300,000)	(300,000)	170,000	(130,000)	(5,137)	(4,545)	(9,682)	7.45%	R Reduction in program, scoping in 21/22 with construction in 22/23
0944	Rockfall remediation	-	(223,920)	-	(223,920)	(182,335)	(54,748)	(237,083)	105.88%	
0971	Waverley Cemetery Retaining Wall (Male Toilet) Investigation	(50,000)	(50,000)	50,000	-	(1,712)	-	(1,712)	-	R Reduction in program, scoping/design in 21/ with construction in 22/23
0972	South Head Cemetery Retaining wall reconstruction	(50,000)	(50,000)	50,000	-	(1,712)	-	(1,712)	-	R Reduction in program, scoping/design in 21/ with construction in 22/23
0973	Waverley Cemetery Contemplation Shelters Renewal and Enh	(75,000)	(75,000)	25,000	(50,000)	(2,568)	-	(2,568)	5.14%	R Reduction in program, scoping/design in 21/ with construction in 22/23
Total Public Domain Infrastructure - Structures		(2,075,000)	(2,188,273)	(757,000)	(2,945,273)	(389,557)	(589,010)	(978,567)	33.23%	
05 - Road Infrastructure - Kerb and Gutter										
Total Road Infrastructure - Kerb and Gutter		(716,928)	(473,217)	151,250	(321,967)	(79,932)	-	(79,932)	24.83%	R Reduction in program, scoping/design in 21/ with construction in 22/23
06 - Road Infrastructure - Footpaths										
Total Road Infrastructure - Footpaths		(1,790,456)	(1,460,591)	407,735	(1,052,856)	(92,716)	(11,704)	(104,420)	9.92%	R Reduction in program, scoping/design in 21/ with construction in 22/23
07 - Road Infrastructure - Stormwater Drainage										
Total Road Infrastructure - Stormwater Drainage		(500,000)	(280,380)	65,000	(215,380)	(21,635)	-	(21,635)	10.05%	R Reduction in program, scoping/design in 21/ with construction in 22/23
08 - Road Infrastructure - Transport										



Budget Review Project Expenditure - Capital Works

As at Period 03

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Project Not going ahead	1	50	External Restricted Reserves	6,56
Transfer to operational Budget	6	4,580	Internal Restricted Reserves	30,44
Total	122	4,896	General Fund	9,13

Project Number	Project Description	Original Budget \$	Current Budget \$	Q1 Adjustment	Proposed Budget \$	Actuals \$	Commitments \$	YTD \$	YTD %	Comments
0021	Bondi Junction Cycle Way / Street Scape Upgrade	(8,826,400)	(10,463,996)	637,596	(9,826,400)	(1,269,530)	(9,984,976)	(11,254,506)	114.53%	Reduction in line with next seperable portion for the project
0709	Pedestrian Crossing Lighting Compliance	-	(95,000)		(95,000)	-	-	-	-	
0716	40km/hr speed zone review	(1,150,000)	(1,215,616)	215,616	(1,000,000)	(36,299)	(89,343)	(125,642)	12.56%	Reduction in line with the expected contract sum for delivery and grant funding
0718	Coastal Path Improvements - Notts Ave	-	(200,525)	100,000	(100,525)	(4,369)	(90,332)	(94,701)	94.21%	Project savings
0719	Coastal Path Improvements - Bronte Cutting	(750,000)	(1,245,107)	(20,000)	(1,265,107)	(942,236)	(244,233)	(1,186,469)	93.78%	Minor additional landscaping costs
0887	Local Village Beautification Planting	-	(467,265)	200,000	(267,265)	(70,943)	(220,292)	(291,235)	108.97%	Reduction in program, scoping/design in 21/ with construction in 22/23
0942	OSH Pedestrian Crossing Upgrades	-	(248,363)	(14,000)	(262,363)	(178,666)	(88,412)	(267,078)	101.80%	Minor additional landscaping costs
0949	Syd Enfield Drive Bike Parking	-	(220,000)		(220,000)	-	-	-	-	
Total Road Infrastructure - Transport		(10,726,400)	(14,155,872)	1,119,212	(13,036,660)	(2,502,043)	(10,717,588)	(13,219,630)	101.40%	
ID 06 - Road Infrastructure - Streetscape Upgrade										
0355	Seven Ways Public Domain Upgrade	-	-		-	-	(349)	(349)	-	
0717	Charing Cross Streetscape Upgrade	(3,000,000)	(503,309)	400,000	(103,309)	(16,594)	(145,973)	(162,567)	157.36%	Reduction in line with the expected contract sum for design completion
0976	Newland Street Streetscape Upgrade - Design	(100,000)	(100,000)	100,000	-	(3,425)	-	(3,425)	-	Reduced in line with priorities for the current year
Total Road Infrastructure - Streetscape Upgrade		(3,100,000)	(603,309)	500,000	(103,309)	(20,019)	(146,322)	(166,341)	161.01%	
ID 07 - Road Infrastructure - Traffic Infrastructure										
0654	SAMP Street Signage and Linemarking	(70,000)	(70,000)	50,000	(20,000)	(4,197)	(27,000)	(31,197)	155.99%	Reduction in program, scoping/design in 21/ with construction in 22/23
0729	Military Rd Pinch Points	-	(107,262)	10,000	(97,262)	(27,620)	(17,088)	(44,708)	45.97%	Project savings
0754	19/20 - RC - Macpherson Street near Lugar Street	-	(136,684)	(70,000)	(206,684)	-	(172,811)	(172,811)	83.61%	Increased in line with tender amount
0807	SAMP5 Renewal Roundabouts / Speedhumps Traffic Islands/ Li	(500,000)	(500,000)	100,000	(400,000)	(8,562)	-	(8,562)	2.14%	Reduction in program, scoping/design in 21/ with construction in 22/23
0940	2020/21 - TI -Old South Head Rd & Diamond Bay Rd	-	(27,000)	(6,797)	(33,797)	-	(33,797)	(33,797)	100.00%	Increased in line with tender amount
0950	Campbell Pde - Traffic Island Renewal	-	(54,000)	(88,980)	(142,980)	-	(142,980)	(142,980)	100.00%	Increased in line with tender amount
0951	Paul Street Bicycle Improvements	-	(54,552)	(6,550)	(61,102)	(1,400)	(60,042)	(61,442)	100.56%	Increased in line with tender amount
0952	Tamarama Marine Drive	-	(301,614)	(198,386)	(500,000)	(38,378)	(112,943)	(151,321)	30.26%	Increased in line with tender amount
0953	Grafton Street Safety Fence Installation	-	(138,400)	104,219	(34,181)	(34,181)	-	(34,181)	100.00%	Project savings
1020	Road Safety and Traffic Calming	(50,000)	(50,000)	50,000	-	(1,712)	-	(1,712)	-	Not going ahead
EW	York Road Slip Lane			(594,288)	(594,288)				-	Fully grant funded project
EW	Birrell Street Pedestrian Crossing - Henrietta Street			(150,000)	(150,000)				-	Fully grant funded project
EW	Macpherson Street Albion Street Roundabout Refuge			(200,000)	(200,000)				-	Fully grant funded project
Total Road Infrastructure - Traffic Infrastructure		(620,000)	(1,439,512)	(1,000,782)	(2,440,293)	(116,050)	(566,661)	(682,710)	27.98%	
ID 08 - Road Infrastructure - Sealed Roads - Construction										
Total Road Infrastructure - Sealed Roads - Construction		(615,951)	(624,770)	41,313	(583,457)	(29,913)	(17,415)	(47,328)	8.11%	Reduction in program, scoping/design in 21/ with construction in 22/23
ID 09 - Road Infrastructure - Sealed Roads - R2R construction										
Total Road Infrastructure - Sealed Roads - R2R construction		(282,865)	(284,504)	-	(284,504)	(11,326)	(7,740)	(19,066)	6.70%	
ID 10 - Road Infrastructure - Sealed Roads - Regional construction										
Total Road Infrastructure - Sealed Roads - Regional construction		(578,680)	(578,680)	-	(578,680)	(19,818)	(7,740)	(27,558)	4.76%	



Budget Review Project Expenditure - Capital Works

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0889	2020/21 - RC - Glenayr Avenue - Blair St to Hall St	(1,288,192)	(1,288,192)	(521,920)	(1,810,112)	(41,101)	(68,192)	(109,293)	6.04%	I Increased in line with QS and LRCI Grant Funding
0890	2020/21 - RC - Roscoe Street - Wellington St to Glenayr Ave	(95,139)	(124,540)	(57,000)	(181,540)	(25,129)	(10,200)	(35,329)	19.46%	I Increased in line with tender amount
0891	2020/21 - RC - Curlew Street - Campbell Pde to Wellington	-	(300,000)	200,000	(100,000)	(42,755)	(35,875)	(78,630)	78.63%	R Reduction in program, scoping/design in 21/22 with construction in 22/23
0906	2020/21 - RC -York Road (Darley Rd to Queens Park Rd)	(156,032)	(567,423)	(432,577)	(1,000,000)	(106,849)	(758,612)	(865,460)	86.55%	I Increased in line with tender amount
Total Road Infrastructure - ROAD Infrastructure - Streetscape Res		(1,539,363)	(2,280,155)	(811,497)	(3,091,652)	(215,834)	(872,879)	(1,088,712)	35.21%	
01 - Recreational & Public Spaces - Recreational										
0562	Barracuff Park + Playground	-	(360,277)	60,000	(300,277)	(210,843)	(81,592)	(292,435)	97.39%	C Project savings
0567	Marlborough Reserve Upgrade	-	(60,545)	35,000	(25,545)	(14,463)	(10,855)	(25,318)	99.11%	C Project savings
0714	Public Art Commissions	(50,000)	(161,161)	-	(161,161)	(6,749)	(88,083)	(94,832)	58.84%	
0854	Onslow Park and Playground	(135,000)	(135,000)	-	(135,000)	(4,623)	(27,500)	(32,123)	23.79%	
0884	Belgrave Street Reserve Park and Playground Upgrade - Design	(100,000)	(100,000)	-	(100,000)	(3,425)	(3,207)	(6,631)	6.63%	
0885	Waverley Park Slope Stabilisation and Path to Netball Court	(320,000)	(320,000)	270,000	(50,000)	(5,479)	(5,057)	(10,536)	21.07%	R Reduced in line with the multi year delivery timeline
0886	Waverley Park Playground and Fitness Station Upgrade	(470,000)	(470,000)	220,000	(250,000)	(8,048)	(3,207)	(11,255)	4.50%	R Reduced in line with the multi year delivery timeline
0946	North Bondi Mosaic Renewal	(280,000)	(294,560)	144,560	(150,000)	(4,794)	-	(4,794)	3.20%	D Deferred in line with the multi year delivery timeline
0974	Bondi Pavilion Public Domain	(5,200,000)	(5,200,000)	-	(5,200,000)	(2,860,230)	(2,339,770)	(5,200,000)	100.00%	
0975	SAMP5 Park & Playground Planning & Design	(220,000)	(220,000)	-	(220,000)	(9,084)	(5,672)	(14,756)	6.71%	
EW	Williams Park Walking Track			(283,000)	(283,000)					O N Grant money received to implement walking track at Williams Park
Total Recreational & Public Spaces - Recreational		(6,775,000)	(7,321,543)	446,560	(6,874,983)	(3,127,739)	(2,564,942)	(5,692,681)	82.80%	
01 - Sustainability Infrastructure - Renewable Energy										
0438	Installation of EV charging stations	(93,000)	(93,000)		(93,000)	(790)	(1,427)	(2,217)	2.38%	
0812	SAMP5 Renewal of Solar Energy Infrastructure	(5,222)	(5,222)	5,222	-	-	-	-	-	R Reduction in program, scoping in 21/22 with construction in 22/23
0978	Facilities Sustainable Energy upgrades (Social Housing Solar	(125,000)	(125,000)	125,000	-	-	(90)	(90)	-	R Will not commence construction this FY.
Total Sustainability Infrastructure - Renewable Energy		(223,222)	(223,222)	130,222	(93,000)	(790)	(1,517)	(2,307)	2.48%	
03 - Sustainability Infrastructure - Stormwater & Groundwater										
0813	SAMP5 Renewal of SQUID's & Harvesting Systems	(67,861)	(67,861)	50,000	(17,861)	-	-	-	-	R Reduction in program, scoping in 21/22 with construction in 22/23
0943	SAMP5 Renewal of Tanks and Pumps	(11,649)	(11,649)	11,649	-	-	-	-	-	R Reduction in program, scoping in 21/22 with construction in 22/23
0977	North Bondi GPT	(390,000)	(390,000)		(390,000)	-	(4,500)	(4,500)	1.15%	
0979	Varna Park SQUID	(305,000)	(305,000)	255,000	(50,000)	-	(4,500)	(4,500)	9.00%	R Will not commence construction this FY.
Total Sustainability Infrastructure - Stormwater & Groundwater		(774,510)	(774,510)	316,649	(457,861)	-	(9,000)	(9,000)	1.97%	
Grand Total		(64,103,398)	(70,114,092)	4,896,112	(65,217,980)	(12,994,422)	(37,712,394)	(50,706,816)	77.75%	

WAVERLEY COUNCIL Q1 FY2021-22 Budget Statement							
	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget Increase/(Decrease)		FY2021-22 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges	67,507,203	67,507,203	67,507,203			67,361,319	99.8%
Investment Income	858,687	858,687	858,687			240,951	28.1%
User Charges	45,581,845	45,581,845	41,143,091	(4,438,754)	(9.7%)	7,717,495	18.8%
Other Revenues	19,644,641	19,644,641	16,265,470	(3,379,171)	(17.2%)	2,301,057	14.1%
Grants Subsidies & Contributions - Operational	5,509,401	5,509,401	5,503,221	(6,180)	(0.1%)	1,142,520	20.8%
Subtotal - Operating Income	139,101,777	139,101,777	131,277,672	(7,824,105)	(5.6%)	78,763,342	60.0%
Grants Subsidies & Contributions - Capital	20,961,023	21,595,775	27,410,473	5,814,698	26.9%	1,667,468	6.1%
Net gains from the disposal of assets	974,898	841,300	394,064	(447,236)	(53.2%)		
Subtotal - Capital Income	21,935,921	22,437,075	27,804,537	5,367,462	23.9%	1,667,468	6.0%
Total Income	161,037,698	161,538,852	159,082,209	(2,456,643)	(1.5%)	80,430,811	50.6%
Expense and Loans Repayment							
Employee Costs	(70,419,977)	(70,446,477)	(71,085,764)	(639,287)	(0.9%)	(17,071,616)	24.0%
Borrowing Expenses	(65,406)	(65,406)	(65,406)			151	-0.2%
Materials & Contracts	(23,167,050)	(23,652,724)	(24,715,879)	(1,063,156)	(4.5%)	(10,142,839)	41.0%
Other Operating Expenses	(23,998,385)	(24,171,528)	(22,997,946)	1,173,582	4.9%	(11,794,613)	51.3%
Subtotal - Operating Expense	(117,650,817)	(118,336,134)	(118,864,995)	(528,861)	(0.4%)	(39,008,917)	32.8%
Other Capital Purchases	(4,286,945)	(2,540,101)	(2,064,479)	475,623	18.7%	(691,574)	33.5%
Capital Works Program	(63,976,398)	(70,114,092)	(65,217,980)	4,896,112	7.0%	(50,706,816)	77.7%
External Loans Principle Repayment	(447,206)	(447,206)	(447,206)			(109,044)	24.4%
Subtotal - Capital Expense & Loan Repayment	(68,710,549)	(73,101,400)	(67,729,665)	5,371,735	7.3%	(51,507,434)	76.0%
Total Expense	(186,361,367)	(191,437,534)	(186,594,660)	4,842,874	2.5%	(90,516,352)	48.5%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	21,450,960	20,765,643	12,412,677	(8,352,966)	(40.2%)	39,754,425	320.3%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(25,323,669)	(29,898,682)	(27,512,451)	2,386,231	8.0%	(10,085,541)	36.7%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(12,618,547)	(12,618,547)	(17,326,394)	(4,707,848)	(37.3%)	(16,352,456)	94.4%
Transfer from Reserves	37,946,125	42,521,139	44,842,756	2,321,617	5.5%	8,239,452	18.4%
Total new loan and reserves	25,327,578	29,902,592	27,516,362	(2,386,231)	(8.0%)	(8,113,004)	-29.5%
Budget Result - Surplus/(Deficit)	3,910	3,910	3,910	0		(18,198,545)	

Finance & Governance Q1 FY2021-22 Budget Statement							
	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget Increase/(Decrease)		FY2021-22 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges	48,678,267	48,678,267	48,678,267			48,516,959	99.7%
Investment Income	858,687	858,687	858,687			240,951	28.1%
User Charges	306,500	306,500	324,500	18,000	5.9%	99,567	30.7%
Other Revenues	168,563	168,563	168,563			23,646	14.0%
Grants Subsidies & Contributions - Operational	1,718,813	1,718,813	1,754,602	35,789	2.1%	270,272	15.4%
Subtotal - Operating Income	51,730,830	51,730,830	51,784,619	53,789	0.1%	49,151,396	94.9%
Grants Subsidies & Contributions - Capital							
Net gains from the disposal of assets							
Subtotal - Capital Income							
Total Income	51,730,830	51,730,830	51,784,619	53,789	0.1%	49,151,396	94.9%
Expense and Loans Repayment							
Employee Costs	(4,647,562)	(4,647,562)	(4,755,632)	(108,070)	(2.3%)	(1,451,318)	30.5%
Borrowing Expenses	(65,406)	(65,406)	(65,406)			151	-0.2%
Materials & Contracts	(1,128,638)	(1,128,638)	(1,112,303)	16,335	1.4%	(607,458)	54.6%
Other Operating Expenses	2,479,990	2,446,705	2,503,278	56,573	2.3%	(145,916)	-5.8%
Subtotal - Operating Expense	(3,361,615)	(3,394,901)	(3,430,062)	(35,162)	(1.0%)	(2,204,540)	64.3%
Other Capital Purchases							
Capital Works Program							
External Loans Principle Repayment	(447,206)	(447,206)	(447,206)			(109,044)	24.4%
Subtotal - Capital Expense & Loan Repayment	(447,206)	(447,206)	(447,206)			(109,044)	24.4%
Total Expense	(3,808,822)	(3,842,107)	(3,877,269)	(35,162)	(0.9%)	(2,313,584)	59.7%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	48,369,215	48,335,929	48,354,557	18,627	0.0%	46,946,855	97.1%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	47,922,008	47,888,723	47,907,350	18,627	0.0%	46,837,811	97.8%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(1,470,654)	(1,470,654)	(2,929,661)	(1,459,007)	(99.2%)	(235,269)	8.0%
Transfer from Reserves	450,000	483,285	2,910,900	2,427,615	502.3%		
Total new loan and reserves	(1,020,654)	(987,369)	(18,761)	968,608	98.1%	(235,269)	1254.0%
Budget Result - Surplus/(Deficit)	46,901,354	46,901,354	47,888,589	987,235		46,602,542	

Planning, Environment & Regulatory Q1 FY2021-22 Budget Statement							
	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget Increase/(Decrease)		FY2021-22 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges							
Investment Income							
User Charges	17,002,197	17,002,197	15,350,197	(1,652,000)	(9.7%)	2,048,722	13.3%
Other Revenues	11,879,700	11,879,700	9,754,700	(2,125,000)	(17.9%)	497,596	5.1%
Grants Subsidies & Contributions - Operational	811,160	811,160	864,400	53,240	6.6%	589,180	68.2%
Subtotal - Operating Income	29,693,057	29,693,057	25,969,297	(3,723,760)	(12.5%)	3,135,498	12.1%
Grants Subsidies & Contributions - Capital	5,462,291	5,462,291	9,065,398	3,603,107	66.0%	718,016	7.9%
Net gains from the disposal of assets							
Subtotal - Capital Income	5,462,291	5,462,291	9,065,398	3,603,107	66.0%	718,016	7.9%
Total Income	35,155,348	35,155,348	35,034,695	(120,653)	(0.3%)	3,853,513	11.0%
Expense and Loans Repayment							
Employee Costs	(14,070,723)	(14,070,723)	(14,288,408)	(217,685)	(1.5%)	(3,407,671)	23.8%
Borrowing Expenses							
Materials & Contracts	(5,461,199)	(5,624,387)	(4,867,215)	757,172	13.5%	(1,337,981)	27.5%
Other Operating Expenses	(8,678,075)	(8,798,280)	(8,261,723)	536,557	6.1%	(2,103,236)	25.5%
Subtotal - Operating Expense	(28,209,997)	(28,493,390)	(27,417,346)	1,076,044	3.8%	(6,848,888)	25.0%
Other Capital Purchases							
Capital Works Program	(1,085,832)	(1,114,681)	(1,114,681)			(2,805)	0.3%
External Loans Principle Repayment							
Subtotal - Capital Expense & Loan Repayment	(1,085,832)	(1,114,681)	(1,114,681)			(2,805)	0.3%
Total Expense	(29,295,829)	(29,608,071)	(28,532,027)	1,076,044	3.6%	(6,851,692)	24.0%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	1,483,060	1,199,667	(1,448,049)	(2,647,716)	(220.7%)	(3,713,390)	256.4%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	5,859,519	5,547,277	6,502,668	955,391	17.2%	(2,998,179)	-46.1%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(5,597,099)	(5,597,099)	(9,205,206)	(3,608,107)	(64.5%)	(753,249)	8.2%
Transfer from Reserves	60,000	372,242	372,242			(12,689)	-3.4%
Total new loan and reserves	(5,537,099)	(5,224,857)	(8,832,964)	(3,608,107)	(69.1%)	(765,938)	8.7%
Budget Result - Surplus/(Deficit)	322,420	322,420	(2,330,296)	(2,652,716)		(3,764,117)	

Customer Service and Organisational Improvement							
Q1 FY2021-22 Budget Statement							
	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget Increase/(Decrease)		FY2021-22 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges							
Investment Income							
User Charges	4,009,198	4,009,198	3,856,257	(152,941)	(3.8%)	867,357	22.5%
Other Revenues	926,883	926,883	349,323	(577,560)	(62.3%)	19,218	5.5%
Grants Subsidies & Contributions - Operational	103,000	103,000	28,000	(75,000)	(72.8%)		
Subtotal - Operating Income	5,039,081	5,039,081	4,233,580	(805,501)	(16.0%)	886,574	20.9%
Grants Subsidies & Contributions - Capital							
Net gains from the disposal of assets							
Subtotal - Capital Income							
Total Income	5,039,081	5,039,081	4,233,580	(805,501)	(16.0%)	886,574	20.9%
Expense and Loans Repayment							
Employee Costs	(16,612,288)	(16,612,288)	(16,658,648)	(46,360)	(0.3%)	(3,832,449)	23.0%
Borrowing Expenses							
Materials & Contracts	(6,385,176)	(6,629,843)	(8,259,404)	(1,629,561)	(24.6%)	(2,204,663)	26.7%
Other Operating Expenses	10,789,486	10,791,486	10,997,631	206,145	1.9%	2,729,400	24.8%
Subtotal - Operating Expense	(12,207,978)	(12,450,645)	(13,920,421)	(1,469,776)	(11.8%)	(3,307,711)	23.8%
Other Capital Purchases	(100,000)	(100,000)	(600,000)	(500,000)	(500.0%)	(24,200)	4.0%
Capital Works Program	(4,580,000)	(4,580,000)		4,580,000	100.0%		
External Loans Principle Repayment							
Subtotal - Capital Expense & Loan Repayment	(4,680,000)	(4,680,000)	(600,000)	4,080,000	87.2%	(24,200)	4.0%
Total Expense	(16,887,978)	(17,130,645)	(14,520,421)	2,610,224	15.2%	(3,331,911)	22.9%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	(7,168,897)	(7,411,564)	(9,686,841)	(2,275,277)	(30.7%)	(2,421,137)	25.0%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(11,848,897)	(12,091,564)	(10,286,841)	1,804,723	14.9%	(2,445,337)	23.8%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(200,357)	(200,357)	(211,025)	(10,668)	(5.3%)	(35,490)	16.8%
Transfer from Reserves	2,360,264	2,602,931	2,565,089	(37,842)	(1.5%)	(81,658)	-3.2%
Total new loan and reserves	2,159,907	2,402,574	2,354,064	(48,510)	(2.0%)	(117,148)	-5.0%
Budget Result - Surplus/(Deficit)	(9,688,990)	(9,688,990)	(7,932,777)	1,756,213		(2,562,485)	

Communtiy Assets & Operations Q1 FY2021-22 Budget Statement							
	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget Increase/(Decrease)		FY2021-22 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges	18,828,936	18,828,936	18,828,936			18,844,360	100.1%
Investment Income							
User Charges	24,263,950	24,263,950	21,612,137	(2,651,813)	(10.9%)	4,701,849	21.8%
Other Revenues	6,669,495	6,669,495	5,992,884	(676,611)	(10.1%)	1,760,598	29.4%
Grants Subsidies & Contributions - Operational	2,876,428	2,876,428	2,856,219	(20,209)	(0.7%)	283,068	9.9%
Subtotal - Operating Income	52,638,809	52,638,809	49,290,176	(3,348,633)	(6.4%)	25,589,875	51.9%
Grants Subsidies & Contributions - Capital	15,498,732	16,133,484	18,345,075	2,211,591	13.7%	949,453	5.2%
Net gains from the disposal of assets	974,898	841,300	394,064	(447,236)	(53.2%)		
Subtotal - Capital Income	16,473,630	16,974,784	18,739,139	1,764,355	10.4%	949,453	5.1%
Total Income	69,112,439	69,613,593	68,029,315	(1,584,278)	(2.3%)	26,539,328	39.0%
Expense and Loans Repayment							
Employee Costs	(35,089,404)	(35,115,904)	(35,383,076)	(267,172)	(0.8%)	(8,380,179)	23.7%
Borrowing Expenses							
Materials & Contracts	(10,192,037)	(10,269,856)	(10,476,958)	(207,102)	(2.0%)	(5,992,737)	57.2%
Other Operating Expenses	(28,589,786)	(28,611,439)	(28,237,132)	374,307	1.3%	(12,274,862)	43.5%
Subtotal - Operating Expense	(73,871,227)	(73,997,199)	(74,097,166)	(99,967)	(0.1%)	(26,647,778)	36.0%
Other Capital Purchases	(4,186,945)	(2,440,101)	(1,464,479)	975,623	40.0%	(667,374)	45.6%
Capital Works Program	(58,310,566)	(64,419,411)	(64,103,299)	316,112	0.5%	(50,704,012)	79.1%
External Loans Principle Repayment							
Subtotal - Capital Expense & Loan Repayment	(62,497,511)	(66,859,513)	(65,567,778)	1,291,735	1.9%	(51,371,386)	78.3%
Total Expense	(136,368,738)	(140,856,711)	(139,664,944)	1,191,767	0.8%	(78,019,164)	55.9%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	(21,232,418)	(21,358,390)	(24,806,990)	(3,448,600)	(16.1%)	(1,057,903)	4.3%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(67,256,299)	(71,243,118)	(71,635,629)	(392,511)	(0.6%)	(51,479,837)	71.9%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(5,350,437)	(5,350,437)	(4,980,503)	369,935	6.9%	(15,328,448)	307.8%
Transfer from Reserves	35,075,861	39,062,681	38,994,525	(68,156)	(0.2%)	8,333,799	21.4%
Total new loan and reserves	29,725,424	33,712,244	34,014,022	301,779	0.9%	(6,994,649)	-20.6%
Budget Result - Surplus/(Deficit)	(37,530,875)	(37,530,874)	(37,621,606)	(90,732)		(58,474,486)	

REPORT
CM/7.2/21.10

Subject: COVID-19 - Council Response, Business Continuity and Community Support Initiatives - Review

TRIM No: A20/0258

Author: John Coudounaris, Manager, Economic Development
Andrew Best, Executive Manager, Property and Facilities
Sid Ali, Revenue Co-ordinator

Director: Evan Hutchings, Director, Finance and Governance

RECOMMENDATION:

That Council:

1. Treats the attachment to this report as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2)(c) of the Local Government Act 1993. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Notes the review of the financial impact of the COVID-19 Business Continuity and Community Support initiatives, as outlined in Table 1 of the report.
3. Approves the waiving of rental for commercial tenants and community tenants, as set out in the confidential table attached to the report, and Table 2 contained in the report.
4. Approves an amendment of \$91,458 to the 2021–22 budget to reflect the waiving of rental for commercial and community tenants, as set out in the confidential table attached to the report, and Table 2 contained in the report.
5. Concludes all initiatives outlined in Table 1 of the report on 26 October 2021 with the exception of the Footpath Seating component.
6. Extends the COVID-19 Business Continuity and Community Support measure (footpath seating) outlined in Table 3 of the report until 30 November 2021 or until such earlier time as determined by Council or the General Manager.
7. Notes the submissions received in response to the public exhibition of the delay in the increase in childcare fees, with the fee increase to be effective from 27 October 2021 in accordance with Council's previous resolution.

1. Executive Summary

Despite pandemic restrictions being eased progressively, some impacts remain evident across Waverley's community. Delivery of the most recent COVID-19 Business Continuity and Community initiatives have supported a range of impacted sections of the local community from 26 June 2021 through to 26 October 2021. Measures included those approved by Council, along with additional measures approved by the General Manager under delegation resulting from disruption to the normal level of service offered by

Council in several cases. To support the local business community most affected by pandemic restrictions, certain measures are recommended to be extended until 30 November 2021.

2. Introduction/Background

At its Extraordinary Meeting on 29 June 2021, Council responded to a revised NSW Government Public Health Order which imposed additional pandemic restrictions from 26 June 2021 by adopting and implementing the COVID-19 Business Support Package (June–July 2021). With the Pandemic restrictions progressively being extended, Council also responded by again considering the matter at its meeting on 20 July 2021 and resolving to implement the COVID-19 – Council Response, Business Continuity and Community Support Initiatives. This extended the existing business initiatives and introduced a range of community initiatives.

Since that time Council has progressively reviewed and modified the initiatives in response to changes in circumstances.

In accordance with these initiatives continuing until 26 October 2021, which also aligns with the progressive easing of restrictions, this report is submitted to Council to review and summarise all measures that Council implemented in response to COVID-19 to maintain business continuity and provide community support. This includes details of the financial cost of this support.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 23 September 2021	CM/7.6/21.09	<p>That:</p> <ol style="list-style-type: none"> Publicly exhibits for 28 days the approved delay in the increase to the Early Education Centre fees from 5 October 2021 to 27 October 2021, in accordance with section 610F(3) of the Local Government Act 1993. Officers prepare a report to Council following the public exhibition period should any submissions be received. Notes that if no submissions are received, the changes to the Schedule of Fees and Charges referred to in clause 1 above will be effective from 5 October 2021 to 26 October 2021. Notes that the fee waiver for construction zones and hoardings was concluded by the General Manager under delegation and in accordance with the Public Health Order that allowed construction work to resume.
Council 17 August 2021	CM/7.4/21.08	<p>That:</p> <ol style="list-style-type: none"> Council notes the submissions received on the proposed amendments to the Early Education Services Fees during the 28-day public exhibition period, which ended on 30 July 2021. Council adopts the amendments to the Early Education

		<p>Services Fees for the 2021–22 financial year to:</p> <ul style="list-style-type: none"> (a) Delay the increase of Early Education Centres fees until the commencement of school Term 4 on 5 October 2021. (b) Maintain the Family Day Care Educator Levy for 2021–22 at 12% to rectify an administrative oversight. <p>3. In the event that it becomes evident that the component of Council's Community Support Initiatives to delay the increase in Early Education Centre fees is likely to extend beyond 4 October 2021, a further report be prepared and submitted to the September Council meeting, including a recommendation to advertise the associated change to the fees in accordance with section 610F(3) of the <i>Local Government Act 1993</i>.</p>
Council 20 July 2021	CM/7.1/21.07	<p>That Council:</p> <ul style="list-style-type: none"> 1. In relation to the COVID-19 – Council Response, Business Continuity and Community Support Initiatives report: <ul style="list-style-type: none"> (a) Notes the business continuity arrangements put in place to ensure the continued delivery of essential services during the current pandemic restrictions. (b) Notes the community support that continues to be provided through Council's Compliance, Community Programs and Library teams. (c) Extends the COVID-19 Business and Childcare Support Package measures outlined in Table 1 and 2 of the report until the Council meeting scheduled for 26 October 2021 or until such earlier time as determined by Council or the General Manager and in accordance with the prevailing public health orders. (d) Provides hand sanitiser at each of the outdoor fitness stations throughout the Waverley local government area. (e) Notes the financial impact of the COVID-19 Business Support Package, as outlined in Table 1 of the report. (f) Notes the financial impact of the COVID-19 Childcare Support, as outlined in Table 2 of the report.

		<p>(g) Officers undertake a full assessment of the latest COVID-19 outbreak on Council's financial budget, taking into account changes in the latest public health orders, and a further report be prepared and submitted to Council as part of the Q1 budget review in October 2021.</p> <p>(h) Notes that the changes to the Schedule of Fees and Charges, as outlined in Table 2 of the report, are currently being publicly exhibited for a 28-day period in accordance with section 610F(3) of the <i>Local Government Act 1993</i>.</p> <p>2. In relation to the COVID-19 – Council Response, Business Continuity and Community Support Initiatives – Supplementary Report:</p> <p>(a) Approves the waiving of the childcare gap fee across Council's Early Education Centres in response to the Federal Government decision encouraging childcare service providers to waive gap-fees in cases where children are kept at home and are therefore not using the service due to the current COVID-19 restrictions.</p> <p>(b) Approves the waiving of construction zone and hoarding permit fees for construction sites across the local government area in response to changes to the public health orders regarding construction sites in Greater Sydney.</p> <p>(c) Approves the fee waivers in clauses 2(a) and (b) above to continue until the Council meeting scheduled for 26 October 2021 or until such earlier time as determined by Council or the General Manager.</p>
Extraordinary Council 29 June 2021	CM/4.1/21.06E2	<p>That Council:</p> <p>1. Notes that, along with all other councils in Greater Sydney, the Waverley local government area is subject to a revised Public Health Order issued by the NSW Government, with this Order imposing additional pandemic restrictions from 26 June 2021 until 9 July 2021.</p> <p>2. Adopts the COVID-19 Business Support Package (June–July 2021) detailed in the mayoral minute until the Council meeting scheduled for 20 July 2021 or until such earlier time as determined by the Council or the General Manager, with the business support measures being those:</p>

		<p>(a) Outlined in Table 1 of the mayoral minute and adjusted in accordance with Council's Schedule of Fees and Charges.</p> <p>(b) Outlined in Table 2 of the mayoral minute subject to clause 3 below and subject to the Early Education Centres measure being amended to read as follows:</p> <p style="padding-left: 40px;">'Delaying implementation of the fee increase from 1 July 2021 until the commencement of school term 4 on 5 October 2021.'</p> <p>3. Publicly exhibits the proposed changes to the Schedule of Fees and Charges contained in Table 2 of the mayoral minute for a period of 28 days in accordance with section 610F(3) of the <i>Local Government Act 1993</i>.</p> <p>4. Officers, following the public exhibition period, prepare a further report to Council should any submissions be received in response to clause 3 above.</p> <p>5. Notes that if no submissions are received, the changes to the Schedule of Fees and Charges referred to in clause 2 above will be effective from 1 July 2021, with the fee relating to Early Education Centres to increase from the commencement of school term 4, being 5 October 2021, or such later date as the Business Support Package (June–July 2021) may be extended to.</p> <p>6. Delegates authority to the General Manager to suspend or modify any measures in the COVID-19 Business Support Package detailed in this mayoral minute in response to changes in the status of the COVID-19 pandemic restrictions up to 20 July 2021.</p> <p>7. Officers prepare a report to Council on the status and financial impacts of the COVID-19 Business Support Package at the Council meeting scheduled for 20 July 2021.</p> <p>8. Authorises the Mayor to sign, on behalf of Council, the letter to the NSW Premier, the Hon. Gladys Berejiklian, attached to the mayoral minute, calling on the NSW Government to provide support for businesses and individuals at financial risk from the latest COVID stay at home orders.</p> <p>9. Notes the operational measures in support of vulnerable residents reported by the General Manager to Council as part of this resolution, as part of Council's response to the latest outbreak of the pandemic.</p>
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Council 21 June 2021	CM/11.2/21.06	Bondi Beach Mobile Vending Licensees - Financial Assistance - This matter is considered to be confidential in accordance with section 10A(2)(c) of the Local Government Act, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
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4. Discussion

This report reviews Council's COVID-19 response which was designed to maintain business continuity and provide community support through the initiatives implemented by Council effective from 26 June 2021. Due to the variety of matters reviewed in this report, the information is presented in four parts, as follows:

- Financial review of all support measures (26 June to 26 October 2021).
- Retrospective approval for rental waivers for commercial and community tenants (26 June to 26 October 2021).
- Continuation of some measures and anticipated financial impact (27 October to 30 November 2021).
- Exhibition period of delay in child-care fee increase (4 October – 26 October 2021).

Financial review of all support measures (26 June to 26 October 2021)

Council implemented a range of measures through the COVID-19 Business Continuity and Community Initiatives that were introduced from 26 June 2021. Measures were subsequently extended in response to the extension of pandemic restrictions. The range of financial measures included fee waivers and delayed scheduled fee increases. Some commercial waste collection services were reduced with commensurate fee reductions.

Additional support measures were also introduced by the General Manager under delegation. These related to permits for construction zones, fitness training and outdoor markets. These additional fee waivers were approved in accordance with Council's Pricing Policy, Fees and Charges (2021-22).

The Public Health Order temporarily closed all construction sites. In response permit fee waivers were granted for the period up to when sites were able to reopen on 31 July 2021. Fitness trainer permit fees were waived in response to gyms and other sports fitness centres being forced to close. These closures resulted in many commercial operators conducting classes on Council managed open space, an activity that would normally require permit approval and attract an associated fee. Fitness trainers with permits were also restricted in terms of the number of customers they could accommodate in each session. In these cases, a 50% fee waiver was provided to both relieve these businesses, and to encourage and facilitate health and wellbeing services available to the local community.

Council's two licensed markets operating in Oxford Street Mall, Bondi Junction and Roscoe St Mall, Bondi Beach had to cease trading, as neither of the markets were permitted to operate under the restrictions. These operators were not charged the applicable fees while these restrictions continued. They are however expected to recommence trading shortly.

Customer service and related mechanisms were also maintained to support the delivery of the Council's initiatives, in addition to providing guidance to members of the community in accessing other NSW and Commonwealth Government assistance programs. The measures Council introduced were based on consultation with relevant external organisations including the Chamber of Commerce.

The table below outlines measures provided in this category. They have been divided between those approved by Council and the General Manager under delegation. Requests seeking retrospective approval have been outlined in more detail later in the report.

Table 1. Financial impact of Business and Community Support Initiatives (26 June to 26 October 2021).

Service	Measure	Financial Impact Total \$ (Ex GST)
Previously approved by Council		
Mobile vending	Fee waivers applied to mobile vendor permits	43,927
Licensed sporting organisations	Fees suspended to sporting organisations under license, due to closure of sporting facilities	37,730
Footpath seating	Fees suspended as businesses unable to trade on the footpath.	240,755
External hirers of community venues	All hirers of Council's indoor venues, and sports fields and courts have ceased operation and no fees were therefore received.	303,410
Commercial waste	Commercial waste fees and charges have been adjusted to reflect level of service or extended credit terms granted.	130,914
Early Education Centres	Delay implementation of the fee increase from 1 July to 26 October 2021. Note: also includes the Childcare gap fee waiver.	210,611
Previously approved by General Manager under Delegation*		
Construction zone permits	Fees temporarily suspended due to closure of all construction sites across Greater Sydney.	77,747
Footpath hoarding permits	Fees temporarily suspended due to closure of all construction sites across Greater Sydney.	99,270
Markets	Fees suspended as both market operators were unable to trade.	36,655
Commercial Fitness Trainers	50% of fees waived	2,822
Requested support by Community and Commercial Tenants		
Community tenants	<i>Refer Table 2 below</i>	3,106
Commercial, retail and strata (small business)	<i>Refer confidential table attached</i>	88,442
Proposed Continuation of Footpath Seating permit waivers		
Footpath Seating Permits	<i>Refer Table 3 below</i>	34,622

* Measures were approved by the General Manager under delegation due to a disruption to the normal level of service available under pandemic restrictions via the NSW Public Health Order.

Retrospective approval for rental waivers for commercial and community tenants (26 June to 26 October 2021)

Council's Property and Facilities team has received a significant amount of correspondence from local businesses operating from Council buildings since the restrictions were introduced in June 2021. This correspondence reflects the significant impacts that the restrictions are having on businesses and seeks support through the waiving of rent by Council.

To ensure there is a sound rationale to any financial assistance provided and to that Council's lessees are dealt with on an equitable basis, officers wrote to tenants in September 2021 asking them to provide information in relation to the degree to which their business operations have been impacted by the current Public Health Order restrictions. The letter requested the lessee to advise whether they were considered an Impacted Lessee under the NSW Government Retail and Other Commercial Lessees (COVID-19) Regulation 2021 and whether they have qualified for receipt of any State Government grants.

Based on the information provided by businesses, the nature of their operations and the individual businesses circumstances, officers have developed a proposed level of support for tenants as set out below.

Commercial/retail lessees

It is proposed that financial support, in the form of rent waivers, be provided to eight tenants. The details of this proposal with a cost of \$88,442, is included in the attached confidential table. Tenants that did not reply to Council's correspondence or that were assessed as not being significantly impacted by the restrictions and therefore not qualifying for support, are not included.

Community lessees

Most of Council's community tenants pay only a nominal rent, others receive State and Federal funding which has not been impacted by the COVID restrictions. Many of the tenants were also able to continue to operate through the restrictions due to the nature of their services, e.g. health, child care or critical support services. The two organisations to which it is proposed to provide financial support were both required to take their classes online which saw a significant decrease in attendances, which in turn impacted on their business operations. It is proposed to provide the groups with financial support as set out in the table below.

Table 2. Financial Impact of rent waiver of Community tenants (26 June to 26 October 2021).

Lessee	Impact	Current annual rent p/a excl GST	Proposed assistance for the period 25/6/21 to 25/10/21	Rental waiver Total \$ (Ex GST)
Waverley Woollahra Arts Centre Co-operative Inc	Closed - some online courses	13,888	50%	2,315
Computer Pals for Seniors Eastern Suburbs Inc	Closed - some online courses	4,746	50%	791
Total				3,106

Continuation of footpath seating measure and anticipated financial impact (27 October-30 November 2021)

The easing of pandemic restrictions has resulted in local businesses beginning to reopen across all Commercial Centres. While an increase in vacancies has been observed across all centres, initial discussions with local real estate agents indicate a significant volume of enquires. It anticipated that the number of vacancies will decline in the months ahead as businesses return to normal trade. A continuation of the footpath seating support measure to 30 November 2021 is recommended to support the local business community transition faster out of COVID-19 restrictions.

All local businesses that operate with footpath seating under Council issued permits are currently in receipt of a full fee waiver which commenced on 26 June 2021 following its inclusion as part of the Business Support Package at the July 2021 Council meeting. While these businesses have recently recommenced trading, they are still required to operate footpath areas at a limited capacity up to 30 November. It is therefore recommended that Council provide additional support through a 50% reduction in fees for the period from 27 October up to 30 November 2021, with billing of full fees to recommence from 1 December, 2021. The cost of this proposal to Council is estimated to be \$34,622 as included in the table below.

Table 3. Proposed Support Initiatives to be extended further by Council (27 October- 30 November 2021)

Measure	Proposed continuation	Financial Impact Total \$ (Ex GST)
Footpath seating permits	Fee waiver of 50% as businesses transition back to normal trade and the number of people per square metre increases with relaxation of restrictions.	34,622

Exhibition period for delay in the childcare fee increase

The intention to delay in the planned increase in Early Education Centre fees from 4 October 2021 to 26 October 2021 was adopted by Council on 23 September 2021. In accordance with section 610F(3) of the *Local Government Act 1993*, the proposal was placed on public exhibition, and concluding on 22 October 2021. At the time of this report being prepared three submissions had been received. Each of these submissions raised concern relating to the actual fee increase going ahead. It is noted that Council's adopted fees and charges includes the higher fee and the public exhibition was seeking feedback on the delay in the application of that fee from 4 October to 26 October 2021. The submissions therefore do not relate to the subject of the public exhibition.

Council will be advised at the meeting should any further submissions be received up to 22 October 2021. Should no further submissions be received at time of close, or should any subsequent submissions be on the same basis as those already received, the fee increase will be implemented in accordance with Council's previous resolution, taking effect from 27 October 2021.

5. Financial impact statement/Time frame/Consultation

A breakdown of the financial impacts has been outlined in the previous section. A summary is outlined as follows:

Table 4. Financial impact of all measures delivered and proposed.

	Time period	Financial Impact Total \$ (Ex GST)
Financial impact of all approved support measures	26 June to 26 October	1,183,841
Retrospective approval for rental waivers for commercial and community tenants	26 June to 26 October	91,548
Proposed continuation of measure (footpath seating)	27 October to 30 November	34,622
Total financial impact of all support measures and rental waivers	26 June to 30 November	1,310,011

The footpath seating component of the current support package is recommended to be extended to 30 November 2021. A continuation was consulted with the Chamber of Commerce and the Financial Hardship Assessment Committee. It is recommended that ongoing support continue for the retail food industry most affected under the Public Health Order.

6. Conclusion

Council's Pandemic support packages have provided assistance to the local community throughout the duration of COVID-19 to date. The most recent package offered the widest range of support and has had a financial impact to Council in the vicinity of \$1.3 million. As restrictions continue to ease, it is expected that Council's support will contribute to economic recovery locally, with the community also benefitting in the future from the initiatives as the recovery progresses. Ongoing support of hospitality businesses through an extension of the footpath seating measure until 30 November 2021 will further support the local business community towards a quicker recovery.

7. Attachments

1. Financial Impact of rent waiver of Commercial tenants (26 June to 26 October 2021) (confidential) .

REPORT CM/7.3/21.10



Subject: Annual Returns Disclosing Interests of Councillors and Designated Persons

TRIM No: A21/0179

Author: Al Johnston, Governance Officer

Director: Evan Hutchings, Director, Finance and Governance

RECOMMENDATION:

That Council notes the returns of Councillors and designated persons disclosing interests for the period 1 July 2020 to 30 June 2021.

1. Executive Summary

This report informs Council of the annual lodgement of returns disclosing the interests of Councillors and designated persons and satisfies the requirement to table the returns at a Council meeting under part 4 of the Code of Conduct for Councillors and the Code of Conduct for Council Staff.

2. Introduction/Background

Part 4 of the Code of Conduct for Councillors and the Code of Conduct for Council Staff requires Councillors and designated persons to lodge an annual return with the General Manager disclosing their interests during the period 1 July to 30 June by 30 September each year.

The General Manager is required to keep a register of returns and table the returns at the first Council meeting after 30 September each year.

3. Relevant Council Resolutions

Nil.

4. Discussion

Twenty-nine positions were identified as being required to lodge an annual return: 12 Councillors, the General Manager, five senior staff and 11 other staff. Officers forwarded the prescribed form to each Councillor and designated person and outlined their responsibilities to complete the return for the period 1 July 2020 to 30 June 2021. All returns have been received except the return from the former Chief Financial Officer. Table 1 lists the returns received.

Table 1. Returns received for the period 1 July 2020 to 30 June 2021.

Councillor x 12
General Manager
Director, Planning, Environment and Regulatory Services
Director, Community, Assets and Operations

Director, Customer Service and Organisation Improvement
General Counsel
Executive Manager, Compliance
Executive Manager, Infrastructure Services
Executive Manager, Customer, Cemetery and Lifeguard Services
Executive Manager, Development Assessment
Executive Manager, Finance
Executive Manager, Major Projects
Executive Manager, Procurement
Executive Manager, Urban Planning, Policy and Strategy
Manager, Building Certification and Compliance
Manager, Development Assessment
Manager, Development Assessment

5. Financial impact statement/Time frame/Consultation

Financial impact statement

There is no unbudgeted cost to Council to complete the returns.

Consultation

Not applicable.

Time frame

The returns cover the period from 1 July 2020 to 30 June 2021.

The returns must be lodged with the General Manager by 30 September 2021 and tabled at the next Council meeting after 30 September 2021.

6. Conclusion

The Code of Conduct for Councillors and the Code of Conduct for Council Staff require Councillors and designated persons to lodge an annual return disclosing their interests during the period 1 July to 30 June by 30 September each year. The returns must then be tabled at the first Council meeting after 30 September. This report addresses the requirements of the Code of Conduct.

7. Attachments

Nil .

REPORT
CM/7.4/21.10

Subject: Public Forum - Review of Extended Trial

TRIM No: SF19/3353

Author: Richard Coelho, Governance Officer

Director: Evan Hutchings, Director, Finance and Governance

RECOMMENDATION:

That Council:

1. Does not continue to hold public forums.
2. Promotes attendance and participation at Council and Committee meetings on an ongoing basis, including on social media and Council's website.
3. Notes that Precinct meetings, which are regularly attended by Councillors and staff, offer a forum for residents to raise and discuss issues of importance to them and the community.

1. Executive Summary

Since August 2019, Council has been trialling public forums. Taking place before Council meetings, public forums allow members of the public to address Council on anything of importance to them or the community. Overall, the public forums provided an additional avenue for members of the public to raise issues directly with Council. However, participation was low, and their limited format and duration, combined with the impact of COVID-19, have made them a less effective public engagement mechanism than envisaged. It is therefore recommended that Council does not continue to hold public forums. Instead, it is recommended that Council promotes attendance and participation at Council and Committee meetings on an ongoing basis, noting that Precinct meetings already provide a participatory forum for residents to discuss and debate local issues.

2. Introduction/Background

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

In June 2019, Council adopted a new Code of Meeting Practice, resolving not to include open forums—renamed 'public forums'—in the Code, but to trial the concept instead.

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

Following a review of the trial in mid-2020, Council resolved in July 2020 to extend the trial for a further 12 months, in accordance with revised guidelines (second extension).

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 21 July 2020	CM/7.3/20.07	<p>That Council:</p> <ol style="list-style-type: none"> Notes the outcome of the public forum trial and the relatively low participation rate. Notes the positive feedback from participants and the Precincts. Extends the trial of public forums for a further 12 months in accordance with the revised guidelines attached to this report, subject to clause 13(b) being amended to read as follows: ‘You must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a public forum.’ Considers holding public forums in a different room from Chambers to allow for a less formal setting. Officers report back to Council at the conclusion of the extended trial.
Council 18 June 2019	CM/7.7/19.06	<p>That Council:</p> <ol style="list-style-type: none"> Adopts the Code of Meeting Practice attached to this report, subject to the public forum section of the document (clauses 4.1 to 4.12, inclusive) being deleted, and the remainder of the clauses in Part 4 being renumbered accordingly. Adopts the new order of business for Council meetings as shown below: Prayer and Acknowledgement of Indigenous Heritage Apologies/Leaves of Absence Declarations of Pecuniary and Non-Pecuniary Interests Obituaries Addresses by Members of the Public Confirmation and Adoption of Minutes Mayoral Minutes Reports Notices of Motions Questions with Notice Urgent Business Closed Session Resuming in Open Session Meeting Closure Trials a public forum just prior to a Council meeting using draft clauses 4.1 to 4.12, or updated versions of these

		<p>clauses, as procedures for this trial.</p> <p>4. Investigates and reports on:</p> <p>(a) Whether public forum procedures should be included within the Code of Meeting Practice or would be better placed in a separate policy document.</p> <p>(b) Better wording for the public forum clauses to determine changes and additions that strengthen the approach taken.</p>
Council 12 December 2017	CM/8.6/17.12	<p>That Council:</p> <p>1. Notes the Office of Local Government (OLG) released its draft Model Code of Meeting Practice for public consultation on 6 December 2017 with a closing date for submissions of 16 March 2018.</p> <p>2. Notes Waverley's proposed new Code of Meeting Practice will be presented to Council following OLG's release of the final Model Code.</p> <p>3. Officers ensure the draft Waverley Code of Meeting Practice includes the following:</p> <p>(a) An Order of Business for Council that has Questions with Notice and places Notice of Motions at the beginning of the paper before staff reports.</p> <p>(b) An 'Open Forum' of no more than 15 minutes' duration to allow members of the public to address Council on matters of public importance, prior to the commencement of the meeting.</p> <p>(c) A three-minute limit on each address by a member of the public.</p> <p>(d) Recent Council decisions affecting the Code.</p>

4. Discussion

Operation of extended trial

In the second extension of the trial, the public forums were held in the same format as the original trial, with some minor changes to the guidelines, including:

- Reducing the maximum number of speakers per forum from four to three.
- Allowing Councillors to ask questions of the speakers.
- A requirement of officers to respond to the issues or proposals raised by each speaker within a week of the public forum.

The public forums were held before each ordinary Council meeting from 6.30 pm to 6.45 pm. They allowed members of the public to address Council on anything of importance to them or the community relating to the Waverley local government area, other than matters that were listed on the agenda of the Council meeting that followed.

Public forums were promoted as enabling the public to:

- Raise specific issues or concerns.
- Bring something to Council's attention.
- Comment on Council projects or initiatives.
- Put forward ideas or suggestions.

Council officers responded in writing to each speaker's submission and, from September 2020, also circulated these responses to Councillors.

In addition to speaking at a public forum, members of the public could still address Council at Council and Committee meetings on agenda items.

Impact of COVID-19

Due to COVID-19, public forums were held by video conference (Zoom) from April 2020, with members of the public unable to attend or speak in person. However, they could still participate by joining the video conference or by submitting a recorded video or written speech.

As a result of video conferencing, and the fact that the public forums were not live streamed, the forums became less public, and this perhaps affected their overall impact. On the other hand, video conferencing made it easier to participate, as opposed to having to attend in person, possibly encouraging more people to register.

COVID-19 also meant that officers were unable to consider holding public forums in a different room from Chambers to allow for a less formal setting, as resolved by Council (clause 4 of resolution CM/7.3/20.07).

Promotion

Council promoted the extended trial through:

- A dedicated page on Council's website.
- A banner on the home page of Council's website.
- A link on Council's Have Your Say page.
- Regular social media posts.
- The Waverley Weekly newsletter.
- Precinct agenda flyers.

Previous promotion also included:

- Information on the Council meetings web page, with a link from the home page.
- Mayor's column in the *Wentworth Courier*.
- Flyers for Precincts to distribute in public places and to the community generally.



Figure 1. Promotional image used on Council's website.

Overview of individual public forums

The table below provides an overview of the public forums held from the commencement of the extended trial (August 2020), including all registrations received. Shading indicates those public forums that did not occur, registrations that were withdrawn or where speakers registered but did not attend.

Table 1. Overview of public forums – August 2020 to August 2021.

No.	Date	Subject(s)	Comments
11	18 August 2020	NO REGISTRATIONS	First scheduled public forum of second extension
12	15 September 2020	Cancer exercise rehabilitation program	Speaker did not attend
		Safety for school children and residents in Chesterfield Parade	
		Lack of pedestrian crossings in key areas of Waverley	
13	20 October 2020	Reverse vending machine at Bondi Beach	
		Motorcycles being required to pay for street parking at same rate as cars	
		Lighting of public areas at night and the	

No.	Date	Subject(s)	Comments
		value of a dark night sky environment	
14	17 November 2020	Speeding on Military Road between O'Donnell Street and Wentworth Street	
		Leaf blower noise pollution	Withdrawn
15	8 December 2020	The risks to apartment residents of exiting driveways on Ocean Street North, Bondi, and Wellington Street, Bondi. Speed bumps have been requested	
		Dickson Reserve basketball court and lack of basketball courts in Waverley for young people	
16	16 February 2021	NO REGISTRATIONS	
17	16 March 2021	NO REGISTRATIONS	
18	20 April 2021	Ongoing lack of assistance by Council regarding planning defects at 17 Lord Howe Street, Dover Heights	
		Parking in Tamarama Street, Tamarama	
		Water ingress from stormwater drain at 588 Oxford Street, Bondi Junction	
19	25 May 2021	Providing better engagement with Council and constituents	Speaker did not attend
		Tower crane at 435 Bronte Road, Bronte	
		Street parking in North Bondi, 322 bus route and household waste	
20	22 June 2021	Allocation of parking spaces to Bronte Surf Life Saving Club at Bronte Cutting	
		Removal of trees in Castlefield Street, Bondi	
21	20 July 2021	NO REGISTRATIONS	
22	17 August 2021	Dog poo and verges/nature strips	
		Eastgate Car Park	Speaker did not attend
		Pedestrian safety in Farrellys Avenue	

Out of 12 potential public forums in the extended trial, eight took place, with 17 members of the public registering and attending to speak. Three speakers registered but did not attend and one registration was withdrawn. No applications were refused.

Regarding the topics spoken on during the extended trial:

- The majority (nine) related to traffic or parking issues.
- Four were about building or compliance matters.
- Two concerned the environment.
- Two were about community issues.

Across the whole trial:

- Of 22 potential public forums, 14 (64%) were held.
- Of 76 potential registrations, 25 (33%) members of the public registered and attended to speak.

Assessment

Overall, the extended trial of public forums provided a further avenue for members of the public to raise issues directly with the elected Council and senior staff face-to-face. The forums also continued to help some speakers address issues that had not been resolved through other means; for example, by phone, email or meetings with staff.

However, it is recommended that Council does not continue to hold public forums for the following reasons:

- Participation was low.
- The current format of the forum provides for minimal interaction between speakers and Councillors/staff. Speakers address the forum, and Councillors/staff may ask questions, but there is no dialogue otherwise, and the issues are not discussed or resolved at the forum—making it less of a platform to debate issues or exchange ideas.
- While the forums offer another way of engaging with Council, in their current format they are not significantly different from other avenues of engagement—for example, email, phone, contacting Councillors directly, meeting staff, attending a Precinct meeting—and do not offer better outcomes to those avenues on the evidence available.
- The short duration of the forum (15 minutes) and each speaker's submission (three minutes or 400 words) is limiting.
- The public forums are not live streamed, which limits their reach. COVID-19 restrictions meant that most forums were held by video conference, which was also not live streamed, meaning that other members of the public, who had not registered to speak, could not watch the proceedings. The public forums were therefore not public for most of the trial.

Should Council resolve to continue holding public forums, it is recommended that the format be changed to make them more participatory and to extend their duration.

Alternatives

Promoting attendance and participation at Council and Committee meetings

For many years, Council has allowed members of the public to address Council and Committee meetings on items on the agenda. These meetings are the primary forum where major decisions are made.

Currently, Council does not promote attendance or participation at these meetings. Accordingly, it is recommended that Council promotes involvement at Council and Committee on an ongoing basis, including on social media and Council's website.

Precinct meetings

Precincts are committees of residents who meet regularly to discuss matters of concern to the local area. Council staff and Councillors frequently attend Precinct meetings to provide information and to take Precinct concerns back to Council. Precinct meetings are promoted through various channels and are well attended. The Precincts therefore already provide a participatory forum for residents to discuss and debate local issues.

5. Financial impact statement/Time frame/Consultation

Financial impact

There were no external costs associated with the extended trial.

Time frame

The second extension of the trial ran from August 2020 to August 2021. Overall, public forums were trialled for approximately two years: August 2019 to August 2021.

Consultation

In the review of the original trial in 2020, officers sent a short survey to participants and consulted the Precinct executives. Feedback was generally positive. No consultation was undertaken for the second extension of the trial.

6. Conclusion

The extended trial of public forums has concluded. This report has reviewed the further trial and recommends that Council does not continue to hold public forums. While they do offer another avenue of engaging with Council, participation has been low, and their format has limited their potential as an alternative and effective engagement mechanism. It is therefore recommended that Council better promotes existing participation methods, noting, in particular, that the Precinct system already provides a forum for residents to raise and discuss local issues.

7. Attachments

Nil.

REPORT CM/7.5/21.10



Subject: Investment Portfolio Report - September 2021

TRIM No: A03/2211

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

Director: Evan Hutchings, Director, Finance and Governance

RECOMMENDATION:

That Council:

1. Receives and notes the Investment Summary Report for September 2021 attached to the report.
2. Notes that the Director, Finance and Governance, as the responsible accounting officer, advises 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 September, Council's investment portfolio generated \$76,282 in interest.

The interest on investment budget for the 2021–22 financial year was adopted by Council at its meeting on 22 June 2021 and was set at \$858,678.

The interest income for year to date achieved 28.06% (\$240,951) of the current approved budget forecast of \$858,678.

2. Introduction/Background

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

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

Table 1. Monthly interest income received by Council.

Month	2021/22 Budget (\$)	Actual Monthly (\$)	Actual YTD (\$)	Tracking Budget (%)
July	858,687	89,930	89,930	10.47%
August	858,687	74,739	164,669	19.18%
September	858,687	76,282	240,951	28.06%

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 23 September 2021	CM/7.4/21.09	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes the Investment Summary Report for August 2021 attached to the report. 2. Notes that the Chief Financial Officer, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the <i>Local Government Act 1993</i> and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

4. Discussion

As at 30 September 2021, Council's cash investment portfolio for the financial year, generated interest earnings of \$240,951 representing 28.06% of the current approved budget of \$858,687.

Council's investment portfolio posted a marked-to-market decline of -2.00% pa for the month of September versus the bank bill index benchmark return of 0.01% pa. For the past 12 months, the investment portfolio has returned 1.93% pa, exceeding the bank bill index benchmark's 0.04% pa by 1.89% pa.

Without marked-to-market influences, Council's investment portfolio yielded 0.67% pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities/deposits.

Over the last 12 months, Council's investment portfolio has exceeded the Ausbond bank bill index benchmark by 1.80% pa (1.93% vs 0.04% pa).

The TCorpIM LT Growth Fund recorded a marked-to-market fall in September, down -2.04% (actual). The Australian share market fell 1.6% for the month with the materials/mining sector dropping by over 9%. The consumer staples, healthcare and IT sectors all fell over 3.5%. Meanwhile, the energy sector had a strong month gaining 15% pa.

As at 30 September 2021, Council's investment portfolio has a current market value of \$148,708,696, which represents a gain of \$364,549 on the \$148,344,147 face value of the portfolio. The table below provides a summary by investment (asset) type.

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

Asset Group	Face Value	Current value
Cash	\$11,927,089	\$11,927,089
Floating Rate Note	\$33,250,000	\$33,382,094
Floating Rate Term Deposits	\$5,500,000	\$5,505,702
Managed Funds	\$16,167,058	\$16,167,058
Term Deposit	\$81,500,000	\$81,726,753
Total	\$148,344,147	\$148,708,696

Analysis

Attached to this report are the summaries of the investment portfolio for the year ending 30 September 2021. These reports are prepared by Council's independent financial advisor, Prudential Investment Services Corp.

For the past 12 months, the investment portfolio has returned 1.93% pa, exceeding the bank bill index benchmark's 0.04% pa by 1.89% pa as shown in the table below:

Table 3. Portfolio return.

Month	Portfolio Return %	Ausbond BB Index %	Variance %
July-20	3.08	0.11	2.97
Aug-20	2.50	0.11	2.39
Sep-20	0.78	0.09	0.69
Oct-20	1.60	0.13	1.47
Nov-20	4.98	0.09	4.89
Dec-20	1.37	0.03	1.34
Jan-21	1.10	0.01	1.09
Feb-21	0.92	-0.01	0.93
Mar-21	2.52	0.02	2.50
Apr-21	2.81	0.04	2.77
May-21	1.96	0.05	1.91
Jun-21	2.94	0.03	2.91
Jul-21	2.63	0.04	2.59
Aug-21	2.43	0.02	2.41
Sep-21	-2.00	0.01	-2.01
Average % return Over the last 12 months	1.93	0.04	1.89

Council has a well-diversified portfolio invested among a range of term deposits, fixed and floating rate bonds from highly rated Australian ADIs as well as growth assets via holdings in the NSW TCorp Long Term Growth Fund. Council remains within its investment policy credit limits and term to maturity limits while generating sound returns above benchmark in the current low interest environment. It is expected that Council can continue to achieve above benchmark returns with prudent investment selection for its short and long term holdings.

Investments in ethically, socially and environmentally beneficial alternatives

As at the end of September 2021, 79.4% of Council's portfolio was invested in non-fossil fuel lending ADIs and socially responsible investments, while fossil fuel lending ADIs (including the daily operation fund) accounted for 9.7% of the portfolio. The remaining 10.9% is invested with TCorp.

Over the period of 40 months, from June 2018 to September 2021, Council has reduced its investment in fossil- fuel-lending ADIs from 59% to 9.7%, as displayed in Figure 1 below. The increase of 10.6% from the last month is due the non-fossil fuel investment maturities, and the working capital funds held in the CBA bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements.

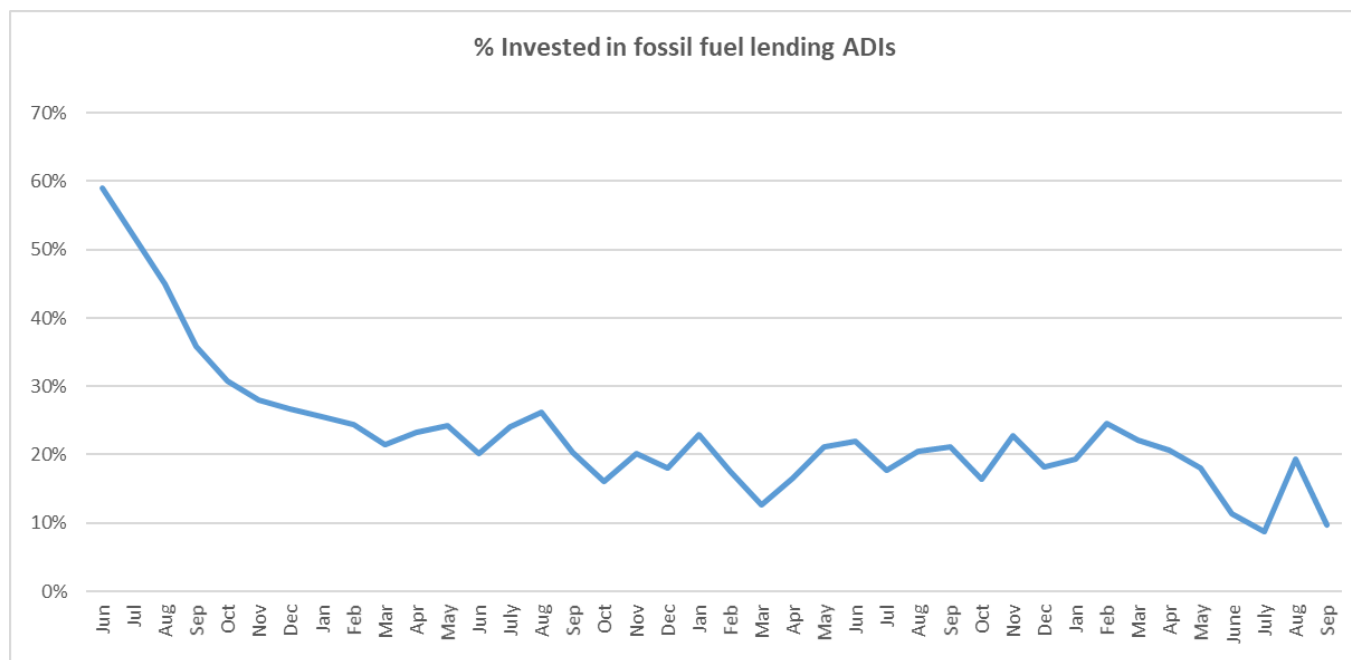


Figure 1. Investments in fossil-fuel-lending ADIs.

When excluding the working capital funds held in the CBA bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 86.32% of Council's investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, while fossil-fuel-lending ADIs accounted for 1.83% of the portfolio. The remaining 11.85% is invested with TCorp as displayed in Figure 2 below.

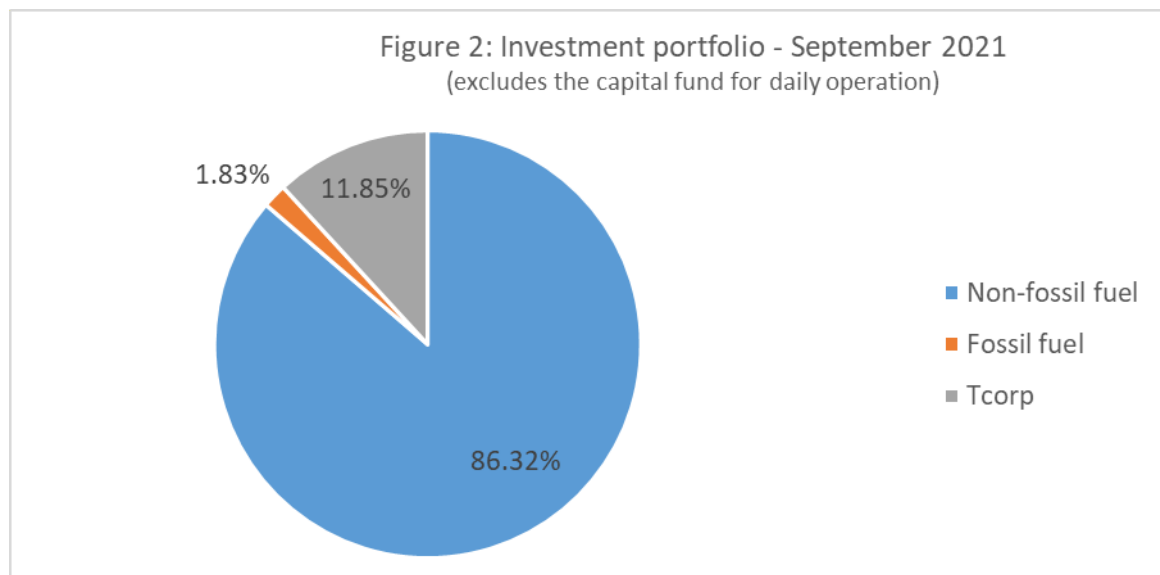


Figure 2. Investment portfolio – September 2021.

During September, Council's investment portfolio had \$12.5m across several 7 month to 2½ year term deposits mature with a weighted average rate of 1.20% pa. Council invested \$13m among a range of 9-to-12-month term deposits paying a weighted average of 0.32% pa. Council took advantage of two newly issued FRNs with the purchase of \$3.75m in a 5yr Suncorp Snr FRN (non-fossil fuel) paying 3mo BBSW +0.48% pa and \$5m in a CBA 'Green' Snr FRN paying 3 monthly BBSW +0.41% pa.

The following table compares rates on offer during September 2021 between the non-fossil/green investment and the fossil fuel ADI.

Table 4. Non-fossil fuel v fossil fuel ADI deposit rates.

Date	Amount	Term (months)	Non-Fossil/Green Deposit Rates	Fossil Fuel ADI Deposit Rates
03-Sep-21	2,000,000	12	0.31%	0.45%
07-Sep-21	3,000,000	10	0.30%	0.40%
09-Sep-21	1,500,000	9	0.30%	0.40%
09-Sep-21	1,500,000	9.5	0.30%	0.40%
13-Sep-21	3,000,000	10	0.30%	0.40%
14-Sep-21	2,000,000	12	0.38%	0.45%
15-Sep-21	3,750,000	60	3 month BBSW + 0.48% pa	N/A
23-Sep-21	5,000,000	63	3 month BBSW + 0.41% pa	N/A

5. Financial impact statement/Time frame/Consultation

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

6. Conclusion

Council's investment portfolio has achieved interest earning of \$240,951 for the year to date, representing 28.06% of the current approved budget forecast of \$858,678.

7. Attachments

- Investment Summary Report Sep 21 [↓](#) .



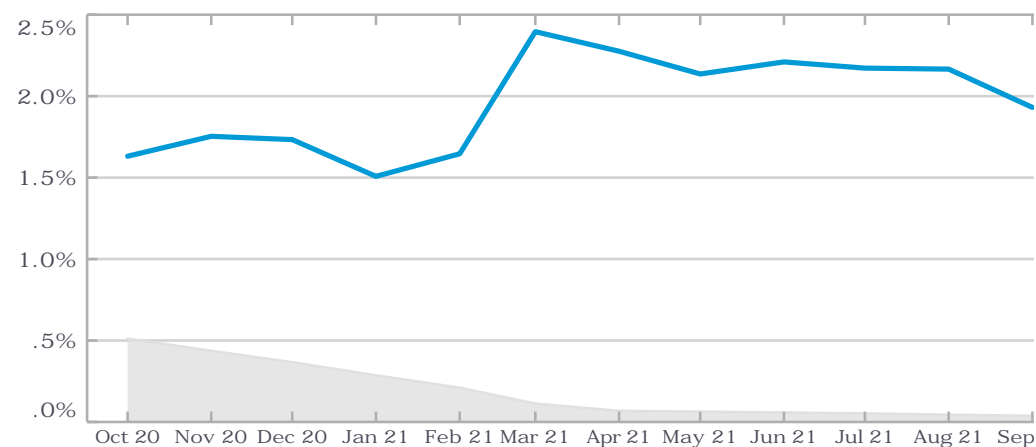
Investment Summary Report September 2021

Executive Summary - September 2021

Investment Holdings

	Face Value (\$)	Current Value (\$)
Cash	11,927,089.42	11,927,089.42
Floating Rate Note	33,250,000.00	33,382,093.51
Floating Rate Term Deposits	5,500,000.00	5,505,702.44
Managed Funds	16,167,058.01	16,167,058.01
Term Deposit	81,500,000.00	81,726,752.75
	148,344,147.43	148,708,696.13

Investment Performance



Portfolio Rolling 12 month return

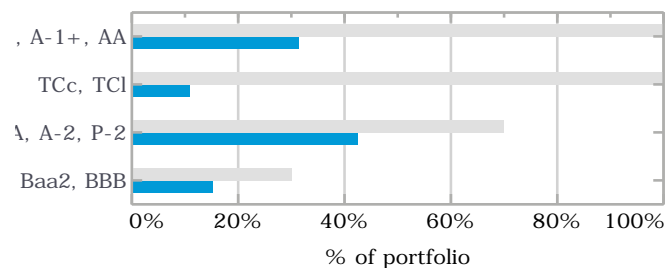
AusBond BB Index Rolling 12 month Return

Investment Policy Compliance

Total Credit Exposure

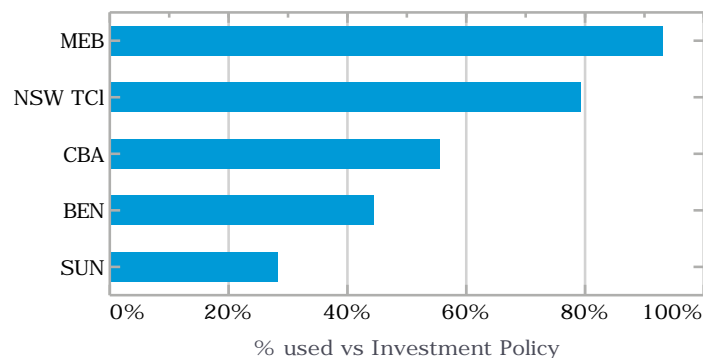
Highest Individual Exposures

Term to Maturities



Portfolio Exposure

Investment Policy Limit



Maturity Profile	Face Value (\$)	Policy Limit (%)
Between 0 and 1 Year	113,094,147	76%
Between 1 and 3 Years	13,950,000	9%
Between 3 and 10 Years	21,300,000	14%
	148,344,147	

Investment Holdings Report - September 2021



Cash Accounts

	Face Value (\$)	Rate (% pa)	Institution	Credit Rating		Current Value (\$)	Deal No.		Referen
	10,629,975.44	0.2000%	Commonwealth Bank of Australia	A-1+		10,629,975.44	120789		24hr C
	704,488.11	0.0000%	Commonwealth Bank of Australia	A-1+		704,488.11	120794		General Fun
	44,269.99	0.0000%	Commonwealth Bank of Australia	A-1+		44,269.99	120795		Trust Fun
	7,574.00	0.0000%	Commonwealth Bank of Australia	A-1+		7,574.00	120796		Cemetery Fun
	88,435.00	0.0000%	Commonwealth Bank of Australia	A-1+		88,435.00	120797		Depositor Fun
	398,355.06	0.0000%	Commonwealth Bank of Australia	A-1+		398,355.06	120799		Library
	8,338.90	0.0000%	Commonwealth Bank of Australia	A-1+		8,338.90	120800		Eastgate
	8,078.57	0.0000%	Commonwealth Bank of Australia	A-1+		8,078.57	120801		Hollywood Av
	37,574.35	0.0000%	Commonwealth Bank of Australia	A-1+		37,574.35	370151		Library C
	11,927,089.42	0.1782%				11,927,089.42			

Managed Funds

	Face Value (\$)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.		Referen
	2,192,721.04	-0.0054%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	2,192,721.04	411310		Builder Depos
	2,211,706.46	-0.0044%	NSW T-Corp (Cash)	TCc	Cash Fund	2,211,706.46	505262		
	11,762,630.51	-2.0416%	NSW T-Corp (LT)	TCI	Long Term Growth Fund	11,762,630.51	538089		
	16,167,058.01					16,167,058.01			

Term Deposits

Maturity Date	Face Value (\$)	Rate (% pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Referen
Oct-21	3,000,000.00	0.7000%	Commonwealth Bank of Australia	A-1+	3,000,000.00	2-Oct-20	3,020,942.47	540360	20,942.47	At Maturity	Gr
Nov-21	3,000,000.00	0.5400%	Westpac Group	A-1+	3,000,000.00	30-Oct-20	3,002,796.16	540481	2,796.16	Quarterly	Gr
Nov-21	3,000,000.00	0.5400%	Commonwealth Bank of Australia	A-1+	3,000,000.00	24-Nov-20	3,013,803.29	540595	13,803.29	At Maturity	Gr
Nov-21	3,000,000.00	0.5200%	Commonwealth Bank of Australia	A-1+	3,000,000.00	1-Dec-20	3,012,992.88	540632	12,992.88	At Maturity	Gr
Jan-22	2,000,000.00	0.5500%	Auswide Bank	P-2	2,000,000.00	12-Jan-21	2,007,895.89	540819	7,895.89	At Maturity	
Jan-22	3,000,000.00	0.5500%	Auswide Bank	P-2	3,000,000.00	25-Jan-21	3,011,256.16	540888	11,256.16	At Maturity	

Investment Holdings Report - September 2021



Term Deposits											
Maturity Date	Face Value (\$)	Rate (% pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
Feb-22	2,500,000.00	0.4100%	Commonwealth Bank of Australia	A-1+	2,500,000.00	10-Feb-21	2,506,543.15	540937	6,543.15	At Maturity	Gr
Feb-22	3,000,000.00	3.0500%	Newcastle Permanent Building Society	A-2	3,000,000.00	19-Feb-19	3,056,153.42	537553	56,153.42	Annually	
Mar-22	2,000,000.00	1.7000%	Auswide Bank	P-2	2,000,000.00	5-Mar-20	2,019,561.64	539531	19,561.64	Annually	
Mar-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	12-Mar-21	3,008,342.47	541161	8,342.47	At Maturity	
Mar-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	16-Mar-21	3,008,178.08	541203	8,178.08	At Maturity	
Mar-22	4,000,000.00	0.5000%	ME Bank	A-2	4,000,000.00	30-Mar-21	4,010,136.99	541231	10,136.99	At Maturity	
Apr-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	16-Aug-21	3,001,890.41	541746	1,890.41	At Maturity	
May-22	2,500,000.00	0.5000%	ME Bank	A-2	2,500,000.00	28-Apr-21	2,505,342.47	541290	5,342.47	At Maturity	
May-22	1,500,000.00	0.5000%	ME Bank	A-2	1,500,000.00	18-May-21	1,502,794.52	541347	2,794.52	At Maturity	
May-22	1,500,000.00	0.5000%	ME Bank	A-2	1,500,000.00	18-May-21	1,502,794.52	541348	2,794.52	At Maturity	
Jun-22	1,500,000.00	0.3000%	Bendigo and Adelaide Bank	A-2	1,500,000.00	9-Sep-21	1,500,271.23	541886	271.23	At Maturity	
Jun-22	4,000,000.00	0.5500%	ME Bank	A-2	4,000,000.00	16-Jun-21	4,006,449.32	541541	6,449.32	At Maturity	
Jun-22	1,500,000.00	0.3000%	Bendigo and Adelaide Bank	A-2	1,500,000.00	9-Sep-21	1,500,271.23	541887	271.23	At Maturity	
Jun-22	3,000,000.00	0.3000%	Bendigo and Adelaide Bank	A-2	3,000,000.00	7-Sep-21	3,000,591.78	541865	591.78	At Maturity	
-Jul-22	3,000,000.00	0.3000%	Bendigo and Adelaide Bank	A-2	3,000,000.00	13-Sep-21	3,000,443.84	541896	443.84	At Maturity	
-Jul-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	20-Jul-21	3,003,000.00	541669	3,000.00	At Maturity	
Aug-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	10-Aug-21	3,002,136.99	541733	2,136.99	At Maturity	
Aug-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	10-Aug-21	3,002,136.99	541734	2,136.99	At Maturity	
Aug-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	10-Aug-21	3,002,136.99	541735	2,136.99	At Maturity	
Aug-22	2,500,000.00	0.3000%	Commonwealth Bank of Australia	A-1+	2,500,000.00	24-Aug-21	2,500,780.82	541770	780.82	At Maturity	Gr
Aug-22	5,000,000.00	0.3500%	Suncorp Bank	A-1	5,000,000.00	26-Aug-21	5,001,726.03	541782	1,726.03	At Maturity	
Sep-22	2,000,000.00	0.3100%	Commonwealth Bank of Australia	A-1+	2,000,000.00	3-Sep-21	2,000,475.62	541834	475.62	At Maturity	Gr
Sep-22	2,000,000.00	0.3800%	Great Southern Bank	A-2	2,000,000.00	14-Sep-21	2,000,353.97	541899	353.97	At Maturity	
Nov-22	2,000,000.00	0.8000%	Auswide Bank	Baa2	2,000,000.00	3-Nov-20	2,014,553.42	540548	14,553.42	Annually	
	81,500,000.00	0.5994%			81,500,000.00		81,726,752.75		226,752.75		

Investment Holdings Report - September 2021



Floating Rate Term Deposits

Maturity Date	Face Value (\$)	Rate (% pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
Nov-21	3,000,000.00	.8316%	Westpac Group 3moBBSW+ 0.82%	AA-	3,000,000.00	28-Nov-18	3,002,187.22	537360	2,187.22	16-Nov-21	Gr
May-22	2,500,000.00	1.1157%	Westpac Group 3moBBSW+ 1.10%	A-1+	2,500,000.00	16-May-17	2,503,515.22	535241	3,515.22	16-Nov-21	
	5,500,000.00	.9607%			5,500,000.00		5,505,702.44		5,702.44		

Floating Rate Notes

Maturity Date	Face Value (\$)	Rate (% pa)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
Oct-22	2,400,000.00	0.9199%	TMB Snr FRN (Oct22) BBSW+ 0.90%	BBB	2,400,000.00	28-Oct-19	2,422,075.63	538616	3,931.63	28-Oct-21	
Dec-22	3,000,000.00	0.9127%	BOz 'SRI' Snr FRN (Dec22) BBSW+ 0.90%	BBB	3,000,000.00	2-Dec-19	3,019,875.48	538825	2,175.48	2-Dec-21	
Jan-23	1,250,000.00	1.0750%	BEN Snr FRN (Jan23) BBSW+ 1.05%	BBB+	1,250,000.00	25-Jan-18	1,266,029.11	536145	2,466.61	25-Oct-21	
Feb-23	1,100,000.00	1.4100%	NPBS Snr FRN (Feb23) BBSW+ 1.40%	BBB	1,100,000.00	6-Feb-18	1,116,932.62	536174	2,379.62	8-Nov-21	
Feb-23	1,700,000.00	0.9100%	GSB Snr FRN (Feb23) BBSW+ 0.90%	BBB	1,700,000.00	21-Feb-20	1,715,947.87	539454	1,652.96	22-Nov-21	
Jul-24	2,500,000.00	0.8005%	SUN Snr FRN (Jul24) BBSW+ 0.78%	A+	2,500,000.00	30-Jul-19	2,532,904.21	538331	3,454.21	29-Oct-21	
Oct-24	1,000,000.00	1.1450%	GSB Snr FRN (Oct24) BBSW+ 1.12%	BBB	1,000,000.00	24-Oct-19	1,021,511.78	538604	2,101.78	25-Oct-21	
Dec-25	2,250,000.00	0.5327%	BEN Snr FRN (Dec25) BBSW+ 0.52%	BBB+	2,250,000.00	2-Dec-20	2,250,029.79	540603	952.29	2-Dec-21	
Feb-26	1,300,000.00	0.4607%	SUN Snr FRN (Feb26) BBSW+ 0.45%	A+	1,300,000.00	24-Feb-21	1,299,505.52	540958	623.52	24-Nov-21	
Mar-26	4,000,000.00	0.6420%	NPBS Snr FRN (Mar26) BBSW+ 0.63%	BBB	4,000,000.00	4-Mar-21	4,008,678.90	540983	1,758.90	6-Dec-21	
Jun-26	4,000,000.00	0.6629%	BEN Snr FRN (Jun26) BBSW+ 0.65%	BBB+	4,000,000.00	11-Jun-21	4,010,079.11	541523	799.11	20-Dec-21	
Sep-26	3,750,000.00	0.4910%	SUN Snr FRN (Sep26) BBSW+ 0.48%	A+	3,750,000.00	9-Sep-21	3,741,657.12	541877	807.12	15-Dec-21	
Dec-26	5,000,000.00	0.4256%	CBA 'Green' Snr Bond (Dec26)	AA-	5,000,000.00	21-Sep-21	4,976,866.37	541916	466.37	23-Dec-21	
	33,250,000.00	0.7074%			33,250,000.00		33,382,093.51		23,569.60		

crued Interest Report - September 2021

crued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
<u>Floating Rate Note</u>									
5 Year Snr FRN (Oct22) BBSW+0.90%	538616		2,400,000.00	28-Oct-19	28-Oct-22	0.00	30	1,814.60	.92%
5 Year 'SRI' Snr FRN (Dec22) BBSW+0.90%	538825		3,000,000.00	02-Dec-19	02-Dec-22	7,039.13	30	2,251.99	.91%
5 Year Snr FRN (Jan23) BBSW+1.05%	536145		1,250,000.00	25-Jan-18	25-Jan-23	0.00	30	1,104.45	1.07%
5 Year S Snr FRN (Feb23) BBSW+1.40%	536174		1,100,000.00	06-Feb-18	06-Feb-23	0.00	30	1,274.80	1.41%
5 Year Snr FRN (Feb23) BBSW+0.90%	539454		1,700,000.00	21-Feb-20	21-Feb-23	0.00	30	1,271.51	.91%
5 Year L Snr FRN (Jul24) BBSW+0.78%	538331		2,500,000.00	30-Jul-19	30-Jul-24	0.00	30	1,644.86	.80%
5 Year Snr FRN (Oct24) BBSW+1.12%	538604		1,000,000.00	24-Oct-19	24-Oct-24	0.00	30	941.10	1.15%
5 Year Snr FRN (Dec25) BBSW+0.52%	540603		2,250,000.00	02-Dec-20	02-Dec-25	3,124.28	30	986.25	.53%
5 Year L Snr FRN (Feb26) BBSW+0.45%	540958		1,300,000.00	24-Feb-21	24-Feb-26	0.00	30	492.25	.46%
5 Year S Snr FRN (Mar26) BBSW+0.63%	540983		4,000,000.00	04-Mar-21	04-Mar-26	6,760.79	30	2,118.52	.64%
5 Year Snr FRN (Jun26) BBSW+0.65%	541523		4,000,000.00	18-Jun-21	18-Jun-26	6,915.31	30	2,196.89	.67%
5 Year L Snr FRN (Sep26) BBSW+0.48%	541877		3,750,000.00	15-Sep-21	15-Sep-26	0.00	16	807.12	.49%
5 Year 'Green' Snr Bond (Dec26) BBSW+0.41%	541916		5,000,000.00	23-Sep-21	23-Dec-26	0.00	8	466.37	.43%
Floating Rate Note Total						23,839.51		17,370.71	.76%
<u>Fixed Rate Term Deposits</u>									
5 Year 30 Day Ratepac Group	535380	Green	3,000,000.00	10-Jun-16	10-Jun-21	0.00	30	2,050.52	.83%
5 Year 30 Day Ratepac Group	535241		2,500,000.00	16-May-17	16-May-22	0.00	30	2,292.54	1.12%
Fixed Rate Term Deposits Total						0.00		4,343.06	.96%
<u>Managed Funds</u>									
5 Year Short Term Income Fund	411310	Builder Deposits	2,192,721.04	01-Dec-15		0.00	30	-119.14	-.07%
5 Year High Yield Fund	505262		2,211,706.46	30-Jul-15		0.00	30	-96.91	-.05%
Managed Funds Total						0.00		-216.05	-.06%

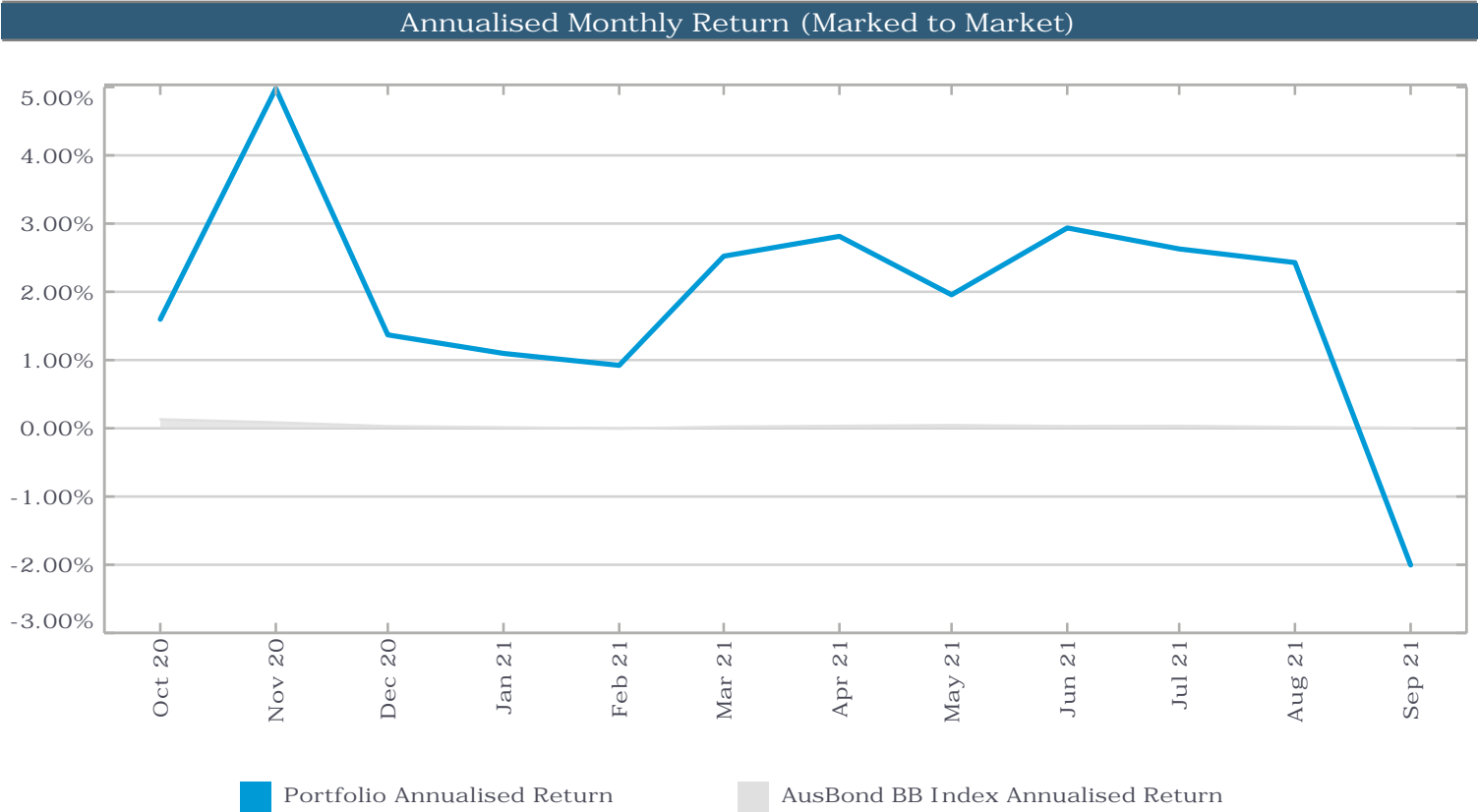
crued Interest Report - September 2021

crued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Term Deposit									
Westpac Group	540172	Green	4,000,000.00	31-Aug-20	07-Sep-21	560.00	6	480.00	.73
ANZ Bank	540813		1,000,000.00	08-Dec-20	14-Sep-21	4,219.18	13	195.89	.55
Bank of Southern Bank	540963		2,000,000.00	23-Feb-21	14-Sep-21	4,783.01	13	306.30	.43
Westpac Permanent Building Society	537651		2,500,000.00	25-Mar-19	21-Sep-21	34,520.55	20	3,835.62	2.80
Commonwealth Bank of Australia	540359	Green	3,000,000.00	02-Oct-20	28-Sep-21	20,769.86	27	1,553.42	.70
Commonwealth Bank of Australia	540360	Green	3,000,000.00	02-Oct-20	01-Oct-21	0.00	30	1,726.03	.70
Westpac Group	540481	Green	3,000,000.00	30-Oct-20	02-Nov-21	0.00	30	1,331.50	.54
Commonwealth Bank of Australia	540595	Green	3,000,000.00	24-Nov-20	23-Nov-21	0.00	30	1,331.51	.54
Commonwealth Bank of Australia	540632	Green	3,000,000.00	01-Dec-20	30-Nov-21	0.00	30	1,282.20	.52
ANZ Bank	540819		2,000,000.00	12-Jan-21	11-Jan-22	0.00	30	904.11	.55
ANZ Bank	540888		3,000,000.00	25-Jan-21	25-Jan-22	0.00	30	1,356.16	.55
Commonwealth Bank of Australia	540937	Green	2,500,000.00	10-Feb-21	01-Feb-22	0.00	30	842.47	.41
Westpac Permanent Building Society	537553		3,000,000.00	19-Feb-19	08-Feb-22	0.00	30	7,520.54	3.05
ANZ Bank	539531		2,000,000.00	05-Mar-20	08-Mar-22	0.00	30	2,794.52	1.70
Bank	541161		3,000,000.00	12-Mar-21	15-Mar-22	0.00	30	1,232.88	.50
Bank	541203		3,000,000.00	16-Mar-21	15-Mar-22	0.00	30	1,232.87	.50
Bank	541231		4,000,000.00	30-Mar-21	29-Mar-22	0.00	30	1,643.84	.50
Bank	541746		3,000,000.00	16-Aug-21	19-Apr-22	0.00	30	1,232.88	.50
Bank	541290		2,500,000.00	28-Apr-21	03-May-22	0.00	30	1,027.40	.50
Bank	541347		1,500,000.00	18-May-21	10-May-22	0.00	30	616.44	.50
Bank	541348		1,500,000.00	18-May-21	24-May-22	0.00	30	616.44	.50
Bank of Adelaide and Adelaide Bank	541886		1,500,000.00	09-Sep-21	07-Jun-22	0.00	22	271.23	.30
Bank	541541		4,000,000.00	16-Jun-21	14-Jun-22	0.00	30	1,808.22	.55

crued Interest Report - September 2021

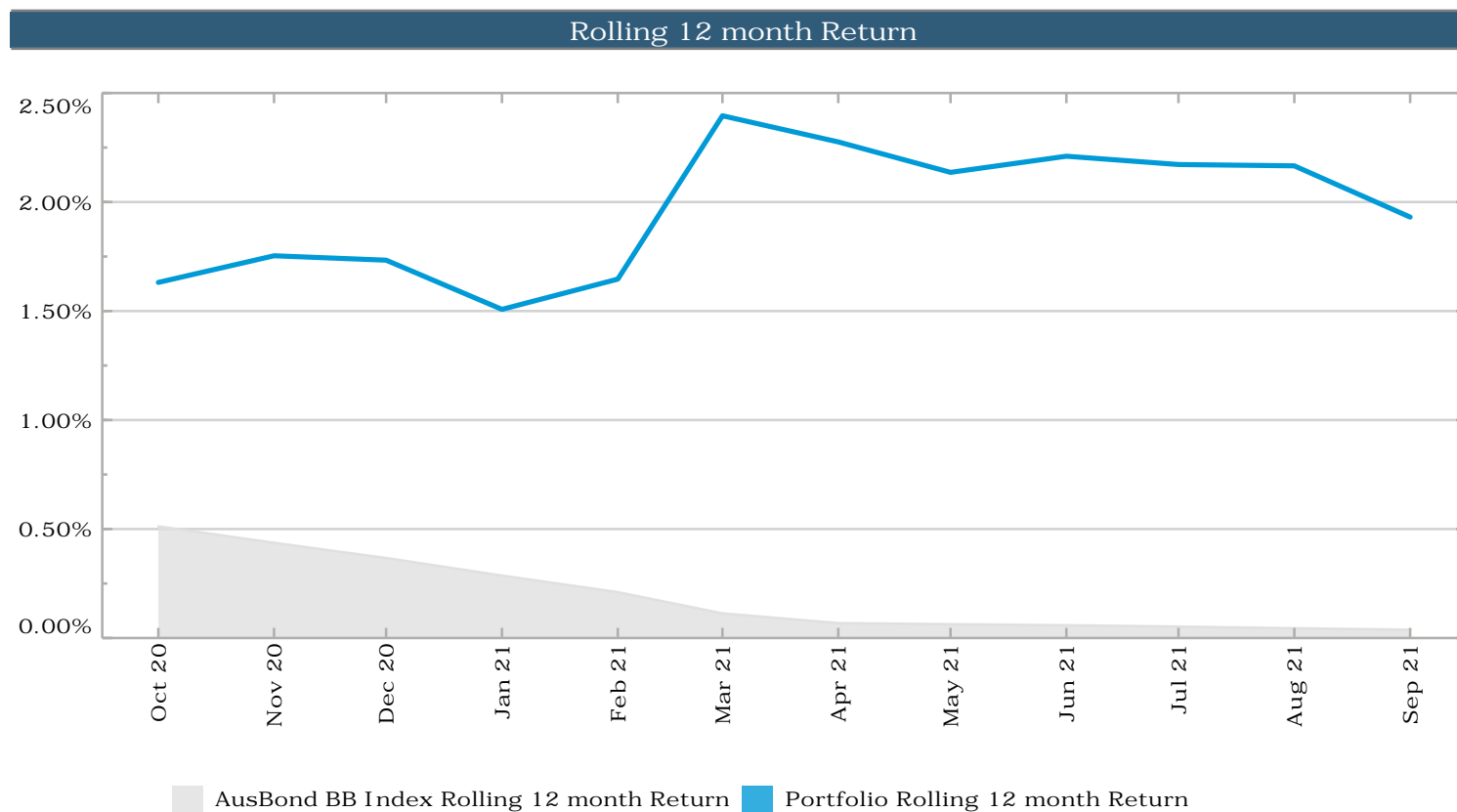
crued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Edgemoor and Adelaide Bank	541887		1,500,000.00	09-Sep-21	21-Jun-22	0.00	22	271.23	.30
Edgemoor and Adelaide Bank	541865		3,000,000.00	07-Sep-21	28-Jun-22	0.00	24	591.78	.30
Edgemoor and Adelaide Bank	541896		3,000,000.00	13-Sep-21	12-Jul-22	0.00	18	443.84	.30
Bank	541669		3,000,000.00	20-Jul-21	19-Jul-22	0.00	30	1,232.88	.50
Bank	541733		3,000,000.00	10-Aug-21	02-Aug-22	0.00	30	1,232.88	.50
Bank	541734		3,000,000.00	10-Aug-21	09-Aug-22	0.00	30	1,232.88	.50
Bank	541735		3,000,000.00	10-Aug-21	16-Aug-22	0.00	30	1,232.88	.50
Commonwealth Bank of Australia	541770	Green	2,500,000.00	24-Aug-21	23-Aug-22	0.00	30	616.44	.30
corp Bank	541782		5,000,000.00	26-Aug-21	26-Aug-22	0.00	30	1,438.36	.35
Commonwealth Bank of Australia	541834	Green	2,000,000.00	03-Sep-21	02-Sep-22	0.00	28	475.62	.31
at Southern Bank	541899		2,000,000.00	14-Sep-21	13-Sep-22	0.00	17	353.97	.38
wide Bank	540548		2,000,000.00	03-Nov-20	08-Nov-22	0.00	30	1,315.06	.80
m Deposit Total						64,852.60		45,580.29	.66'
						88,692.11		67,078.01	.67'

Investment Performance Report - September



Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
Sep 2021	-2.00%	0.01%	-2.01%
Last 3 Months	1.03%	0.02%	1.01%
Last 6 Months	1.79%	0.03%	1.76%
Financial Year to Date	1.03%	0.02%	1.01%
Last 12 months	1.93%	0.04%	1.89%

Investment Performance Report - September 2021

**Historical Performance Summary (actual)**

	Portfolio	AusBond BB Index	Outperformance
Sep 2021	-0.17%	0.00%	-0.17%
Last 3 Months	0.26%	0.01%	0.25%
Last 6 Months	0.89%	0.01%	0.88%
Financial Year to Date	0.26%	0.01%	0.25%
Last 12 months	1.93%	0.04%	1.89%

Environmental Commitments Report - September 2021

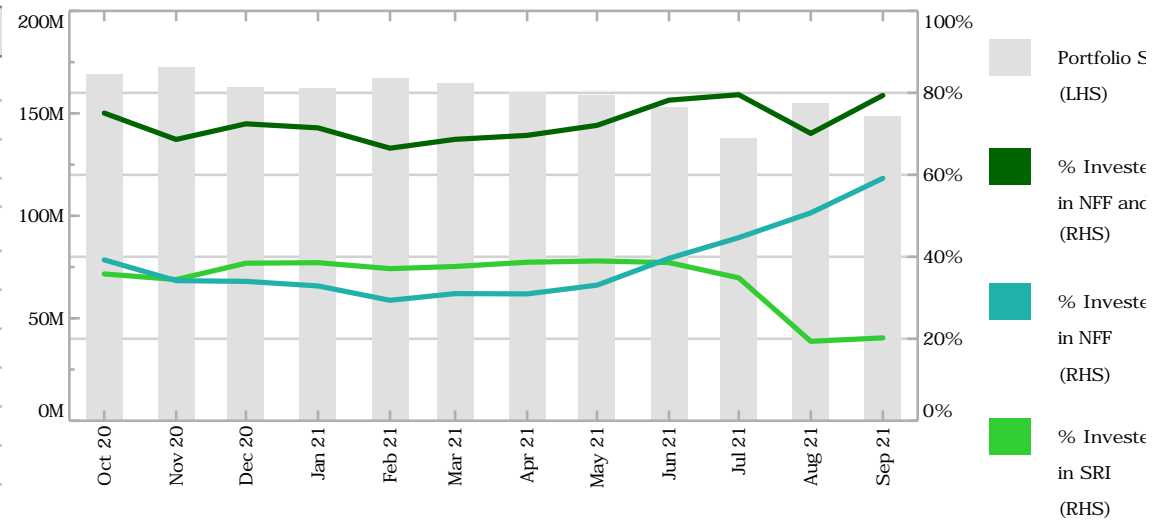


Current Breakdown

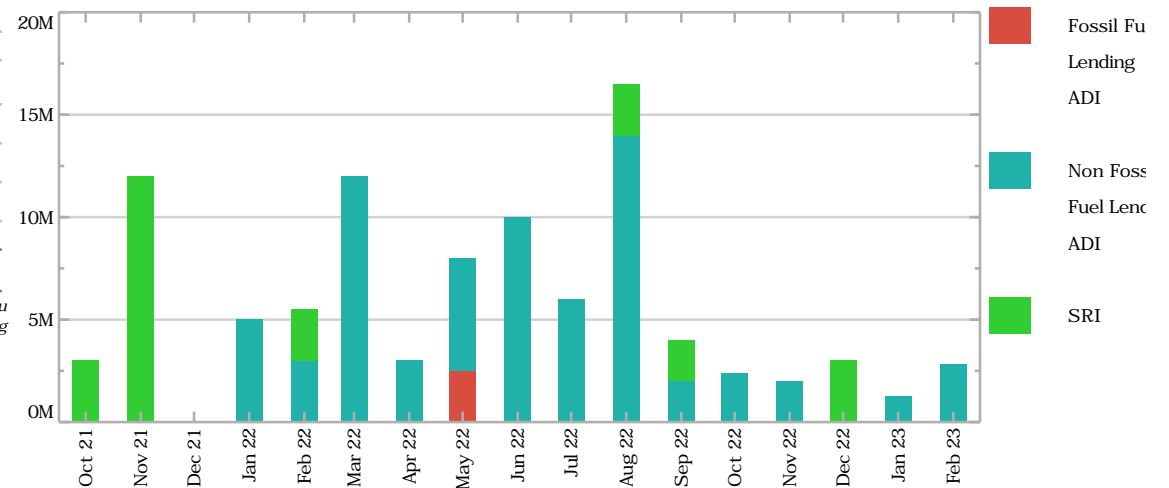
Lending Status *	Current Month (\$)		Previous Month (\$)	
Fossil Fuel Lending ADIs				
Commonwealth Bank of Australia	11,927,089		27,358,553	
ANZ Group	2,500,000		2,500,000	
	14,427,089	9.7%	29,858,553	19.3%
Non-Fossil Fuel Lending ADIs				
Woolwich Bank	9,000,000		10,000,000	
Bank of Queensland and Adelaide Bank	16,500,000		7,500,000	
Bank of Southern Bank	4,700,000		4,700,000	
Bankers Equity Bank	34,500,000		34,500,000	
Westpac Permanent Building Society	8,100,000		10,600,000	
Bank of Queensland	12,550,000		8,800,000	
Bankers Mutual Bank	2,400,000		2,400,000	
	87,750,000	59.2%	78,500,000	50.7%
Other				
Westpac T-Corp (Cash)	4,404,428		4,404,644	
Westpac T-Corp (LT)	11,762,631		12,007,780	
	16,167,058	10.9%	16,412,423	10.6%
Environmentally Responsible Investment				
Bank of Australia (Sustainability)	3,000,000		3,000,000	
Bank of Queensland (Green)	21,000,000		17,000,000	
ANZ Group (Green TD)	6,000,000		10,000,000	
	30,000,000	20.2%	30,000,000	19.4%
	148,344,147		154,770,976	

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

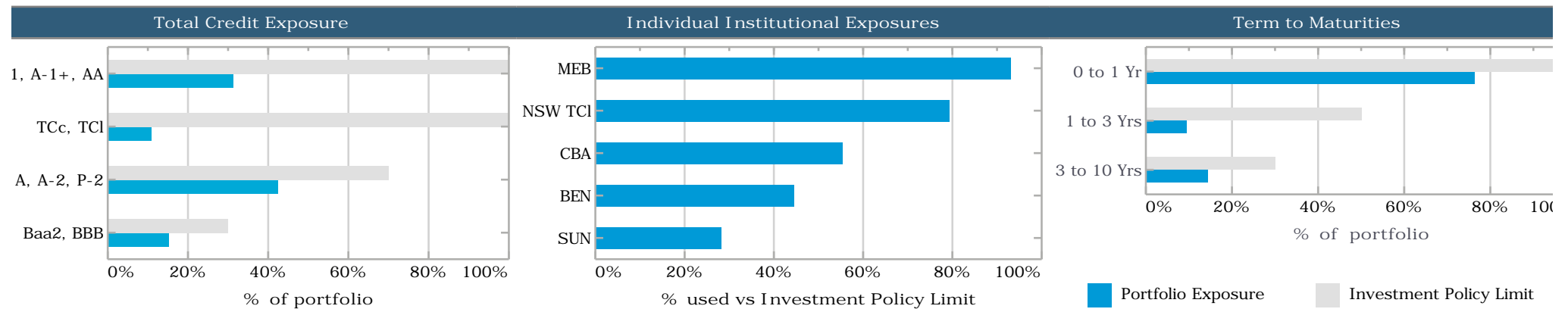
Historical Portfolio Exposure to NFF Lending ADIs and SRIs



Upcoming maturities



Investment Policy Report - September 2021



	Credit Rating	Face Value (\$)	Policy Max
ort Term	A-1	5,000,000	
ort Term	A-1+	36,427,089	
ng Term	AA	5,000,000	
		46,427,089	31% 100% a
ort Term	TCc	4,404,428	
ort Term	TCI	11,762,631	
		16,167,058	11% 100% a
ort Term	A-2	48,500,000	
ort Term	P-2	7,000,000	
ng Term	A	7,550,000	
		63,050,000	43% 70% a
ng Term	Baa2	2,000,000	
ng Term	BBB	20,700,000	
		22,700,000	15% 30% a
		148,344,147	100%

a = compliant
r = non-compliant

	% used vs Investment Policy Limit
Members Equity Bank (A-2, BBB+)	93% a
NSW T-Corp (LT) (TCI)	79% a
Commonwealth Bank of Australia (A-1+, AA-)	55% a
Bendigo and Adelaide Bank (A-2, BBB+)	44% a
Suncorp Bank (A-1, A+)	28% a
Auswide Bank (P-2, Baa2)	24% a
Newcastle Permanent Building Society (A-2, BBB)	22% a
Westpac Group (A-1+, AA-)	14% a
Bank Australia (A-2, BBB)	13% a
Great Southern Bank (A-2, BBB)	13% a
Teachers Mutual Bank (A-2, BBB)	11% a
NSW T-Corp (Cash) (TCc)	3% a

	Face Value (\$)	Policy Max
Between 0 and 1 Year	113,094,147	76% 100%
Between 1 and 3 Years	13,950,000	9% 50%
Between 3 and 10 Years	21,300,000	14% 30%
	148,344,147	

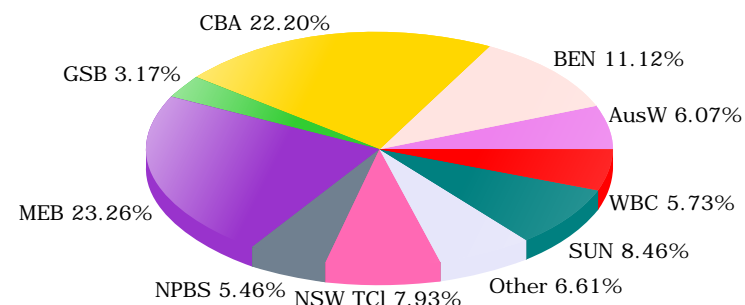
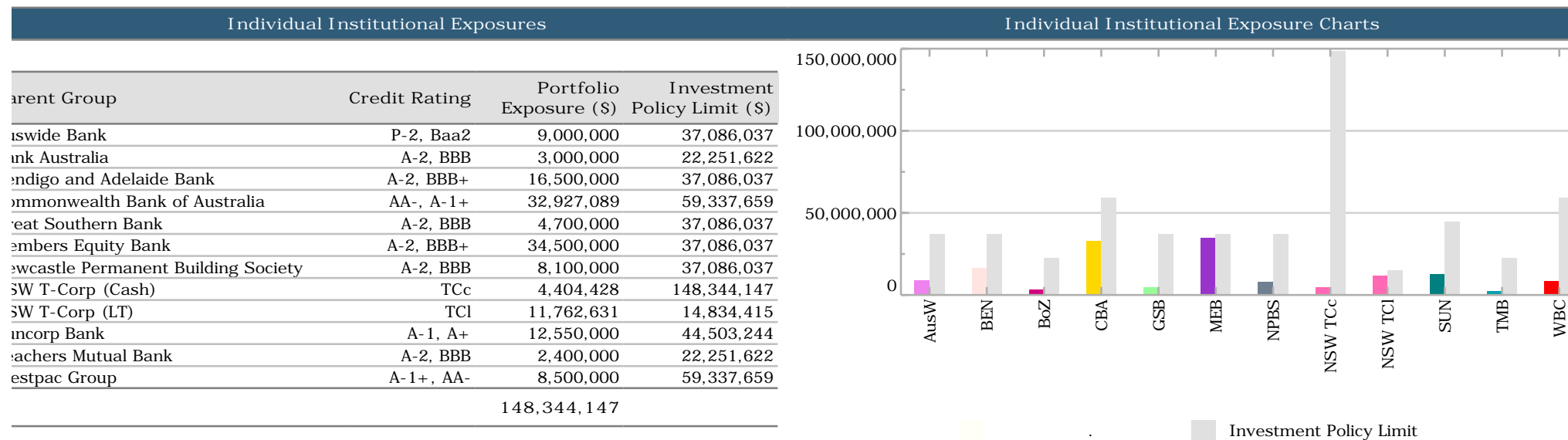
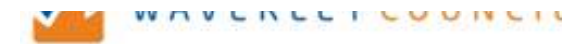
Detailed Maturity Profile	Face Value (\$)
00. Cash + Managed Funds	28,094,147 19
01. Less Than 30 Days	3,000,000 2
02. Between 30 Days and 60 Days	9,000,000 6
03. Between 60 Days and 90 Days	3,000,000 2
04. Between 90 Days and 180 Days	18,500,000 12
05. Between 180 Days and 365 Days	51,500,000 35
06. Between 365 Days and 3 Years	13,950,000 9
07. Between 3 Years and 5 Years	16,300,000 11
08. Between 5 Years and 10 Years	5,000,000 3

Investment Policy Report - September 2021



Detailed Maturity Profile	Face Value (\$)
	148,344,147

Individual Institutional Exposures Report - September 2021



Cashflows Report - September 2021

Current Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
2-Sep-21	538825	Bank Australia	Floating Rate Note	Coupon - Received	7,039.13
				<u>Deal Total</u>	<u>7,039.13</u>
	540603	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	3,124.28
				<u>Deal Total</u>	<u>3,124.28</u>
				Day Total	10,163.42
3-Sep-21	541834	Commonwealth Bank of Australia	Term Deposits	Settlement Face Value - Paid	-2,000,000.00
				<u>Deal Total</u>	<u>-2,000,000.00</u>
				Day Total	-2,000,000.00
6-Sep-21	540983	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	6,760.79
				<u>Deal Total</u>	<u>6,760.79</u>
				Day Total	6,760.79
7-Sep-21	540172	Westpac Group	Term Deposits	Maturity Face Value - Received	4,000,000.00
		Westpac Group	Term Deposits	Interest - Received	560.00
				<u>Deal Total</u>	<u>4,000,560.00</u>
	541865	Bendigo and Adelaide Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
				Day Total	1,000,560.00
9-Sep-21	541886	Bendigo and Adelaide Bank	Term Deposits	Settlement Face Value - Paid	-1,500,000.00
				<u>Deal Total</u>	<u>-1,500,000.00</u>
	541887	Bendigo and Adelaide Bank	Term Deposits	Settlement Face Value - Paid	-1,500,000.00
				<u>Deal Total</u>	<u>-1,500,000.00</u>
				Day Total	-3,000,000.00
13-Sep-21	541896	Bendigo and Adelaide Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
				Day Total	-3,000,000.00
14-Sep-21	540813	Auswide Bank	Term Deposits	Maturity Face Value - Received	1,000,000.00
		Auswide Bank	Term Deposits	Interest - Received	4,219.18
				<u>Deal Total</u>	<u>1,004,219.18</u>
	540963	Great Southern Bank	Term Deposits	Maturity Face Value - Received	2,000,000.00
		Great Southern Bank	Term Deposits	Interest - Received	4,783.01
				<u>Deal Total</u>	<u>2,004,783.01</u>

Cashflows Report - September 2021

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>
	541899	Great Southern Bank	Term Deposits	Settlement Face Value - Paid	-2,000,000.00
				<u>Deal Total</u>	<u>-2,000,000.00</u>
				Day Total	1,009,002.19
15-Sep-21	541877	Suncorp Bank	Floating Rate Note	Settlement Face Value - Paid	-3,750,000.00
				<u>Deal Total</u>	<u>-3,750,000.00</u>
				Day Total	-3,750,000.00
20-Sep-21	541523	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	6,915.31
				<u>Deal Total</u>	<u>6,915.31</u>
				Day Total	6,915.31
21-Sep-21	537651	Newcastle Permanent Building Society	Term Deposits	Maturity Face Value - Received	2,500,000.00
		Newcastle Permanent Building Society	Term Deposits	Interest - Received	34,520.55
				<u>Deal Total</u>	<u>2,534,520.55</u>
				Day Total	2,534,520.55
23-Sep-21	541916	Commonwealth Bank of Australia	Floating Rate Note	Settlement Face Value - Paid	-5,000,000.00
				<u>Deal Total</u>	<u>-5,000,000.00</u>
				Day Total	-5,000,000.00
28-Sep-21	540359	Commonwealth Bank of Australia	Term Deposits	Maturity Face Value - Received	3,000,000.00
		Commonwealth Bank of Australia	Term Deposits	Interest - Received	20,769.86
				<u>Deal Total</u>	<u>3,020,769.86</u>
				Day Total	3,020,769.86
				<u>Net Cash Movement for Period</u>	<u>-9,161,307.88</u>

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>
1-Oct-21	540360	Commonwealth Bank of Australia	Term Deposit	Maturity Face Value - Received	3,000,000.00
		Commonwealth Bank of Australia	Term Deposit	Interest - Received	20,942.47
				<u>Deal Total</u>	<u>3,020,942.47</u>
				Day Total	3,020,942.47
25-Oct-21	536145	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	3,350.17
				<u>Deal Total</u>	<u>3,350.17</u>
	538604	Great Southern Bank	Floating Rate Note	Coupon - Received	2,854.66
				<u>Deal Total</u>	<u>2,854.66</u>

Cashflows Report - September 2021



Next Month Cashflows					
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>
Day Total					6,204.83
28-Oct-21	538616	Teachers Mutual Bank	Floating Rate Note	Coupon - Received	5,564.76
<u>Deal Total</u>					<u>5,564.76</u>
Day Total					5,564.76
29-Oct-21	538331	Suncorp Bank	Floating Rate Note	Coupon - Received	4,989.42
<u>Deal Total</u>					<u>4,989.42</u>
	540481	Westpac Group	Term Deposit	Interest - Received	4,038.90
<u>Deal Total</u>					<u>4,038.90</u>
Day Total					9,028.32
<u>Net Cash Movement for Period</u>					<u>3,041,740.38</u>

REPORT
CM/7.6/21.10

Subject: Draft Waverley Local Housing Strategy Implementation and Delivery Plan

TRIM No: A19/0332

Author: Tina Wang, Strategic Planner

Director: Tony Pavlovic, Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Requests a variation to the Department of Planning, Industry and Environment (DPIE) conditions to bring forward additional planning proposals with key focuses on Curlewis Street and/or the Bondi Road centres.
2. Seeks a 'Gateway Review' at the Independent Planning Commission (IPC) for the Waverley Affordable Housing Contributions Scheme Planning Proposal.
3. Endorses the draft Waverley Local Housing Strategy Implementation and Delivery Plan attached to the report for submission to the DPIE.

1. Executive Summary

The purpose of this report is to outline the key issues of the approval conditions for the Waverley Local Housing Strategy (LHS), provide the options available to Council, and to seek endorsement for the draft LHS Implementation and Delivery Plan to be submitted to the Department of Planning, Industry and Environment (DPIE).

Under the terms of the DPIE's approval of Waverley's LHS, Council is required to prepare a Waverley Local Housing Strategy Implementation and Delivery Plan (Delivery Plan) which considers the delivery mechanisms of the LHS, timeframes, interdependencies with other work, and risks and mitigation measures. The DPIE has developed the Delivery Plan Guideline and a template to assist Councils in completing the Delivery Plan.

The DPIE requires Council to submit the Delivery Plan by January 2022 (within 6 months of the approval of the LHS). Information contained within the completed Delivery Plan will be relied upon by the DPIE and other stakeholders to monitor progress against agreed housing targets and forecasts. It is expected that Council should evaluate and update the Delivery Plans each time the LHS is updated.

There are two approval conditions that are to be reflected in the Delivery Plan that are not supported by Council officers based on Waverley's existing density and future housing demands. These are as follows.

- That Council achieves the 6-10 year dwelling target set by the GSC (1,250-1,350 dwellings) provided that additional planning proposals are brought forward in accordance with the opportunities outlined in the Our Liveable Places Centres Strategies, with a key focus on Curlewis Street and/or the Bondi Road centres.

Council officers do not support the abovementioned condition and therefore the draft Delivery Plan includes only proponent-led planning proposals already in the pipeline.

- Council is to revise its Affordable Housing Contribution Scheme to commit to examining the feasibility of levying affordable housing contributions for any new planning proposals that would result in development uplift or an increase in land value in line with *SEPP 70* and the Department's *Guideline for Developing an Affordable Housing Contribution Scheme*.

Council officers recommend Council to consider seeking amendments to these conditions and to endorse the draft Delivery Plan.

2. Introduction/Background

The NSW State Government requires that all councils undertake a Local Housing Strategy. The purpose of the local housing strategy is to provide clarity on Council's vision for housing for the community, development industry and the NSW Government. Local Housing Strategies are to be approved by the DPIE. The Waverley Local Housing Strategy was adopted by Council in June 2020 and then approved by the DPIE with conditions in July 2021.

The DPIE provided preliminary feedback on the LHS in June 2021 and discussed the draft conditions with Council officers. Council officers did not support the draft conditions in relation to facilitating additional Council-led planning proposals to achieve housing targets and developing a revised Affordable Housing Contributions Scheme, however the DPIE retained these two conditions in the letter of approval. These two conditions are to be reflected in the Delivery Plan to be submitted to the DPIE by January 2022.

The DPIE issued a letter of approval and advisory notes to Council in July 2021 which approved the Waverley Local Housing Strategy and outlined the conditions associated with the approval. The advisory notes identified the further work that Council will need to undertake and provided specific guidance on matters that Council is encouraged to consider when next updating the LHS.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 2 June 2020	CM/7.2/20.06	That Council: <ol style="list-style-type: none"> Adopts the Waverley Local Housing Strategy attached to this report. Forwards the Waverley Local Housing Strategy to the Department of Planning, Industry and Environment for assurance.
Strategic Planning and Development Committee 3 March 2020	PD/5.1/20.03	That Council publicly exhibits the draft Local Housing Strategy and draft Village Centres Strategy attached to this report for 28 days.
Strategic Planning and Development Committee 5 June 2019	PD/5.1/20.02	That Council: <ol style="list-style-type: none"> Endorses the Draft Waverley Local Strategic Planning Statement (Attachment 1) and Draft Waverley Local Strategic Planning Statement

		<p>Summary (Attachment 2) for public exhibition for a period of no less than 28 days, subject to the following amendments:</p> <ul style="list-style-type: none"> (a) Provide indicative timing for short-, medium- and long-term indicators in the 'Key to actions' table (page 5). (b) Amend 'About the plan' (page 4) to clarify that the scope of the LSPS addresses broader economic, social and environmental issues, as well as land use planning issues. (c) Amend the list of 'Key Issues' (page 9) as follows: <ul style="list-style-type: none"> (i) Change 'A holistic approach encompassing how climate change, biodiversity, and green space are managed' to 'A holistic approach to the management of biodiversity, green space, and adaptation and resilience to climate change.' (ii) Change 'A diverse economy that is less reliant on tourism' to 'A diverse and thriving local economy that is less reliant on tourism.' (iii) Add as a Challenge 'There are community concerns about how tourism is managed.' (iv) Change 'Additional public schools in Waverley, particularly a secondary school' to 'Additional public schools in the Eastern Suburbs, particularly a secondary school.' (v) Change 'More space in the Mill Hill Community Centre' and 'Improve use of Bondi Pavilion, including more events and activities at night' to 'Provide more space for community uses and events.' <p>2. Endorses the Waverley Local Housing Discussion Paper (Attachment 3) for public exhibition at the same time.</p>
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4. Discussion

The Waverley LHS was supported with a letter of approval from the DPIE stating that:

- There are identifiable and immediate opportunities for council to explore for additional housing to meet housing targets.
- The LHS addresses some of the needs for housing diversity, although commitment to further actions for delivery are required.
- The LHS is committed to housing affordability, although mechanisms to implement this objective are required to be updated to be consistent with Departmental guidelines on financial feasibility.
- The LHS is generally consistent with Section 9.1 directions and SEPPs.
- The LHS is consistent with the Eastern District Plan, subject to requirements.

Conditions that should be amended by the DPIE

The DPIE imposed 18 approval conditions that are to be carried out by Council, two of which are not supported by Council officers as they are not based on sound evidence and could negatively affect local characters and liveability. These are discussed in greater detail below.

Additional planning proposals to meet the housing targets set by the GSC.

The condition

‘That Council achieves the 6-10 year dwelling target set by the GSC (1,250-1,350 dwellings) provided that additional planning proposals are taken forward in accordance with the opportunities outlined in the Our Liveable Places Centres Strategies, with key focuses on Curlewis Street and/or the Bondi Road centres.’

This condition requires Council to bring forward additional planning proposals, with key focuses on Curlewis Street and/or the Bondi Road centres. The DPIE asserts that the basis for this condition is that there is insufficient evidence to demonstrate long term sustained development to meet the projected housing needs of the LGA. The DPIE requires Council to bring forward additional planning proposals to accommodate residential uplift within 12 months of the date of the LHS approval (by July 2022).

The *Our Liveable Places Centres Strategy* identified the Curlewis Street Centre as having long term redevelopment opportunity to accommodate additional height to four storeys if a holistic re-development of lots were to be proposed. Redevelopment potential was not identified in the Strategy for Bondi Road, although a rationalisation of height and FSR relationship was proposed if there are any height and FSR inconsistencies across the length of Bondi Road. The Strategy did not envision a Council led planning proposal for the Curlewis Street Centre in the short to medium term, rather a proponent led planning proposal could be considered should such an opportunity arise.

Proposed alternative

The Waverley LHS states that the existing controls in the WLEP provide sufficient capacity to facilitate developments to meet future demands. As required under the conditions of the LHS approval, Council will be required to monitor the delivery of housing in the LGA, and to report on the uptake of this capacity. Accordingly, Council officers recommend that there is no need to investigate Council led planning proposals in the short to medium term.

The Waverley LHS also notes that there will continue to be proponent-led planning proposals submitted to Council for assessment, and that these will be assessed against the Waverley Local Strategic Planning Statement and the LHS in terms of strategic and site-specific merit. There is no guarantee if or when a proponent-led planning proposal will be submitted for the Curlewis Street Centre or any other centres.

It is therefore recommended that Council submit the draft Delivery Plan to indicate that no Council-led planning proposals to increase density will be prepared, and that proponent-led planning proposals will continue to be considered, however Council does not have the power to control when will such a planning proposal be submitted.

Rationale

Council provided extensive evidence in its LHS demonstrating how the housing targets were derived and could be achieved under existing planning controls. Council's housing targets for the next 6-10 years and 11-20 years (761 and 1,450 dwellings respectively) considered both existing capacity and the projected implied dwelling requirements (implied demand). The projected growth is approximately 2,500 dwellings over the next 20 years (2016-2036); an average rate of 125 dwellings per annum. The housing targets, which can be accommodated under the existing development controls, proposed by Council not only meet the implied demand but exceed it (implied demand is 2,500 for 2016 to 2036, while the proposed target for the same period is 3,461). As the housing target for the next 6-10 years accounts for both the projected demand across the LGA and expected supply pipeline in Bondi Junction, the target is considered to meet the housing needs of Waverley LGA.

Contrary to the DPIE's letter of approval requirements, the GSC did not set housing targets for Council for the next 6-10 years and 11-20 years, as Councils were required to develop their own targets for these periods. The GSC only provided a 0-5 year (2016-2021) housing target of 1,250 in the Eastern City District Plan which Council already met and exceeded. From January 2016 to June 2021, the GSC 0-5 year target was for 1,250 new dwellings, and there were 1,502 new dwellings completed in Waverley (source: NSW Government, Greater Sydney Regional Housing Activity). What the GSC did provide was a letter of support for Council's draft Local Strategic Planning Statement (LSPS), which includes a consideration that states:

'Council is to show how they can meet an indicative draft range for a 6-10 year housing target of 1,250-1,350 dwellings as part of their Local Housing Strategy'.

This consideration was based on the DPIE's housing supply forecast which is an estimate of the number of new dwellings that could be built under current zoning and planning controls, as well as various market conditions and demand factors. It is largely based on historical residential construction and approval activity with the assumption that growth will continue at a similar rate to the past. This premise is problematic as Waverley is the second most dense LGA in Australia at 79 people/Ha and has taken a significant share of dwelling growth over the last 100 years. In addition, the recent historical rate of completions includes the redevelopment of Bondi Junction Strategic Centre, the scale of which is not proposed to be delivered again. Accordingly, Council should not be subjected to a target that is based on this historical supply pipeline, given there is a limit to growth and that liveability should not be compromised as a result.

Implications

The DPIE have advised that if Council does not bring forward additional development capacity through planning proposals, DPIE could impose additional dwellings through the Gateway process, however it is not clear how they could do this. The DPIE has no power to force a Council to prepare a PP.

If Council fulfils the approval requirement by bringing forward proponent-led or Council-led planning proposals for the Curlewis Street Centre, or other centres capable of accommodating additional residential uplift within the next 12 months, then local characters and infrastructure capacities may be compromised. The community may also raise concerns about increased density and traffic generation and the role of local plan making given that the LHS was consulted upon with the community.

Revise the Affordable Housing Contribution Scheme to be in line with the Guidelines

The condition

‘Council is to revise its Affordable Housing Contribution Scheme to commit Council to examining the feasibility of levying affordable housing contributions for any new planning proposals that would result in development uplift or an increase in land value in line with SEPP 70 and the Department’s Guideline for Developing an Affordable Housing Contribution Scheme.’

This condition requires Council to prepare an *Affordable Housing Contribution Scheme* (AHCS) that is in accordance with the *Guideline for Developing an Affordable Housing Contribution Scheme* (the Guidelines). The Waverley AHCS proposed a 10% levy for all planning proposals, and a 1% levy to be applied to all new apartment developments.

The DPIE does not support the use of *SEPP70* as an LGA wide standard to increase contributions for affordable housing, and therefore does not support the inclusion of a 1% levy. It is noted that the City of Sydney and City of Ryde have both prepared an AHCS which applies this same levy approach. The DPIE has supported the City of Sydney AHCS which now includes a 1% levy in the LEP, however did not support the City of Ryde AHCS, for the reason that the City of Sydney AHCS was lodged prior to the introduction of the Guidelines, whilst the City of Ryde AHCS was lodged after the Guidelines. Council officers assert that the Waverley AHCS is in accordance with the requirements set out in the *Environmental Planning and Assessment Act* (EP&A Act) and associated *State Environmental Planning Policy No 70* (SEPP 70), and that should the Guidelines be removed, the scheme would otherwise be compliant with the legislation.

Under the NSW Government’s *Guideline for Developing an Affordable Housing Contribution Scheme*, this would require the identification of precincts for up-zoning and the application of the Scheme on those precincts only. Given that neither the LHS or LSPS identify precincts for up-zoning, this leaves Council with little opportunity to apply the levy, other than via proponent-led planning proposals.

The DPIE suggests that Council amend the AHCS to remove the 1% levy, and to remove the 10% levy for planning proposals to instead examine the feasibility of levying affordable housing contributions for each individual proponent-led planning proposal that would result in development uplift or an increase in land value, such as the Curlew Street/Old South Head Road precinct identified in Council’s *Our Liveable Places Strategy*.

Proposed alternative

As outlined in the section above, Council does not need to increase capacity in the short to medium terms to accommodate population growth. It is therefore recommended that Council seek a ‘Gateway Review’ at the Independent Planning Commission (IPC) to challenge the DPIE’s rejection of the *Waverley Affordable Housing Contributions Scheme*, and to advocate to the DPIE to review its *Guideline for Developing an Affordable Housing Contribution Scheme*, to be more in line with the EP&A Act.

Rationale

Council’s *Affordable Housing Contributions Scheme* aligns with the requirements in the EP&A Act and associated SEPP 70. SEPP 70 identifies that there is a need for affordable housing across the whole of the State and that a consent authority is to have regard to the affordable housing principles before imposing a condition for affordable housing contributions. These principles do not limit the affordable housing contributions to be applied only to precincts with land value uplifts. The *Guideline for Developing an Affordable Housing Contribution Scheme* which has no legislative power and is the only document that limits the contributions to precincts receiving uplift. Given the nature of many developed metropolitan areas with limited capacity for additional growth across Sydney, Council officers recommend that the Guidelines are updated to make SEPP 70 able to be implemented by more councils across Sydney, to effectively meet its intended aim.

Implications

Although there is merit to request a Gateway Review on the application of the Guideline, there are also some challenges. The City of Ryde proposed a similar scheme to Waverley and was not supported by the DPIE. There is potential for Council to coordinate with the City of Ryde to advocate to the DPIE about a review of the Guideline.

While Council is seeking a 'Gateway Review', there would be no affordable housing contributions scheme in place to levy any affordable housing contributions. The benefit of revising the Scheme in accordance with the DPIE's requirements would be that once approved, Council could levy for affordable housing from any new proponent-led planning proposal.

Draft Waverley Local Housing Strategy Implementation and Delivery Plan

The draft Waverley Local Housing Strategy Implementation and Delivery Plan (attached to this report) reflects the approval conditions, except for the two abovementioned conditions that are not supported by Council officers.

The draft Delivery Plan only included proponent-led planning proposals already in the pipeline and did not include 'revise the Affordable Housing Contribution Scheme' as an action.

5. Financial impact statement/Time frame/Consultation

Financial impact

There are no financial implications.

Time frame

The DPIE has set a time frame of six months for Council to submit the Delivery Plan with the DPIE being January 2022.

Consultation

There is no requirement for the Delivery Plan to be exhibited as it is intended for Council's internal use and for the DPIE to monitor Council's LHS implementation progress.

6. Conclusion

The DPIE requires Council to fulfil the conditions outlined in the letter of approval (provided in Attachment 2 of this report) for the *Waverley Local Housing Strategy* including a draft Implementation and Delivery Plan (provided in Attachment 1 of this report).

7. Attachments

1. Draft Waverley Implementation and Delivery Plan [↓](#)
2. Letter of approval for the LHS 2021 [↓](#) .

WAVERLEY LOCAL HOUSING STRATEGY

Implementation and Delivery Plan

Part 1 & Part 2

September 2021

Prepared by: Waverley Council

Title: Implementation and Delivery Plan

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Part 1 - Plan Overview

Chapter 1. Background & Purpose

This *Local Housing Strategy Implementation and Delivery Plan (IDP)* has been prepared in accordance with the Department's *Local Housing Strategy Guideline*, and where issued, any conditional requirements and advisory notes issued as part of the Department's approval of the LHS.

The IDP details key approaches, milestones and tasks to be undertaken to deliver on the commitments in council's LHS. This includes delivery periods, a detailed program, governance arrangements, budgets, key interdependencies and stakeholder engagement/consultation.

The plan supports and promotes effective management and communicates a clear and obvious road map for both internal and external stakeholders on how council will implement its LHS. The plan will be relied upon by both council and the Department to determine the extent of progress in delivering housing supply. The plan will be refreshed every *6 months* to ensure that the information contained within the plan is current and remains relevant.

The plan is intended to be an internal document and will be used by council to help support council achieve and deliver the framework under the LHS. It is expected that the IDP is prepared in consultation with, and shared with key agencies and adjoining councils, to ensure any interdependencies are satisfactorily resolved.

Chapter 2. Objectives

Council's housing IDP:

- Outlines a detailed program of tasks and deliverables needed to deliver on expectations set by the LHS and the requirements of the Department's approval of the LHS
- Provides guidance to Council's planners and other parts of council on timing and scope of tasks to ensure a whole of council approach
- Identifies with who and at what stages of the program consultation and engagement is needed, including regular engagement with the Department
- Identifies associated risks and includes ways to mitigate those risks
- Delivers a fully integrated and coordinated roadmap that dovetails with other council strategies, Council's LSPS and where relevant, the strategies of other government agencies

Chapter 3. Summary Table of Projects

The Summary Table defines the scope of the key deliverables to implement the LHS. It identifies all projects planned to be undertaken to improve and contribute to Council's housing supply. It includes key actions, expected pipeline and housing capacity, locations, roles and responsibilities and timing to facilitate housing supply, diversity and affordability between 2021 and 2026 and beyond.

The following table outlines a summary of key projects (including current and upcoming projects) that Council is or will be undertaking to deliver on actions outlined in Council's LHS, including tasks and projects required by the Department's approval of Council's LHS. The column headings indicate the minimum level of detail required by the Department to fulfil LHS approval requirements.

The projects are broadly classified into the following categories:

- Plan making - This includes core statutory function-based projects such as LEP making, contribution schemes and DCP making
- Major projects - This includes large non-statutory projects such as design guidelines
- Studies - This includes projects including studies, reviews, and investigations such as those that will support future housing delivery, diversity, affordability, and liveability

Notes: All of the projects and actions in the table above are linked to Planning Priority 6 – “Facilitate a range of housing opportunities in the right places to support and retain a diverse community” of the *Waverley Local Strategic Planning Statement 2020-2036*

Table 1 Summary of key projects and actions

Project or Action Name LHS Priority or Objective Link to LSPS Principle/ Action	Project Details Project Type Description Statutory mechanism/ Implementation	Dwelling Yield Estimated total dwelling yield Estimated 6-10 year/ 10+ year dwelling delivery	Current status Estimated project Start and End date/ month	Key Milestones / Stakeholder engagement dates	Key Risks/ Dependencies Risk Mitigation measures
DA and CDC tracker H1 Manage housing growth sustainably and in the right locations Approval requirement 2	Project Type: studies Description: Develop an Excel spreadsheet that tracks development pipelines and take-up rates Statutory mechanism/ Implementation: rely on existing capacity	NA	In progress Ongoing, to be updated every 3 months	Started in August 2021, next update October	Internal resourcing: allocate adequate resources to complete the project
Staging framework for Planning Proposals H1 Manage housing growth sustainably and in the right locations Approval requirement 1 and 4	Project Type: studies Description: Estimate/project the timeline for proponent-led Planning Proposals. Estimate development potential/additional capacity. Statutory mechanism/ Implementation: LEP making	NA	In progress September 2021 – October 2021	Report to Council: October 2021	New Planning Proposals, staging framework to be updated when new PP comes in); allocate adequate res

Implementation and Delivery Plan

Project or Action Name	Project Details	Dwelling Yield	Current status	Key Milestones / Stakeholder engagement dates	Key Risks/ Dependencies
LHS Priority or Objective	Project Type	Estimated total dwelling yield	Estimated project Start and End date/ month		Risk Mitigation measures
Link to LSPS Principle/ Action	Description	Estimated 6-10 year/ 10+ year dwelling delivery			
	Statutory mechanism/ Implementation				
Evaluation of housing supply against targets	Project Type: studies	NA	Project not started	NA	The development pipeline depends on many factors other than planning measures
H1 Manage housing growth sustainably and in the right locations	Description: Conduct annual review of net dwelling increase against housing target		December 2021-2026		Lack of feasibility or market take-up of housing capacity
Approval requirement 4	Statutory mechanism/ Implementation: rely on existing capacity				

Implementation and Delivery Plan

Project or Action Name	Project Details	Dwelling Yield	Current status	Key Milestones / Stakeholder engagement dates	Key Risks/ Dependencies
LHS Priority or Objective Link to LSPS Principle/ Action	Project Type Description Statutory mechanism/ Implementation	Estimated total dwelling yield Estimated 6-10 year/ 10+ year dwelling delivery	Estimated project Start and End date/ month		Risk Mitigation measures
Housing supply and demand research H1 Manage housing growth sustainably and in the right locations H2 Encourage a range of housing options to support and retain a diverse community Approval requirement 7,9,13	Project Type: studies Description: Identify R2 areas and other areas for potential uplift Investigate levers to ensure no net loss of residential density as a result of future development (dwelling numbers) Review medium density zone objectives and the minimum lot size for subdivision under the LEP and the code Review other Councils' LEP and DCP for bedroom mix controls Identify opportunity sites for senior housing Review the supply and demand of medium density development Review the supply and demand for boarding houses/student housing/ built to rent Statutory mechanism/ Implementation: LEP making and amendments to DCP provisions	Requires further investigation	Project not started November 2021 – January 2022	NA	Risk 1: Local objection to proposed land use and development control changes Mitigation 1: Engage with the community early in the process

Project or Action Name	Project Details	Dwelling Yield	Current status	Key Milestones / Stakeholder engagement dates	Key Risks/ Dependencies
LHS Priority or Objective	Project Type	Estimated total dwelling yield	Estimated project Start and End date/ month		Risk Mitigation measures
Link to LSPS Principle/ Action	Description	Estimated 6-10 year/ 10+ year dwelling delivery			
	Statutory mechanism/ Implementation				
Proponent led PP to rezone areas for uplift	Project Type: plan making	Requires further investigation	TBC	TBA	Risk 1: Local objection to proposed land use and development control changes
H1 Manage housing growth sustainably and in the right locations	Description: Monitor proponent led Planning Proposals and consider them against housing targets				Mitigation 1: TBC
Approval requirement 4 and 6	Statutory mechanism/ Implementation: LEP making				Risk 2: Market take-up of housing capacity
					Mitigation 2: TBC
					Risk 3: Issues with related infrastructure upgrades such as transport
					Mitigation 3: Consult with infrastructure providers including Transport NSW in the process to understand capacity and impacts

Implementation and Delivery Plan

Project or Action Name LHS Priority or Objective Link to LSPS Principle/ Action	Project Details Project Type Description Statutory mechanism/ Implementation	Dwelling Yield Estimated total dwelling yield Estimated 6-10 year/ 10+ year dwelling delivery	Current status Estimated project Start and End date/ month	Key Milestones / Stakeholder engagement dates	Key Risks/ Dependencies Risk Mitigation measures
Planning Proposal Assessment Guideline H2 Encourage a range of housing options to support and retain a diverse community Approval requirement 16	Project Type: major projects Description: Develop a framework that includes principles and criteria for assessing Planning Proposals Statutory mechanism/ Implementation: LEP making	NA	Project not started October 2021 – March 2022	Report to Council: March/April 2022	Risk 1: Internal resourcing Mitigation 1: Allocate resources to complete the tasks and identify budget needs
Waverley Local Housing Strategy update Approval requirement 5,11,14,15,17	Project Type: major projects Description: Update the LHS to inform the LSPS following the making of a future District Plan Statutory mechanism/ Implementation: LEP making	NA	Project not started January 2023- December 2023	Strategic review of the Region and District Plans: early 2022 Greater Sydney Region Plan and District Plans: 2023 Waverley Local Housing Strategy update: 2023/2024	Risk 1: The making of the new Greater Sydney Region Plan and District Plans Mitigation 1: Monitor and the progress of the making of the new Plans

Project or Action Name	Project Details	Dwelling Yield	Current status	Key Milestones / Stakeholder engagement dates	Key Risks/ Dependencies
LHS Priority or Objective	Project Type	Estimated total dwelling yield	Estimated project		Risk Mitigation measures
Link to LSPS Principle/ Action	Description	Estimated 6-10 year/	Start and End date/ month		
	Statutory mechanism/ Implementation	10+ year dwelling delivery			
Other research tasks and policies to support the provision of housing in Waverley	Project Type: studies and plan making	NA	Project not started	Waverley Local Housing Strategy update: 2023/2024	Risk 1: Internal resourcing
Approval requirement 9,10,11,12	Description: A variety of studies and policies to support housing diversity and quality, including capacity analysis, take-up rate research, urban canopy research, Local Character Statement, Sustainability related Planning Proposal and DCP amendments, Waverley Heritage Policy Implementation, Inter-war residential flat building DCP amendment, DCP review to facilitate diversity in bedroom mix		October 2021 – November 2023		Mitigation 1: Allocate resources to complete the tasks and identify budget needs
	Statutory mechanism/ Implementation: LEP making and amendments to DCP provisions				

Implementation and Delivery Plan

Project or Action Name	Project Details	Dwelling Yield	Current status	Key Milestones / Stakeholder engagement dates	Key Risks/ Dependencies
LHS Priority or Objective Link to LSPS Principle/ Action	Project Type Description Statutory mechanism/ Implementation	Estimated total dwelling yield Estimated 6-10 year/ 10+ year dwelling delivery	Estimated project Start and End date/ month		Risk Mitigation measures
Charing Square Planning Proposal (203 – 231 Bronte Road & 94 – 98 Carrington Road, Waverley)	Project Type: plan making Description: The planning proposal seeks to amend the building height (to be increased from 9m to part 10, 11 and 13.5m) and floor space ratio (to be increased from 1:1 to part 2:1 and 2.25:1) controls for the sites in the precinct of Charing Cross between Carrington and Bronte Road. The proposal also seeks to introduce a local provision to require the preparation of a site-specific Development Control Plan and to allow minor exceedance of the maximum permissible height. Statutory mechanism/ Implementation: LEP making and amendments to DCP provisions	Estimated total dwelling yield: 61 residential apartments and 1,564 sqm in retail floor space and 655 sqm of commercial floor space.	Gateway approval received in May 2021	Public exhibition: late 2021 Finalisation: April 2022	Risk 1: The Planning Proposal needs to be revised prior to public exhibition to address matters raised by the DPIE Mitigation 1: Work closely with the proponent and the DPIE to address these matters Risk 2: The timing of the Council election may delay the anticipated exhibition of the Planning Proposal Mitigation 2: Work with the DPIE to negotiate a suitable time for the public exhibition Risk 3: Loss of momentum from the proponent may cause delays Mitigation 3: Work closely with the proponent to retain momentum and identify potential roadblocks

Implementation and Delivery Plan

Project or Action Name	Project Details	Dwelling Yield	Current status	Key Milestones / Stakeholder engagement dates	Key Risks/ Dependencies
LHS Priority or Objective Link to LSPS Principle/ Action	Project Type Description Statutory mechanism/ Implementation	Estimated total dwelling yield Estimated 6-10 year/ 10+ year dwelling delivery	Estimated project Start and End date/ month		Risk Mitigation measures
War Memorial Hospital Campus Proposal (125 Birrell Street, Waverley)	<p>Project Type: plan making</p> <p>Description: Proposal to amend Waverley LEP 2012 to enable redevelopment of the War Memorial Hospital and immediate surrounds. The Proposal proposes additional local provisions relating to Alternative Building Heights (increase Height from 9.5m to 15m, 21m at different locations), Alternative Floor Space Ratio (increase FSR from 0.6:1 to 1.2:1) and additional permitted uses to enable the holistic redevelopment of the Edina Estate, to continue to provide health related uses and seniors housing and to retain and enhance the heritage and environmental significance of the site.</p> <p>Statutory mechanism/ Implementation: LEP making and amendments to DCP provisions</p>	Estimated total dwelling yield: 240 independent living units, 135 aged care beds, 70 hospital beds (includes the War Memorial Hospital Campus Proposal and the Planning Proposal at 99-117 Birrell Street).	Post-exhibition, making of LEP being undertaken by the DPIE	Public exhibition: June 2021 – July 2021 Finalisation: October 2021	<p>Risk 1: The site-specific DCP will not be in place until 2022 which may lead to delays in associated development applications</p> <p>Mitigation 1: Council will work with the proponent in a timely manner</p>

Implementation and Delivery Plan

Project or Action Name	Project Details	Dwelling Yield	Current status	Key Milestones / Stakeholder engagement dates	Key Risks/ Dependencies
LHS Priority or Objective Link to LSPS Principle/ Action	Project Type Description Statutory mechanism/ Implementation	Estimated total dwelling yield Estimated 6-10 year/ 10+ year dwelling delivery	Estimated project Start and End date/ month		Risk Mitigation measures
War Memorial Hospital Birrell Street Proposal (99-117 Birrell Street)	Project Type: plan making Description: The Proposal seeks to complement a separate planning proposal for the remainder of the block in Waverley for the War Memorial Hospital site. The Proposal proposes additional local provisions relating to Alternative Building Heights (increase Height from 9.5m to 15m, 21m at different locations), Alternative Floor Space Ratio (increase FSR from 0.6:1 to 1.2:1) and 10% affordable housing. Statutory mechanism/ Implementation: LEP making and amendments to DCP provisions	Estimated total dwelling yield: 240 independent living units, 135 aged care beds, 70 hospital beds (includes the War Memorial Hospital Campus Proposal and the Planning Proposal at 99-117 Birrell Street).	Pre-exhibition	Gateway determination: received 20 September 2021	Risk 1: Proponent has not acquired all the relevant properties which may cause issues in the development application stage Mitigation 1: Proponent makes best effort following due processes to acquire properties

Chapter 4. Program

This section summarises the timeframes for all projects outlined in the Project Plans and the Summary Table at Chapter 3.

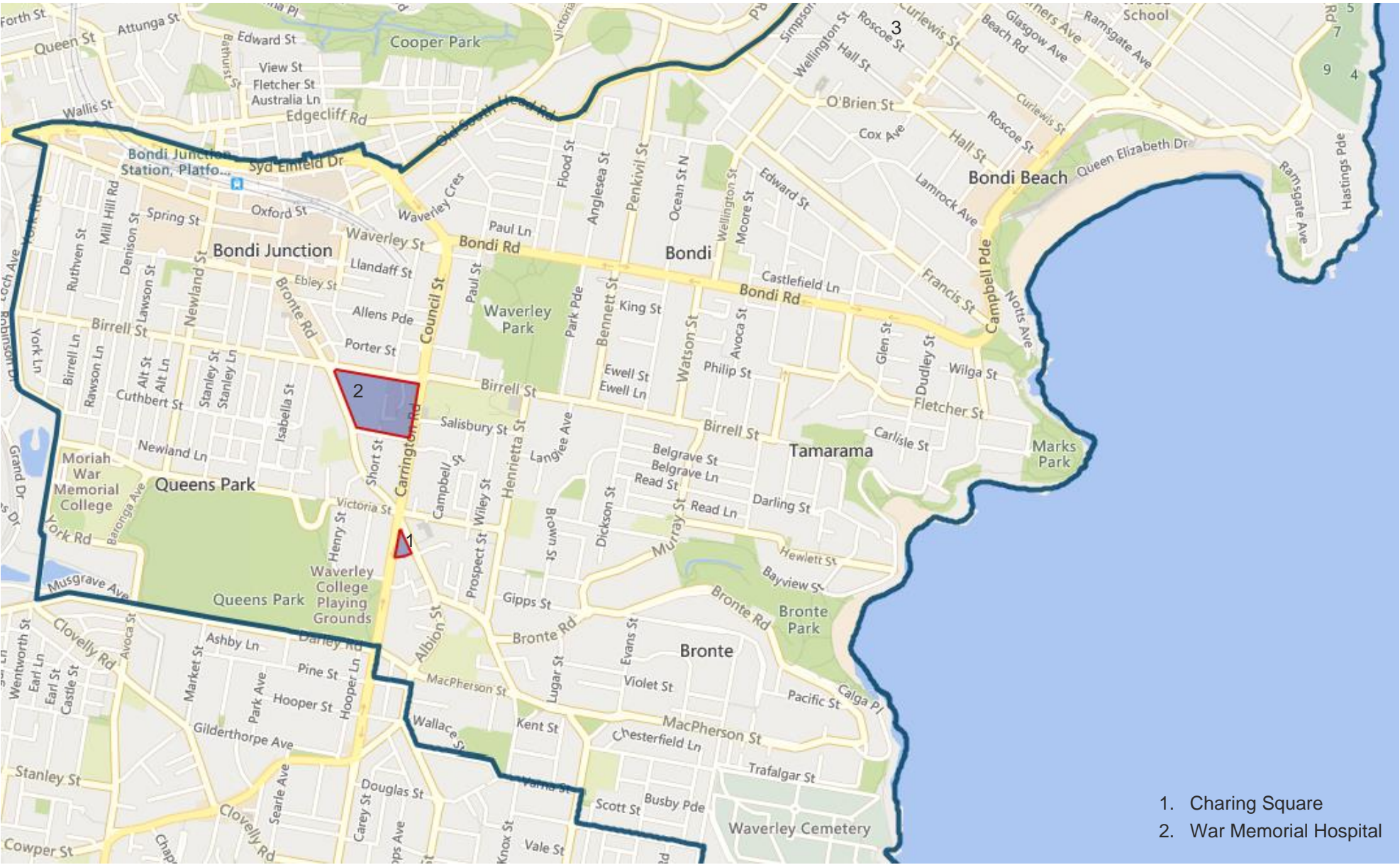
Table 2: Waverley Implementation and Delivery Program 2021-2023

Waverley Implementation and Delivery Program 2021-2023													
Project or Action name	Current Status	Start Date	End Date	2021		2022				2023			
				Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
DA and CDC tracker	In progress	Aug-21	Ongoing										
Staging framework for Planning Proposals	In progress	Sep-21	Oct-21										
Evaluation of housing supply against targets	To do	Dec-21	Dec-26										
Housing supply and demand research	To do	Nov-21	Jan-22										
Proponent led PP to rezone areas for uplift	To do	Jan-22	Jul-22										
Planning Proposal Assessment Guideline	To do	Oct-21	Mar-22										
Waverley Local Housing Strategy update	To do	Jan-23	Dec-23										
Other research tasks and policies	To do	Oct-21	Nov-23										

Table 3: Waverley Planning Proposal Staging Program 2021-2023

Waverley Planning Proposal Staging Program													
Planning Proposal name	Current Status	Dwelling yield (residential)	End Date	2021		2022				2023			
				Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Charing Square Planning Proposal	Pre-exhibition, gateway received	61	2022 Q2										
War Memorial Hospital Campus Proposal	Post-exhibition, gateway received	445	2021 Q4										
War Memorial Hospital Birrell Street Proposal	Pre-exhibition, gateway received	-	2022 Q2										
Total		506											

Chapter 5. Locational Map



Part 2: Detailed Project Plans

Project Plan – Project A

Project Brief Summary

Key Project Information

Project name:	
Council Reference No:	
Project commencement date:	
Anticipated completion date:	
Project Team	
Project Manager:	
Project Steering Committee	
Project Working Group	

Project Description & Objectives

Background & Context Information

Dwelling yield

Housing type	Total Estimated Dwelling Yield
Single dwelling houses	
Multi dwelling housing	
Apartments	
Total	

Estimated Housing Timeframe	Estimated dwelling delivery
6-10 year (2021-2026) target	

Implementation and Delivery Plan

Estimated Housing Timeframe	Estimated dwelling delivery
10+ year (2026+) supply	
Total	

Consultant Directory & Scope

Consultant A: Name, Surname, Position, telephone, email

Consultant B: Name, Surname, Position, telephone, email

Consultant	Scope of works	Contract start & completion dates

Team Structure

Team Member	Responsibility	Role /Responsibilities

Governance

Project Deliverables

Deliverables	Scope of work

Milestones & Timing

Milestone	Responsibility	Timing

Implementation and Delivery Plan

Stakeholder Engagement

Consultation type	Stakeholder	Date of / Period of consultation	Outcome

Risk Management

Potential Risk / dependency	Mitigation

Key Contacts & Communication Protocols

The below are the key contacts for the projects. The Communication protocol mainly includes the areas of work for which each key contact should be contacted.

Areas of communications	Key Contact	Responsibility	Contact details

Approval

Signature:	Signature:
Project Manager: Name, Surname	Project Director: Name, Surname



IRF21/1661

Ms Emily Scott
General Manager
Waverley Council
PO Box 9,
Bondi Junction 1355

Dear Ms Scott,

Waverley Council - Local Housing Strategy

Thank you for submitting Waverley's Local Housing Strategy (LHS) to the Department.

The Department commends Council on preparing a robust local analysis to support its LHS, providing Council with a clear understanding of the housing needs of the Waverley local government area.

I can confirm that as a delegate of the Secretary, I have determined to approve Waverley Council's Local Housing Strategy adopted by Council on 2 June 2020. In doing so, I have determined that:

- While the Department's analysis identifies the current pipeline is unable to meet the 6-10 year target in the District Plan and the 10-20 year forecast housing demand, there are identifiable and immediate opportunities for council to explore for additional housing to meet these housing targets. The LHS approval requires Council to implement the well resolved place planning undertaken by Council in the *Our Liveable Places Centres Strategy* and translate this to investigations for revisions for development controls for some of these centres. Doing this work in parallel with a plan(s) to implement public domain improvements as outlined in the strategy will help realise the centre's strategic vision.
- The LHS addresses some of the needs for housing diversity, although commitment to further actions for delivery are required.
- The LHS is committed to housing affordability, although mechanisms to implement this objective are required to be updated to be consistent with Departmental guidelines on financial feasibility.
- The LHS is generally consistent with Section 9.1 directions and SEPPs.
- The LHS is consistent with the Eastern District Plan, subject to the requirements identified below.

My approval is subject to the following requirements:

1. Prepare, and commence working to, a comprehensive work program and implementation plan to the Local Housing Strategy within 6 months of this approval being granted by the Department and to share this with the Department. This is to ensure that the Department and other State agencies have a clear understanding of the roles and responsibilities required to facilitate a consistent housing supply pipeline in Waverley.

2. Monitor and review housing supply pipeline and completions and to work with DPIE to address any identified issues to ensure achievement of the 6-10 year housing target. A monitoring and review system will ensure that appropriate mechanisms can be identified and implemented to contribute to Eastern City District housing supply over the medium to long term.
3. Note that the following LHS actions are not supported and are therefore are not approved as part of the LHS approval:
 - a. Action H1.1 Advised that there is sufficient capacity under current controls to accommodate housing targets and needs up to 2036.

The basis for this is that there is insufficient evidence to demonstrate long term sustained development to meet the projected needs of the LGA, in particular with regard to take up rates for the projected extensive redevelopment of Waverley's R2 Low Density Residential zones.
 - b. Action H3.1 – Develop an affordable housing contributions scheme that is inconsistent with DPIE guidelines.
4. That Council achieve its 6-10 year dwelling target set by the GSC provided that additional planning proposals are taken forward in accordance with the opportunities outlined in the Our Liveable Places Centres Strategies, with key focuses on Curlewis Street and/or the Bondi Road centres.
5. That Council in future iterations of its LHS adjust its committed 6-10 year target to align with GSC assurance requirements and that this is to be achieved through existing residential pipeline and further proposals to generate additional housing capacity.
6. Address the forecast shortfall in housing supply from 2021-2026 by commencing the following:
 - a. Action the implementation of Council's *Our Liveable Places Centres Strategy* to bring forward proponent-led or Council-led planning proposals for the Curlewis Street centre and/or Bondi Road centres, or other centres capable of accommodating additional residential uplift within 12 months of the date of the approval of this strategy; and
 - b. Commence consultation with Transport for New South Wales to investigate Infrastructure requirements to support housing growth within 12 months of the date of the approval of this strategy.
7. Address future housing supply for the period beyond 2026 by:
 - a. seeking to further implement Council's *Our Liveable Places Centres Strategy* to bring forward proponent-led or Council led planning proposals for centres capable of accommodating additional residential uplift by or before 2024, and
 - b. In the event that 7(a) is unlikely to provide for sufficient housing supply for the period beyond 2026, investigate other forms of residential redevelopment on the R2 lands identified by Council in the LHS as being suitable for redevelopment, such as apartments, medium density housing, seniors housing and/or student housing by 2024, and

- c. Commence consultation with Transport for New South Wales to investigate Infrastructure requirements to support housing growth beyond 2026, within 12 months of the date of the approval of this strategy.
8. Council is to revise its Affordable Housing Contribution Scheme to commit Council to examining the feasibility of levying affordable housing contributions for any new planning proposals that would result in development uplift or an increase in land value in line with SEPP 70 and the Department's *Guideline for Developing an Affordable Housing Contribution Scheme*. It is also encouraged that Waverley Council consider collaborating with a neighbouring council or councils to potentially deliver a joint approach/scheme for affordable housing.
9. Should Council wish to exclude limited areas from the *Low Rise Housing Diversity Code* (LRHDC) this may be achieved through the application of local character areas under the LEP. Council will need to provide a comprehensive evidence base in relation to the delivery of medium density housing (see Advisory Notes for more detail). This should include:
 - a. Historical and forecast supply of medium density housing, including statistics on range of housing types approved over the last five years (DA and CDCs) and anticipated future take up rates.
 - b. Include recommended controls outlined in LHS for medium density in implementation plan, including current status and timeline for implementation.
10. Council is to collaborate with relevant State Government agencies (including DPIE and TfNSW) to identify and progress longer term housing supply opportunities in a timely manner. This also includes working with Sydney Water for service capacity.
11. Council is to articulate in any future LHS and relevant strategic planning work, the need to balance employment, housing and urban services functions at Bondi Junction and other local centres. Future iterations of the LHS are to make reference to and address the alignment of the housing strategy with the Bondi Junction Commercial Centres Review, Council's *Our Liveable Places Centres Strategy* and any other relevant studies.
12. Council is to explore ways to incentivise the delivery of commercial development sought by the *Our Liveable Places Centres Strategy* by reviewing capability for housing capacity uplift in identified centres, while not reducing existing housing capacity or compromising unrealised residential development capacity under existing development controls.
13. Work with DPIE in identifying approaches to ensuring a consistent housing supply that meets the needs of students and workers with specific housing needs as identified in the LSPS.
14. That future iterations of the LHS identify the contribution of non-standard dwellings to the housing supply and targets.
15. That future iterations of the LHS should include a detailed analysis of land use opportunities and constraints that take into account likely take-up rates.
16. Prepare principles for assessing proponent-initiated requests for Planning Proposals, including out-of-sequence criteria to consider any additional opportunities for growth that are not identified in the LHS, or for urban renewal opportunities.
17. Council is to update or revise the Local Housing Strategy to inform its Local Strategic Planning Statement following the making of a future District Plan.

18. The direction and strategic planning approaches endorsed in any State led precinct plans are to prevail in the event of any inconsistency with this approval and/or the Council's local housing strategy (as revised and current).

Any planning proposals for new housing development will be assessed against Waverley Council's LHS, the requirements above and advisory notes attached. Any State Government policy changes that may occur in the future are to prevail in the event of any inconsistency.

Once again, I would like to take this opportunity to acknowledge the significant amount of work your team has undertaken to develop the LHS. Please be advised that the LHS will be published on the NSW ePlanning Portal alongside the letter of approval and advisory notes.

Should you have any further questions, please contact Deborah Dickerson, Specialist Planning Officer on 9275 1121.

Yours sincerely



Jenny Rudolph
Acting Executive Director
Local Strategies and Plan Making

16 July 2021

Encl: Advisory Notes



Waverley Local Housing Strategy

Advisory Notes

The following advisory notes identify the further work Council will need to undertake to strongly position future planning proposals and further iterations of the Local Housing Strategy. The advisory notes provide specific guidance on matters that Council is encouraged to consider when next updating the LHS. The Department will expect these same matters to be addressed in planning proposals, and will be reinforcing them through Gateway determinations as an interim measure until the LHS is further updated in accordance with the approval requirements and these notes.

Matter	Consideration for future LHS updates and preparation and assessment of planning proposals
General	
Implementation	<p>Future iterations of the LHS should be underpinned by an implementation plan with a priority work program, clearly defined roles, responsibilities and definitive timeframes with risks and dependencies identified. This is encouraged to be informed by resourcing and budgets to demonstrate how housing targets will be delivered.</p> <p>The implementation plan should specifically address:</p> <ul style="list-style-type: none"> Investigation, planning and implementation of Council's <i>Our Liveable Places Centres Strategy</i> to bring forward planning proposals for centres capable of accommodating additional residential uplift. This should include a staging plan involving: <ul style="list-style-type: none"> Time frames for proponent-led planning proposals to contribute to the 2021-2026 housing target, and housing supply beyond 2026, and Timeframes to activate Council-led planning proposals in the event that anticipated proponent led planning proposals do not meet the staging plan. Investigate redevelopment options on the R2 lands identified by Council in the LHS as being suitable for redevelopment. This should take into account Action H2.2 that requires opportunity sites for Seniors Housing to be identified as a short term action. This should include feasibility and take up analysis. Investigate the feasibility of affordable housing contributions for areas subject to uplift in accordance with DPIE's Guideline for Developing an Affordable Housing Contribution Scheme Identify housing diversity targets including for Seniors Housing and Student/ Worker Housing.
Review and monitoring framework	Revisions to the LHS may be required in response to significant changes in the LGA such as announcements on new infrastructure investment and employment opportunities, significant changes in projected population growth or updates to the LSPS.



Matter	Consideration for future LHS updates and preparation and assessment of planning proposals
	<p>While Action H1.5 includes to monitor the ongoing housing supply and capacity, the 'timeframe' should be altered from medium-term to ongoing.</p> <p>Implement a detailed monitoring program which specifically tracks take up rates and provides early identification of any changes to planning controls required to achieve housing targets. This is to inform whether future changes to the LEP and/or DCP are required to incentivise or encourage housing diversity or in response to the new Housing Diversity Code once finalised. The monitoring program should include the following:</p> <ul style="list-style-type: none"> • Residential dwellings and units, • The take up of infill opportunities identified in the R2 zone relied upon in the current 10-20 year housing target; • Other residential housing forms including: Seniors housing, student housing, boarding houses and granny flats.
Making appropriate provision for any additional housing opportunities that may arise out of sequence	<p>The inclusion of a transparent and robust framework to consider additional opportunities will assist Council, the Department and other relevant agencies to assess proposals that are inconsistent with the LHS. It will also ensure that changes to land use or development controls do not take place without demonstrating strong strategic merit.</p> <p>Council is encouraged to develop a framework within which to consider such proposals, including but not limited to:</p> <ul style="list-style-type: none"> • Strategic merit and case for change • Robust demographic evidence • Demand analysis and economic impacts • Infrastructure delivery and funding to be borne by the proponent • Stakeholder consultation and outcomes • Sustainability and resilience • Social and affordable housing contribution
Community and Stakeholder Engagement	Incorporate findings of exhibition of the LHS as well as relevant community and stakeholder engagement.
Consultation and engagement with agencies	<p>Council is to continue consultation with the following agencies:</p> <ul style="list-style-type: none"> • TfNSW in relation to place based outcomes for the <i>Our Liveable Places Centres Strategy</i> • DPIE Planning Policy in relation to current and future planning proposals for Local Character Areas and Affordable Housing Policy.
Interdependencies with relevant local evidence base	Revisions to the LHS should identify interdependencies.



Matter	Consideration for future LHS updates and preparation and assessment of planning proposals
Consistency with Strategies for the Retention of Employment Lands and Urban Services	<p>It is noted that the GSC letter of support for the LSPS required DPIE to confirm if the Bondi Junction Commercial Centres Review requires approval to inform LEP updates. The GSC letter also requires confirmation by DPIE if the Village Centres Strategy and Local Housing Strategy are required to be co-ordinated with potential mechanisms to ensure urban services are provided in Waverley.</p> <p>In order to facilitate DPIE addressing the requirements of the GSC letter as noted above, future iterations of the LHS are to address the alignment of the Housing Strategy with <i>the Our Liveable Places Centres Strategy</i>, Bondi Junction Urban Design Review and other relevant studies and discuss how the housing strategy balances the needs for housing, employment lands and urban services in Waverley.</p>
Data	
Clarification of 6 to 10 year and 10-20 year housing target	<p>Revisions to the LHS should provide a breakdown of how the 6 to 10 year and 10 to 20 year target will be achieved, including when and where anticipated supply will be delivered and explain market take up rates.</p> <p>Council should ensure that all population and dwelling forecasts are cross-checked against published DPIE projections to provide greater transparency. Additional guidance and support can be arranged with the Department's Evidence and Insights division to resolve any variations in dwelling forecasts.</p> <p>The Department has identified that progression of planning proposal/s for centres capable of accommodating additional residential uplift as identified in Council's Our Liveable Places Centres Strategy is necessary to contribute to Council's 6 to 10 year and 10 to 20 year housing target. Additional redevelopment opportunities on the R2 lands identified by Council in the LHS as suitable for redevelopment may further assist Council in satisfying the housing needs of the area.</p>
Dwelling Diversity	
Medium Density Housing	Revisions to the LHS should identify mechanisms to deliver medium density housing, including details of baseline supply and demand studies, investigation of housing typologies and land suitability, and potential precinct plans.
Affordable Housing Contribution Scheme	<p>The Department does not support the use of SEPP70 as an LGA wide standard to increase contributions for affordable housing. The City of Sydney's scheme as referenced by Council was proposed and lodged with the Department prior to DPIE's Affordable Housing Guideline being developed. An approach consistent with the City of Sydney is not supported by the Department.</p> <p>Consistent with the guideline, a requirement for approval is recommended that Council prepare an Affordable Housing Contribution Scheme that commits Council to examining the feasibility of levying affordable housing contributions for any new planning proposals that would result in development uplift or an increase in land value, such as the Curlewis Street/Old South Head Road precinct identified in Council's Our Liveable Places Strategy.</p>



Matter	Consideration for future LHS updates and preparation and assessment of planning proposals
	The scheme should be prepared in accordance with the Greater Sydney Region Plan key parameters for successful implementation of Affordable Rental Housing Targets and the NSW Government's <i>Guideline for Developing an Affordable Housing Contribution Scheme</i> .
Local Character	
Low Rise Housing Diversity Code	<p>The introduction of local character areas and local low-rise housing diversity controls would be contingent on an assessment of the evidence base when the relevant planning proposal is submitted to the Department. The approval of the Local Housing Strategy is not to be construed as support for a LRHDC exemption</p> <p>Should Council wish to exclude limited areas from the Low Rise Housing Diversity Code (LRHDC) through local character areas, the LHS will need to provide a comprehensive evidence base in relation to the delivery of medium density housing. This should include:</p> <ul style="list-style-type: none"> • Historical and forecast supply of medium density housing, including statistics on range of housing types approved over the last five years (DA and CDCs) and anticipated future take up rates. • Include recommended controls outlined in LHS for medium density in implementation plan, including current status and timeline for implementation. • Incorporate framework to monitor and review the delivery of medium density housing within the LGA.
Inter Governmental Agency Advice	
School Infrastructure NSW	<p><i>SINSW requests that consultation between SINSW and Council occurs:</i></p> <ul style="list-style-type: none"> • <i>Prior to the finalisation of any future strategic direction and planning proposal that consequentially proposes an increase to the residential population/number of dwellings contained, in response to the draft Housing Strategy; and</i> <p><i>When Council is aware of deviations in the following:</i></p> <ul style="list-style-type: none"> • <i>number of lots/ dwellings altering from planning proposal estimates/ strategic plans</i> • <i>A population demographic that deviates from the planning profile, either with more or less young families</i> • <i>Rates of development and dwelling take-up varying from planned release programmes</i> <p><i>This is to ensure SINSW specifically understands where growth, or changes to growth rates is occurring and can effectively respond by targeting appropriate resourcing to impacted government schools.</i></p>



Matter	Consideration for future LHS updates and preparation and assessment of planning proposals
Transport for NSW	<p><i>TfNSW advised that it would like to work closely with Council in the development of its transport studies to support the LHS, such as the following:</i></p> <ul style="list-style-type: none"> <i>TfNSW welcomes the opportunity to work with Council to better understand the traffic and transport implications of housing growth identified in the LHS through a comprehensive transport impact study and developer contribution frameworks, developed in consultation with TfNSW</i> <i>Collaborate with TfNSW to investigate travel demand management measures, with a greater focus on improving facilities and safety for people walking, cycling and using public transport.</i> <i>T4 Eastern Suburbs and Illawarra Line (Central to Bondi Junction) via Bondi Junction and Edgecliff stations is underutilised. The use of Edgecliff station needs to be encouraged by providing better accessibility, connectivity and amenities. In particular, Council should investigate opportunities for infrastructure provisions at transport interchange facilities to improve safety, wayfinding and accessibility.</i> <i>Collaborate with TfNSW to address the need for improved pedestrian crossing points (especially aligned with bus stops) while minimising delays to the movement of customers.</i> <i>In order to attract people to use buses as a mode of transport, existing bus routes need to be reviewed with some quality improvements to bus stop facilities and capacity required.</i> <i>Consider opportunities in collaboration with TfNSW to review speed limits on local roads within the LGA (especially Darlinghurst, Edgecliff, Double Bay, Rose Bay and Bondi), to enhance road safety.</i> <i>The impact of the future developments on the road network including local and state roads and public transport service capacity, the passenger capacity on T4 Eastern /Illawarra Line and bus services will need to be considered in more detail once the nature and timing of these new developments are known, and where possible early planning and integration of potential active and public transport infrastructure to/from the developments should be considered at the early stages of development approval. It is the Council's opportunity now to ensure these new developments are well serviced by sustainable transport connections and to identify the public transport service capacity is adequate for future growth.</i> <p><i>TfNSW requests to work closely with Council in the development of its transport studies to support forthcoming LEP amendments as a result of the LSPS and LHS.</i></p>

**REPORT
CM/7.7/21.10**

Subject: Voluntary Planning Agreement - 157-159 Military Road, Dover Heights

TRIM No: DA-316/2015/B

Author: Tina Wang, Strategic Planner

Director: Tony Pavlovic, Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Endorses the draft Planning Agreement attached to the report applying to land at 157–159 Military Road, Dover Heights, offering a total monetary contribution of \$54,320, with \$40,740 (75%) to be allocated to the upgrade and improvement of parks and reserves in Dover Heights and \$13,580 (25%) to be allocated to Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

1. Executive Summary

This report seeks Council's endorsement to execute the attached draft Planning Agreement associated with the approved development application DA-316/2015/B at 157–159 Military Road, Dover Heights. The application was approved for modification to alter the internal layout, relocation of bicycle parking, modification of the residential entry and various other minor external alterations. The modification to DA-316/2015 resulted in an additional 28 sqm of gross floor area. Subsequently, an offer was made to enter into a planning agreement with Council.

The draft planning agreement associated with the development application was placed on public exhibition in accordance with section 7.5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Five submissions were received.

2. Introduction/Background

The draft Planning Agreement offers a total monetary contribution of \$54,320 in accordance with Council's Planning Agreement Policy 2014.

3. Relevant Council Resolutions

Nil.

4. Discussion

Planning Agreement's monetary contribution to a public purpose

Section 7.4 of the EP&A Act requires that the monetary contribution from a planning agreement be allocated to a public purpose. The draft Planning Agreement offers a total monetary contribution of \$54,320, with \$40,740 (75%) to be allocated to the upgrade and improvement of parks and reserves in Dover Heights and \$13,580 (25%) to be allocated to Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014.

The decision to allocate funding is based on a review of feedback received from consultation to confirm community needs and wants and target additional funding to maximise the benefit to the community.

Public exhibition of the draft Planning Agreement

The draft Planning Agreement was drafted in accordance with section 7.5 of the EP&A Act, which requires an agreement to be exhibited for a period of 28 days. The draft Planning Agreement and Explanatory Note were exhibited from 14 July 2021 to 10 August 2021, and included:

- Notice in the *Wentworth Courier*.
- Advertising on Council's Have Your Say website.

Submissions

Five submissions were received during the exhibition period. One submission asked that the VPA contribution funds be allocated to new road infrastructure and road resurfacing. This submission has been noted and will be considered in the future should opportunities arise.

Four submissions asked that the VPA contribution funds go towards improving parks and reserves in Dover Heights only. This suggested amendment to the public purpose of the VPA is reasonable, as the subject development is located in Dover Heights and that improvement of parks and reserves in Dover Heights would benefit both the Rose Bay and Dover Heights communities given their proximity to each other. Furthermore, the suggested amendment would not materially affect the terms and conditions of the VPA, and the public interest.

Furthermore, on 23 August 2021, the public purpose of the VPA was discussed at the Dover Heights Precinct meeting. The Dover Heights Precinct endorsed using the VPA funds for 157–159 Military Road for shade cloth at the Dudley Page playground or additional playground equipment at the Dudley Page Reserve Playground or addition fitness equipment at the Dudley Page Reserve Gym. This suggestion aligns with the public purpose proposed.

The public purpose of the 75% of the contribution has therefore been amended to '\$40,740 (75%) to be allocated to the upgrading and improvement of parks and reserves in Dover Heights'.

5. Financial impact statement/Time frame/Consultation

Subject to Councils endorsement of the planning agreement it will be executed, and the applicant will be required to pay a total monetary contribution of \$54,320, in accordance with Council's Planning Agreement Policy 2014.

6. Conclusion

The draft Planning Agreement has been placed on exhibition in accordance with section 7.5 of the EP&A Act. It is recommended that Council endorses the attached draft Planning Agreement for execution.

7. Attachments

1. Draft planning agreement [↓](#)
2. Explanatory note [↓](#) .

WAVERLEY COUNCIL

(Council)

AND

**ROIA DEVELOPMENT PTY LTD
(ACN 646 765 648)**

AND

**IOMT DEVELOPMENTS PTY LTD
(ACN 646 590 221)**

(Developer)

PLANNING AGREEMENT

(Development Contribution)

**WAVERLEY COUNCIL
Council Chambers
Cnr Bondi Road & Paul Street
BONDI JUNCTION NSW 2022
DX 12006 BONDI JUNCTION
Phone: 02 9083 8000
Facsimile: 02 9387 1820**

PLANNING AGREEMENT NO. _____
Section 7.4 of the Environmental Planning and Assessment Act, 1979

THIS AGREEMENT is made on

2021

PARTIES

WAVERLEY COUNCIL of Cnr Paul Street and Bondi Road, Bondi Junction NSW 2022
ABN 12 502 583 608 ("**Council**")

AND

ROIA DEVELOPMENT PTY LTD (ACN 646 765 648) of Level 2, 115 Pitt Street, Sydney NSW
2000

AND

IOMT DEVELOPMENTS PTY LTD (ACN 646 590 221) of Level 3, 8 – 10 King Street, Rockdale
NSW 2216 ("**Developer**")

BACKGROUND/RECITALS

- A.** The Developer is the registered proprietor of the Land having purchased the Land with the benefit of the Development Consent.
- B.** The Council is the local authority constituted under the Local Government Act 1993 and the planning and consent authority constituted under the Act.
- C.** On 14 August 2020 the Development Application was made to Council to modify development consent DA-316/2015 to carry out the Development on the Land.
- D.** An offer was made to Council in connection with the Development Application, to enter into this Agreement and to make the Development Contribution to be applied towards a public purpose in accordance with Council's Planning Agreement Policy. The offer was subsequently clarified and confirmed by the Developer on 17 June 2021.
- E.** The Development Consent was granted on 1 December 2020.
- F.** This Agreement is consistent with the Developer's offer referred to in Recital D.

- G.** A planning agreement was previously entered into in accordance with DA-316/2015 and the monetary contribution pursuant to same paid in 2018 ("2018 Planning Agreement"). This Agreement does not impact or supersede the 2018 Planning Agreement.

OPERATIVE PROVISIONS:

1 PLANNING AGREEMENT UNDER THE ACT

The parties agree that this Agreement is a planning agreement governed by Section 7.4 and Subdivision 2 of Division 7.1 of Part 7 of the Act.

2 APPLICATION OF THIS AGREEMENT

This Agreement applies to the Land and to the Development proposed in the Development Application, as may be modified.

3 OPERATION OF THIS AGREEMENT

This Agreement shall take effect on and from the date of this Agreement. The parties must execute and enter into this Agreement as soon as possible after the Development Consent is granted and prior to the issue of any Construction Certificate for the Development that relates to works contained in DA-316/2015/B.

4 DEFINITIONS AND INTERPRETATION

4.1 Definitions

In this Agreement unless the context otherwise requires:

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

"Agreement" means this agreement;

"Bank Guarantee" means an irrevocable and unconditional undertaking by a trading bank approved by the Council to pay the Development Contribution amount on demand without an expiry or end date and containing terms and conditions acceptable to Council and in accordance with clause 9 of this Agreement;

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

"Caveat Form" means an irrevocable authority to Waverley Council to register and maintain a caveat on the Land, in a form acceptable to Council and executed by the owner of the Land, or such other form of owner's consent to caveat as may be required by Council;

"Certifying Authority" means any accredited private certifier including where appropriate, a Principal Certifying Authority (PCA) appointed or to be appointed to

certify the Development or any aspect of it;

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

“Construction Certificate” means any construction certificate as referred to in s 6.4 of the Act in respect of the Development Consent;

“Development” means the development the subject of the Development Application described in item 4 of the Schedule;

“Development Application” means the development application referred to in item 3 of the Schedule;

“Development Consent” means the development consent granted in respect of the Development Application described in item 3 of the Schedule;

“Development Contribution” means the amount of money referred to in item 5 of the Schedule;

“Development Contribution Date” means the time the Development Contribution is to be paid as specified to in item 7 of the Schedule;

“GST” has the same meaning as in the GST Law;

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

“Land” means the land described in item 2 of the Schedule and any consolidation or subdivision thereof;

“Occupation Certificate” means any occupation certificate as referred to in s 6.4 of the Act in respect of the Development or the Development Consent;

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

“Public Purpose” for the purpose of this Agreement means the public purpose described in item 6 of the Schedule;

“Registration Application” means an application for registration of this Agreement as a planning agreement on the title of the Land pursuant to Section 7.6 of the Act in a form approved by the Registrar General;

“Schedule” means the schedule to this Agreement.

4.2 Interpretation

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

- (a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement;
- (b) A reference in this Agreement to a business day means a day other than a

Saturday or Sunday on which banks are open for business generally in Sydney, New South Wales;

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

5 DEVELOPMENT CONTRIBUTION TO BE MADE UNDER THIS AGREEMENT

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

- 5.3 Notwithstanding any other provision herein, the Development Contribution herein, being as set out in condition 1A(a)(ii) of the Development Consent is subject to increase in accordance with paragraph 7 of the offer made by the Developer referred to in Recital D.

6 APPLICATION OF THE DEVELOPMENT CONTRIBUTION

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

7 APPLICATION OF S7.11 AND S7.12 OF THE ACT TO THE DEVELOPMENT

- 7.1 This Agreement does not exclude the application of Sections 7.11, 7.12 or 7.24 of the Act to the Development.
- 7.2 The Development Contribution provided by the Developer will not be taken into consideration in determining any development contribution under Section 7.11 or 7.12 of the Act.

8 REGISTRATION OF THIS AGREEMENT

- 8.1 The Parties agree this Agreement is to be registered by the Registrar-General as provided for in section 7.6 of the Act.
- 8.2 The Developer warrants that they have done everything necessary to enable this Agreement to be registered under section 7.6 of the Act.
- 8.3 Without limiting clause 8.2, the Developer warrants that they have obtained the express written consent to the registration of this Agreement under section 7.6 of the Act from:
- (a) If this Agreement relates to land under the *Real Property Act 1900*, each person who has an estate or interest in the Land registered under that Act; or
 - (b) If this Agreement relates to land not under the *Real Property Act 1900*, each person who is seized or in possession of an estate or interest in the Land.
- 8.4 Within 14 days of entering into this Agreement and in any event prior to the issue of any Construction Certificate, the Developer will at their cost arrange and effect registration of this Agreement under s7.6 upon the title to the Land and as soon as possible will:
- (a) deliver to the Council the Registration Application in registrable form noting the Council as applicant and executed by the owner of the Land and any other person the subject of the warranty in clause 8.3;
 - (b) produce or cause to be produced the title deed with NSW Land Registry Services and advise Council of the production number or provide a copy of the CoRD Holder Consent as may be applicable;
 - (c) provide the Council with a cheque in favour of NSW Land Registry Services, NSW for the registration fees for registration of this Agreement;
 - (d) provide the Council with a cheque in favour of the Council for its reasonable

- costs, expenses and fees incurred or to be incurred in connection with the preparation of this Agreement and any documents, form or instrument created or to be created in accordance with the provisions of this Agreement; and
- (e) take any other necessary action so as to ensure this Agreement is registered on the title to the Land prior to the issue of any Construction Certificate.
- 8.5 Upon compliance with clause 8.4 by the Developer the Council will promptly lodge the Registration Application with the Registrar General.
- 8.6 The Parties will co-operate with each other to ensure that the Agreement is registered by the Registrar General.
- 8.7 Upon payment of the Development Contribution or surrender of the Development Consent, the Developer may request in writing the removal of the dealing created by registration of the Agreement from the title to the Land. The Council will not withhold its consent to such removal, provided the Developer pays all reasonable costs, expenses and fees of the Council relating to such removal.
- 8.8 Should payment of the Development Contribution or surrender of the Development Consent occur upon the date of this Agreement and prior to issue of a Construction Certificate, then there will be no obligation to register this Agreement in accordance with this clause nor provide the Bank Guarantee in accordance with clause 9.1.
- 8.9 Upon registration of this Agreement by the Registrar General, this Agreement is binding on, and is enforceable against the owner of the Land from time to time as if each owner for the time being had entered into this Agreement.

9 BANK GUARANTEE

9.1 Provision of Bank Guarantee

- (a) Subject to clause 8.8, prior to the issue of any Construction Certificate, the Developer must deliver to the Council a Bank Guarantee, which must be:
- (i) in a form and from an institution approved by the Council;
 - (ii) irrevocable and unconditional;
 - (iii) with no expiry date;
 - (iv) issued in favour of the Council;
 - (v) for an amount equivalent to the Development Contribution set out in Item 5 of the Schedule;
 - (vi) drafted to cover all of the Developer's obligations under this Agreement; and
 - (vii) on the terms otherwise satisfactory to the Council.
- (b) The Developer acknowledges that the Council enters into this Agreement in

consideration of the Developer providing the Bank Guarantee as a security for the performance of all of the Developer's obligations under this Agreement, including without limitation the delivery of the Development Contribution to Council in accordance with this Agreement.

9.2 Calling on Bank Guarantee

- (a) The Council may call on the Bank Guarantee in the event that the Developer:
- (i) fails to make a payment of any part of the Development Contribution in accordance with this Agreement or any other amount payable under this Agreement by its due date for payment; or
 - (ii) breaches any other term or condition of this Agreement,
- and fails to remedy the relevant failure or breach within 7 days after the Council's notice.
- (b) If the Council calls on the Bank Guarantee as a result of the Developer's failure to pay any amount due under this Agreement, then the Council will apply the amount received pursuant to its claim on the Bank Guarantee towards the Developer's obligation to pay the relevant amount and will deduct that amount from the total amount payable under this Agreement. In those circumstances, the Developer will be required to pay to the Council any outstanding balance of the Development Contribution and other amounts payable under this Agreement.

9.3 Return of Bank Guarantee

Subject to clause 9.2, provided that the Developer has complied with its obligations under this Agreement, to pay the Development Contribution or any other amount payable under this Agreement, the Council will return the Bank Guarantee to the Developer.

10 REVIEW OF THE AGREEMENT

Any amendment or review of this Agreement shall be by agreement in writing and in compliance with section 7.5 of the Act.

11 DISPUTE RESOLUTION

11.1 Notice of dispute

If a Party claims that a dispute has arisen under this Agreement ("Claimant"), it must give written notice to the other Party ("Respondent") stating the matters in dispute and designating as its representative a person to negotiate the dispute ("Claim Notice").

No Party may start Court proceedings (except for proceedings seeking interlocutory relief) in respect of a dispute unless it has first complied with this clause.

11.2 Response to notice

Within ten business days of receiving the Claim Notice, the Respondent must notify the Claimant of its representative to negotiate the dispute.

11.3 The nominated representative must:

- (i) Meet to discuss the matter in good faith within five business days after services by the Respondent of notice of its representatives;
- (ii) Use reasonable endeavours to settle or resolve the dispute within 15 business days after they have met.

11.4 Further notice if not settled

If the dispute is not resolved within 15 business days after the nominated representatives have met, either Party may give to the other a written notice calling for determination of the dispute ("Dispute Notice") by mediation under clause 11.5 or by expert determination under clause 11.6.

11.5 Mediation

If a Party gives a Dispute Notice calling for the dispute to be mediated:

- (i) The Parties must agree to the terms of reference of the mediation within five business days of the receipt of the Dispute Notice (the terms shall include a requirement that the mediation rules and the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply);
- (ii) The mediator will be agreed between the Parties, or failing agreement within five business days of receipt of the Dispute Notice, either Party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;
- (iii) The mediator appointed pursuant to this Clause 11.5 must:
 - (a) Have reasonable qualifications and practical experience in the area of disputes; and
 - (b) Have no interest or duty which conflicts or may conflict with his function as mediator, he being required to fully disclose any such interest or duty before his appointment;
- (iv) The mediator shall be required to undertake to keep confidential all matters coming to his knowledge by reason of his appointment and performance of his duties;
- (v) The Parties must within five business days of receipt of the Dispute Notice notify each other of their representatives who will be involved in the mediation;
- (vi) The Parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement;

- (vii) In relation to costs and expenses:
 - (a) Each Party will bear their own professional and expert costs incurred in connection with the mediation; and
 - (b) The cost for the mediator will be shared equally by the Parties unless the mediator determines a Party has engaged in vexatious or unconscionable behaviour in which case the mediator may require the full cost of the mediation to be borne by that Party.

11.6 Expert Determination

If the dispute is not resolved under clause 11.3 or 11.5 the dispute may, by agreement between the Parties, both acting reasonably having regard to the nature of the dispute, be resolved by expert determination, in which event:

- (i) The dispute must be determined by an independent expert in the relevant field:
 - (a) Agreed upon and appointed jointly by the Council and the Developer; or
 - (b) In the event that no agreement is reached or appointment made within 30 business days, appointed on application of a Party by the then current President of the Law Society of New South Wales;
- (ii) The expert must be appointed in writing and terms of the appointment must not be inconsistent with this clause;
- (iii) The determination of the dispute by such expert will be made as an expert and not as an arbitrator and will be in writing and containing reasons for the determination;
- (iv) The expert will determine the rules of the conduct for the process, but must conduct the process in accordance with the rules of natural justice;
- (v) Each Party will bear its own costs in connection with the process and the determination by the expert together with an equal proportion of the expert's fees and costs; and
- (vi) Any determination made by an expert pursuant to this clause is final and binding upon the Parties except where the determination is in respect of, or relates to, termination or purported termination of this Agreement by any Party, in which event the expert is deemed to be giving a non-binding appraisal and any Party may commence litigation in relation to the dispute if it has not been resolved within 20 business days of the expert giving his or her decision.

11.7 Litigation

If the dispute is not finally resolved in accordance with this clause 11, either Party is at liberty to litigate the dispute.

11.8 Continue to Perform Obligations

Each Party must continue to perform its obligations under this Agreement, notwithstanding

the existence of a dispute.

12 ENFORCEMENT

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

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

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

12.3 The Developer acknowledges and agrees that:

- (a) the Land is charged with the payment to Council of the Development Contribution until the Development Contribution is paid in full to Council;
- (b) Council has a caveatable interest in the Land from the later of the date of the Development Consent and this Agreement until the Development Contribution and any other monies due to Council under this Agreement are paid in full to Council;
- (c) Council has the right to lodge and maintain a caveat against the title to the Land to notify of and protect its interest created by this Agreement (including the charge in (a), until the Development Contribution and any other monies due to Council under this Agreement are paid in full to Council;
- (d) unless the Development Contribution is paid to Council by the Developer upon entering into this Agreement, the Developer shall provide Council with the Caveat Form; and
- (e) Upon payment of the Development Contribution or surrender of the Development Consent, the Developer may request in writing the removal of the caveat from the title to the Land. The Council will not withhold its consent to such removal, provided the Developer pays all reasonable costs, expenses and fees of the Council relating to such removal and has complied with all its obligations under

this Agreement.

13 NOTICES

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

14 APPROVALS AND CONSENT

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

15 ASSIGNMENT AND DEALINGS

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

16 COSTS

Council's costs of and incidental to the preparation and execution of this Agreement and any related documents and registration of same shall be borne by the Developer. The Developer shall be responsible to pay its own costs and any stamp duty arising from this Agreement or its preparation.

17 ENTIRE AGREEMENT

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

18 FURTHER ACTS

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

19 GOVERNING LAW AND JURISDICTION

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

20 JOINT AND INDIVIDUAL LIABILITY AND BENEFITS

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

21 NON FETTER

The Developer acknowledges and agrees that:

- (a) in addition to its obligations under this Agreement the Council is also responsible for the conduct and administration of local government in the Waverley Local Government Area;
- (b) this Agreement in no way affects Council's statutory obligations, functions or powers, including without limitation, its obligations, functions or powers in respect of the Development Application, Development Consent and any other approvals

required in respect of the works to be carried out under the Development Consent;

- (c) nothing which the Council does or fails to do under this Agreement will limit or otherwise affect the Developer's obligations under the Development Consent; and
- (d) nothing which the Council does, fails to do or purports to do in performing the Council's statutory functions or powers will constitute or amount to a breach of this Agreement.

22 REPRESENTATIONS AND WARRANTIES

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

23 SEVERABILITY

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

24 MODIFICATION

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

25 WAIVER

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

26 GOODS & SERVICES TAX

- 26.1 The Parties agree and acknowledge, all amounts payable by one party to the other

party in relation to a supply under this Agreement have been calculated exclusive of GST which may be imposed on the supply.

26.2 If any supply made under this Agreement is, or becomes, subject to GST, the party to whom the supply is made ("**Recipient**") must pay to the party making the supply ("**Supplier**"), as consideration, in addition to any consideration payable or to be provided elsewhere in this Agreement, subject to issuing a Valid Tax Invoice, an additional amount on account of GST, such amount to be calculated by multiplying the consideration by the applicable rate of GST.

26.3 Any amount in respect of GST payable under clause 26.2 must be paid to the Supplier immediately on receipt of the Valid Tax Invoice.

26.4 If any party is required to reimburse or indemnify the other party for a cost or expense ("**Cost**") incurred by the other party, the amount of that Cost for the purpose of this Agreement is the amount of the Cost incurred, less the amount of any credit for, or refund of, GST, which the party incurring the Cost is entitled to claim in respect of the Cost.

27 EXECUTION IN TRIPLICATE

The Parties shall execute this Agreement in triplicate so as to provide one original signed by both parties and a further copy for registration of the Agreement under s7.6 of the Act. This Agreement will be dated on the day of execution by all Parties.

SCHEDULE

<u>Item Number</u>	<u>Particulars</u>	<u>Description</u>
1	Developer	ROIA Development Pty Ltd (ACN 646 765 648) and IOMT Developments Pty Ltd (ACN 646 590 221)
2	Land	157 – 159 Military Road, Dover Heights (Lot 1 in DP 126719)
3	Development Application	DA-316/2015/B
4	Development (description)	Demolition of existing building, construction of mixed use building with basement car parking and strata subdivision as modified to alter internal layout, relocation of bicycle parking, modification of residential entry and various other external alterations
5	Development Contribution	\$54,320
6	Public Purpose	Towards the Waverley Affordable Housing Program (25%) and upgrading and improving parks and reserves in Dover Heights (75%)
7	Development Contribution Date (Payment date for the Development Contribution)	Prior to the issue of any Occupation Certificate
8	Developer Address	159 Military Road, Dover Heights NSW 2030
	Developer Fax	N/A
	Developer Email	martin@airthbuilding.com.au

Council Address

Corner Paul Street and Bondi Road,
Bondi Junction NSW 2022

Council Fax

(02) 9387 1820

Council Email

info@waverley.nsw.gov.au

DRAFT

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

EMILY SCOTT

General Manager

CLR PAULA MASSELOS

Mayor

**EXECUTED by
ROIA DEVELOPMENT PTY LTD
(ACN 646 765 648)**

In accordance with section 127 of the
Corporations Act 2001

MARTIN AIRTH

Sole Director/Secretary

EXECUTED by
IOMT DEVELOPMENTS PTY LTD
(ACN 646 590 221)
In accordance with section 127 of the
Corporations Act 2001

DANIEL KRIMOTAT

Sole Director/Secretary

DRAFT

Explanatory Note

157 – 159 Military Road, Dover Heights Development Application No. DA-316/2015/B

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

Planning Agreement

The purpose of this explanatory note is to provide a summary to support the notification of a draft Planning Agreement under Section 7.4 of the *Environmental Planning and Assessment Act 1979 (the Act)*.

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

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

1 Parties

The parties to the Planning Agreement are Waverley Council (**Council**), ROIA Development Pty Ltd (ACN 646 765 648) and IOMT Developments Pty Ltd (ACN 646 590 221) collectively referred to as the Developer (**Developer**).

2 Description of subject land

The land to which the Planning Agreement applies is the whole of the land being Lot 1 in DP 126719 and known as 157 – 159 Military Road, Dover Heights (**Land**).

The Developer is the registered proprietor of the Land.

3 Description of Development

The proposed development comprises demolition of existing building, construction of mixed use building with basement car parking and strata subdivision as modified to alter internal layout, relocation of bicycle parking, modification of residential entry and various other external alterations (**Development**).

4 Background

On 14 August 2020, a development application, DA-316/2015/B, was lodged with Council to modify DA-316/2015 (**Development Application**). An offer was made by in connection with the Development Application to enter into a Planning Agreement with Council and to make a monetary contribution to be used for a public purpose, as the Development Application provided for additional floor space, which exceeds floor

space controls permitted for such buildings under Council's Planning Controls. The offer was clarified and confirmed on 17 June 2021. Development Consent was granted on 1 December 2020.

A previous planning agreement was entered into in respect to DA-316/2015 in 2017. This Planning Agreement does not impact or supersede the 2017 planning agreement.

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

The objective of the Planning Agreement is to secure a public benefit in connection with the Development Application so that the Development delivers a community benefit.

The Planning Agreement requires the Developer to pay to Council a monetary contribution in the amount of \$54,320 to be applied towards the Waverley Affordable Housing Program (25%) and upgrading and improvement of parks and reserves in Dover Heights (75%). The monetary contribution is payable to Council prior to any Occupation Certificate issuing for the Development.

The Planning Agreement is a binding relationship between Council and the Developer. The Planning Agreement requires the Developer to comply with certain requirements including registration of the Planning Agreement, provision of a Bank Guarantee and registration of a Caveat. The Planning Agreement contains a number of machinery provisions including in relation to dispute resolution and enforcement.

The Agreement does not exclude the application of Sections 7.11, 7.12 or 7.24 of the Act to the Development and the monetary contribution is not to be taken into consideration in determining any development contribution under Section 7.11 of the Act.

The effect of the Planning Agreement is a monetary contribution towards the Waverley Affordable Housing Program and upgrading and improvement of parks and reserves in Dover Heights.

6 Assessment of the merits of the Planning Agreement

(a) How the Planning Agreement promotes the public interest and the objects of the Act

The Planning Agreement promotes the objects of the Act, in particular Section 1.3(a) of the Act, which is to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources and 1.3(d) of the Act, which is to promote the delivery and maintenance of affordable housing. The objects are satisfied as the Planning Agreement secures a monetary contribution towards the Waverley Affordable Housing Program and towards upgrading and improvement of parks and reserves in Dover Heights.

Public interest is promoted by virtue of the Planning Agreement because it assists Council in upgrading and improving parks and reserves in Dover Heights. The upgrading of parks and reserves will encourage business within and development of the precinct as an active, vibrant community with recreational facilities.

Further, public interest is promoted by virtue of the Planning Agreement because it assists Council in the provision of affordable housing and housing for low income and disadvantaged people within the community.

In addition, it assists in facilitating a socially diverse and inclusive community and enabling diverse social and economic groups to have similar opportunities for accommodation in the Waverley Local Government Area.

(b) The impact of the Planning Agreement on the public or any relevant section of the public

The Planning Agreement will benefit the public and local community as it seeks secure funds to upgrade parks and reserves in Dover Heights which will positively affect the social and economic wellbeing of the precinct incorporating the Development and wider community. Both residents and visitors will benefit from the contribution under the Planning Agreement.

In addition, the Planning Agreement will benefit the public and local community as it seeks to improve and maintain access to affordable housing in the Waverley Local Government Area and facilitates a diverse social mix.

There is considered to be no negative impact on the public arising from the Planning Agreement.

(c) The planning purpose(s) served by the Planning Agreement

The Planning Agreement facilitates the provision of (or the recoupment of the cost of providing) affordable housing and public amenities and/or the funding of recurrent expenditure relating to the provision of affordable housing and public amenities. In addition, the Planning Agreement facilitates the conservation or enhancement of the natural environment. Affordable housing, public amenities and conservation or enhancement of the natural environment are public purposes under Section 7.4(2) of the Act.

The Planning Agreement implements Council policy and legislative provisions around affordable housing, public amenities and conservation or enhancement of the natural environment.

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

(d) How the Planning Agreement promotes the guiding principles for Councils (previously referred to as Council's Charter) under section 8A of the Local Government Act 1993

The Planning Agreement provides a means by which the Council shows a regard for the long term and cumulative effects of its decisions. The Council's decisions impact public areas. The Council is conscious of a need for open space/recreational facilities as well as affordable housing within the public areas in its local government area and how its decisions and policies impact on seeking to fulfil these needs.

The Planning Agreement provides a means by which Council shows it bears in mind that it is the custodian and trustee of public assets and seeks to effectively plan for and manage the assets for which it is responsible and facilitates its engaging in long term strategic planning on behalf of the local community.

In addition, as the Planning Agreement is a means by which the Council can implement its Affordable Housing Policy, in doing so Council exercises community leadership in an area of concern to the wider community.

(e) Whether the Planning Agreement conforms with the Council's Capital Works Program

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

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

The following requirements of the Planning Agreement must be complied with before:

- (i) A construction certificate is issued:** registration of the Planning Agreement, provision of a Bank Guarantee and registration of a Caveat.
- (ii) An occupation certificate is issued:** payment of the monetary contribution.
- (iii) A subdivision certificate is issued:** Not applicable.

REPORT
CM/7.8/21.10

Subject: Smart Cities Mobility - The Pick-up/Drop-off (PUDO) Project

TRIM No: SF18/4225

Author: Clint Yabuka, Manager, Strategic Transport

Director: Tony Pavlovic, Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Supports the findings of the Pick-up/Drop-off (PUDO) Project and concludes that the trial of the PUDO bays was successful.
2. Makes the PUDO bays permanent, subject to Council adopting the Waverley Traffic Committee's recommendation, made at its meeting on 23 September 2021, to support the continuation of the PUDO bays.
3. Continues to expand the PUDO Project in partnership with Transport for NSW and key stakeholders.

1. Executive Summary

The Smart Cities Mobility Project (the PUDO Project) began in 2018 as a Federal Smart Cities Grant Application that sought to integrate the range of new shared transportation options available with existing public transport thereby improving accessibility and ease of use to people in Waverley. The project was identified in Waverley's People Movement and Places as the Smart Cities Mobility project and in the Smart Waverley Strategy as the Smart Cities Transport and Parking Initiative. The project addresses one of the major concerns of residents as identified in the Community Strategic Plan, namely traffic and parking congestion, by making access and use of shared mobility easier and more efficient in the Waverley area, thereby reducing the reliance on private vehicle trips.

The PUDO Project has delivered relationships with the numerous providers of shared transportation, a close working relationship with TfNSW, and two apps that offer integrated trip planning. The project's most significant achievement has been the development of a first in Australia data sharing and shared mobility management strategy. The PUDO Project is continuing to be observed closely by TfNSW and is being replicated by other jurisdictions in Australia.

The PUDO Project has two components; one that is tangible being the PUDO bays, and the second that is the data sharing that facilitates the management of shared transportation within Waverley. To achieve this the project has been developed in partnership with a wide range of government and industry stakeholders including TfNSW, USyd, Uber, Ola, Lime Bike and others. The provision of space for the operation of shared mobility services in Waverley has provided predictability for both users and operators in addition to the orderly operation of these services in the public domain thereby improving safety, improving perceptions from non-users and reducing congestion on our streets.

To support the outcomes from the project it is proposed that the allocation of space to the PUDO bays is supported as an ongoing feature in Waverley in conjunction with the maintenance of the digital mapping and relationships established with the various transport service providers.

2. Introduction/Background

The Smart Cities Transport and Parking Initiative was identified in both Waverley's People Movement and Places and the Smart Waverley Strategy, this alignment was the rationale for applying for a Smart Cities Grant. The grant was unsuccessful due to the complexity of the project; however, TfNSW as a project partner was keen to pursue the project as a MaaS Trial.

The Mobility as a Service (MaaS) Trial was supported and funded by TfNSW however, from Council's perspective the project has pivoted to become the PUDO Project, and for several reasons the PUDO bays and their electronic integration have become the lasting outcome of the initiative.

Maas Trial (Mobility as a Service)

The emergence of multiple forms of new shared transportation services such as ride share (Uber, Ola and others), bike share (Beam, Lime and others), and on demand public transport have greatly expanded the range of transportation options available to our residents and visitors. The operation of these new transportation services has been facilitated using smart phone apps to hire these services. These apps use location services to provide near instant information and has enabled ease of use, but only within any individual service providers system. The integration between the various service providers has been absent such that booking a ride share journey, like an Uber, requires using the relevant proprietary app. However, when linking that to another part of a journey such as a train or share bicycle requires the use of another proprietary app with a separate booking system, bringing with it uncertainty of availability and a separate payment system, thus a fragmented process.

From the perspective of the new transportation services who behave as 'start-up' businesses that are seeking to hold users in their platform this is logical, however from a user's perspective the process is fragmented and disconnected with limited reliability and ease between parts of a single journey. Overall, there is limited ability to integrate any transportation service with other transport services including the established incumbents such as public transport and taxis. One of the great possibilities of the new shared mobility providers is to enable easier and more convenient 'first and last mile' connections to and from public transport. To enable this requires a relatively integrated service that facilitates a reliable and easy connection between shared and public transportation services. The lack of integration between these transport options remains severely limited. To address this integration and improve the ease of linking between the various transport options was one of the original intents of the PUDO Project in the form of a MaaS (Mobility as a Service) Trial.

The MaaS Trial was supported by TfNSW via funding and other resources including hosting Waverley's digitized mapping data, which is advanced compared to most Councils, and was the subject of a specific 'Innovation Challenge' prepared by TfNSW's Data Team and promoted globally to app developers. The launch of the Innovation Challenge held at Waverley Council Chambers drew a range of transport professionals and hundreds of international viewers. The challenge was to develop a tailored app that would facilitate users to link journeys across multiple transport modes and connect journeys on shared transportation to public transportation.

From the challenge two apps were awarded grants by TfNSW, one to a large international Moovit and a second to small local developer - Wave. Moovit provided a locally tailored version of their internationally focused app and provided linked journey planning. The second is a local app from Wave that intended to link journey planning to visiting local businesses and provide a gamification styled user experience, however this was limited in its integration, in part due to the impact of Covid. Whilst both apps were able to provide journey planning, neither app was able to link to all the shared transport providers operating in

Waverley and neither were able to provide a linked payment service. Instead, both relied upon 'deep linking' that would redirect users from their app to the service providers app.

Such linking of payment services and booking in a single app has not yet been achieved despite numerous attempts globally and ongoing development by TfNSW and others. The enthusiasm of service providers to maintain an isolated platform that does not link is perceived by those providers as giving certainty that users won't migrate to another provider. There have been parallel developments between TfNSW and Uber to provide public transport planning within the Uber app, payment by Opal Card for Uber and links to Lime Bike now owned by Uber, but these developments have been particular to Uber and TfNSW rather than being able to engage the broad spectrum of transport service providers.

PUDO bays

Prior to establishing any type of MaaS trial, it was necessary to gain the support of transport service providers. To do this required an incentive that was safe and provided reliable access to kerbside space. To determine where it was feasible to provide such space it was necessary to gain an understanding of the scale and range of operation of the shared transportation operators within Waverley. This required gaining information about the number of trips and their start and end points. The availability of this data varies greatly however, such that the on demand public transport operator was obligated by TfNSW to share the data while the share bike operators had already established processes for sharing data. The ride share operators with the greatest need for kerbside access were not initially willing to share any data. For the ride share operators this data is considered highly valuable for several reasons including privacy, competitive advantage and the financial value of this information as a data set.

Initial discussions with the operators including Uber, Ola and other ride share operators reinforced the reluctance to share their data with Council despite offers of non-disclosure agreements and similar planning only uses of the data. The resolution of this issue was developed through the relationship management of Waverley staff to develop an in-principle agreement that the data would be used only to inform the potential location of proposed kerbside pickup drop off spaces that would be available to ride share services. This was a significant achievement, and the first time such information has been provided to a local government, albeit under a non-disclosure agreement.

The access to kerbside space is a key concern to these operators as space to stop a vehicle legally or safely to pick-up or drop-off passengers is difficult in very busy locations. As new arrivals in the transportation landscape there is no access to Taxi ranks and in the high use locations, the kerbside is typically occupied by other vehicles. Locations such as Campbell Parade and Grafton Street are also busy with buses.

Ride share operations access the kerbside differently to other forms of transportation. While for a taxi it is typical to approach a taxi rank or wave down a passing taxi, the booking process for ride share brings the vehicle to the user. This means that to gain a trip, ride share vehicles circulate continuously in high use areas until they are called. Additionally, when a user calls a vehicle, the pickup location will be the most convenient place for the user, without consideration of what kerbside space is available, legal, or safe. When a ride share vehicle is called the wait time is typically around three minutes in busy areas and this means there is an opportunity to redirect users to more appropriate locations.

A more appropriate location is where the vehicle won't affect other services such as buses, is safe to stop and have passengers board (or exit), and is legal, thus meeting the other requirements. The location can also be optimized so that likely vehicle circulation and exit paths can be considered so that there is less affect upon other road users and less road congestion generated.

Ride share drop-off is also a challenge but again for different reasons to taxis. A ride share journey does not end with a payment transaction; it ends with a user simply exiting a vehicle. While this is a relatively quick occurrence, the high number of journeys to busy areas means that this is a continual process during busy periods and has, potentially a negative effect upon safety and road congestion.

It should be noted that the PUDO bays are not limited to use by ride share companies and that Taxi's and community members can use the PUDO bays for short stops of up to two minutes if you stay within 3m of your vehicle and you are dropping off or picking up passengers or loading or unloading items. This is ideal for 'kiss and ride' uses for which we previously had dedicated bays.

Ride share and other shared transport operators

The emergence of ride share and other shared transport such as on demand public transport and bike share is a continuously changing and reconfiguring landscape as businesses appear, change, merge and exit. Similarly, as developing businesses the management and key staff for all shared transport companies operating in Waverley has changed during the life of the PUDO Project. This has meant that the willingness or ability to of any single operator to participate in the project has varied.

There have been three operators that have remained involved in the project; Uber, Lime Bike (now owned by Uber) and Beam Bike. Uber's participation and ongoing willingness to integrate the project with their operations in addition to engagement with TfNSW has led to the successful outcomes of this project. The two bike share companies operating in Waverley - Lime and Beam, have both been open in their dialogue and willing to share data to improve project planning and outcomes.

Current shared Transport operators in Waverley

Table 1. Shared transport operators in Waverley

Ride Share	Bike Share	Car Share
Uber Ola Cabs Didi Sheba	Lime Beam Mobike	Goget Car Next Door

Note: there are additional ride share operators and other bike share and car share operators that have considered beginning services in Waverley and a number that no longer offer services in Waverley.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Strategic Planning and Development Committee 19 December 2019	PD/5.2/19.12	<p>That Council:</p> <ol style="list-style-type: none"> Endorses the principle of the Smart Cities Transport and Parking Initiative to use kerbside parking space to provide Pick Up Drop Off bays, combined with a digital booking and information platform Minutes of Strategic Planning and Development Committee Meeting 3 December 2019 This is page 4 of the Minutes of the Strategic Planning and Development Committee held on 3 December 2019 developed in consultation with Transport for NSW, for new shared transport service providers for a 12-month trial. Refers this resolution to the Precincts and Access Committee for further discussion before the locations are finalised.

		3. Refers any proposed changes to parking signs to the Traffic Committee for deliberation.
Strategic Planning and Development Committee 3 September 2019	PD/5.1/19.09	That Council adopts the Smart Waverley Strategy 2023 and ensures that all projects and initiatives achieve best practice cyber security protection, and that this be included within the body of the Strategy where appropriate.
Council 12 December 2017	CM/7.11/17.12	That Council: <ol style="list-style-type: none"> 1. Adopts 'Waverley's People Movement and Places: a study of where we go and how we get there – Final Summary 2017' attached to this report. 2. Notes the documents have been amended to reflect Council's resolution on 21 November 2017 that the light rail is not supported as a public transport option for the Bondi Road Corridor. 3. Notes that the next stages are to develop business cases and feasibilities for the signature projects and implementation actions. 4. Places on Council's website the following final documents: (1) Final Summary, (2) Strategy Report by Bitzios, (3) Key Issues Paper by Bitzios, and (4) Feedback on Draft Report. 5. Notes that the Waverley Strategic Transport Working Group has been established between Council staff and relevant state government agencies (TfNSW, RMS and GSC) to progress projects which require partnership with state government.

4. Discussion

The PUDO Project relied upon the formation and management of relationships with a broad range of stakeholders to enable the planning of the project and to gain their participation. The main project partner was TfNSW. Through this relationship other project participants became involved or strengthened their involvement with the project.

Two universities were involved at different stages of the project. UNSW was initially involved and facilitated a workshop with the Federal Department of Infrastructure, while the University of Sydney's Institute of Transport Logistics participated in later stages of the project and assisted with the community engagement phases as assessment of those engagement outcomes.

While all industry stakeholders were approached initially, some of whom were able to provide insights or data during the project planning phases, most of these stakeholders did not continue their participation due to their own internal staffing and priority changes, or their withdrawal from providing transport within Waverley. The most consistent participant across the life of the project was Uber, which had the strongest

existing relationship with TfNSW, has provided valuable insights about the project outcomes and the only participant who has integrated the PUDO bays into their own app.

The integration of the PUDO bays into apps is not simple as each operator relies upon their own app and this is in turn reliant upon an underlying mapping platform. Each of the major ride share operators (Uber, Ola and Didi) utilize a different mapping platform. Only Uber utilizes Google Maps with whom TfNSW has a relationship, to enable the integration of the PUDO bays. The PUDO bays are identified in Google Maps and can be searched by anyone. In turn, these locations are identifiable in the Uber app and have been identified as locations for 'pick-up and drop-off' activity. To operationalize the PUDO bays, Uber has established a 'geofence' around each PUDO Bay that directs any pickup or drop off activity to the nearest PUDO Bay.

When a user requests an Uber from within a geofenced area, the Uber App will accept the booking and then direct the user to walk to the nearest PUDO Bay (typically a short walk). For example, there are multiple PUDO bays within a short walk of the beach side of Campbell Parade. If a user requests an Uber while waiting at a bus stop on the beach side of Campbell Parade, then the app will establish their booking and redirect the user to the nearest PUDO Bay on the retail side of Campbell Pde, thereby avoiding conflict with buses and reducing the Uber vehicle circulation along Campbell Parade.

This has been most successful for pick-up activity where users can be directed to a bay. It has been less consistently successful for drop-off. There is therefore potential for a user to leave a poor rating for the driver regardless of whether the driver has been directed to the PUDO Bay or not. Nevertheless, PUDO bays are in high-use locations and the probability that a journey will end at a PUDO Bay is relatively high as it is generally the only available kerbside space.

Data investigating the use of the PUDO bays indicates that the ride share activity prior to PUDOS (2019) was spread along Campbell Parade and nearby streets. Following the introduction of the PUDO bays (in 2020) this activity has concentrated the ride share trips to the PUDO bays thereby reducing conflict with other road users, buses and improving safety by providing suitable stopping locations.

Prior to COVID-19, a busy Saturday at Bondi would expect around 7,000 ride share journeys over the day, if evenly spaced this would be almost five journeys per minute throughout the day and night or one journey every 12 seconds. While it could be expected that this rate has slowed during COVID-19, it is also possible that there are additional kiss and ride trips occurring as people are less willing to use public transport. Whilst the number of trips has reduced during Covid the distribution of trips has only changed slightly. The data and some consultation responses identify that an additional PUDO Bay on Beach Street near Campbell Parade would be appropriate.

CISCO and Outcomex PUDO Bay monitoring trial

To better understand the use of the PUDO bays, TfNSW has established a trial (currently operating) using CISCO technology that has been adapted by a Sydney based provider to monitor the use of the PUDO bays. Three locations have been established: Grafton Street, Adina on Hall Street and Bronte Road, Bondi Junction (temporarily suspended for cycleway construction). The purpose of the trial is to count the number of people, the number of vehicles and the wait times at the PUDO bays. This is being done using trial camera technology linked to image recognition software that records the data and uploads the counts to a dashboard. An image of the dashboard below shows it does not record an image but rather uses onboard software to count vehicles in the PUDO Bay, the number of passengers waiting and their average wait time. The camera system does not record faces and is compliant with the stringent European privacy regulations.

The cameras are not able to distinguish between rider share vehicles and community members using the bay for kiss and ride. It is recognised that ride share vehicles are rarely stationary and that pickup and drop off activity is conducted within seconds whereas kiss and ride activity is more likely to involve a vehicle waiting to pick up a passenger. This comment was made in the Have Your Say Consultation where residents

wanted to be able to park for longer to wait for a passenger. However, the PUDO bays are intended to be high turnover (they are legally No Parking bays) as is appropriate outside a major train station and this community use can be met by other parking options available nearby. The average vehicle occupancy is slightly over two minutes (the time allowed under the NSW Road Rules for stopping in a No Parking space) this suggests that if there were similar numbers of ride share and kiss and ride vehicles that the kiss and ride vehicles are waiting more than the allowed 2 minutes for their passengers. This is referenced in other Have Your Say comments that identify that the Grafton St PUDO Bay is often full of waiting vehicles and there is spill-over into adjacent bus areas. This has not been identified as a problem at other PUDO Bay locations.

Conversely, waiting passengers are more likely to be ride share users rather than kiss and ride passengers, while ride share passengers typically wait three minutes. There are two likely reasons for the reduced recorded wait time to the 13 seconds shown in the dashboard below: first that the number of kiss and ride passengers to walk to a waiting vehicle (not the intended function of a PUDO Bay) will have reduced the wait time to the 13 seconds shown below; and second that the narrow footpath and the location of the PUDO Bay (next to the Meriton carpark ramp and a bus layover) it is likely that passengers prefer to wait closer to the train station entry.

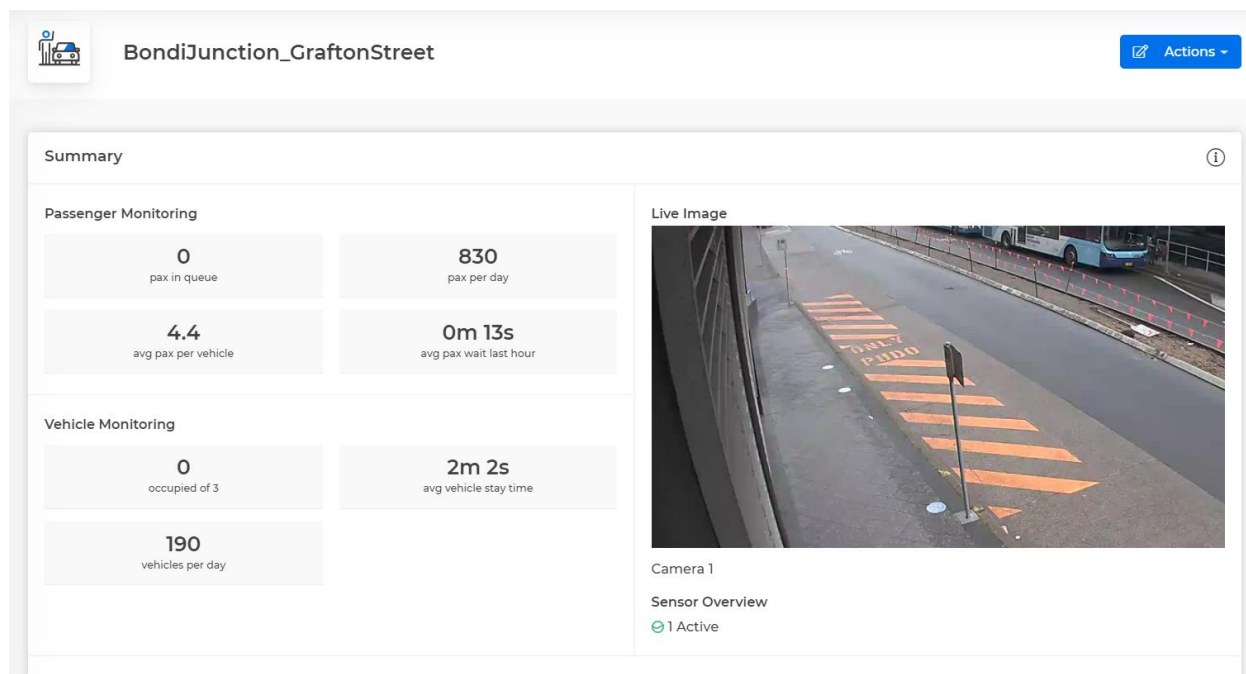


Figure 1. Grafton Street PUDO dashboard showing camera angle and data recorded.

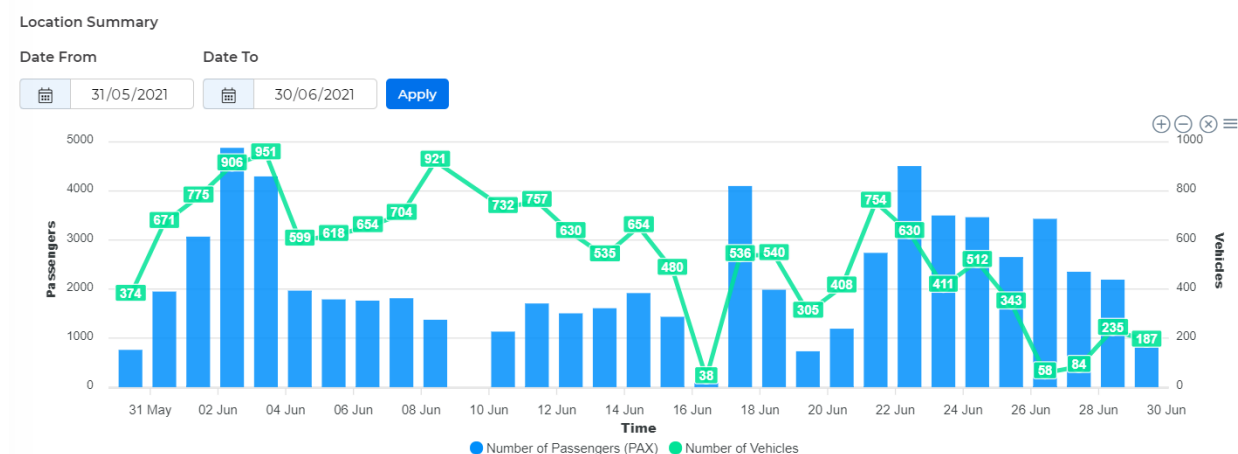


Figure 2. Grafton Street PUDO counts in June 2021 showing passengers up to 5000 daily and up to 951 vehicles per day.

This camera trial is a first of type for TfNSW and is the first deployment of this system in Australia. The installation and monitoring have been funded by TfNSW with access provided to Waverley staff. A similar system is intended to be installed by the NSW Point to Point Commission to monitor Taxi Rank Compliance in Waverley, and a similar Cisco camera system for bicycle and walking counts is being investigated by TfNSW.

5. Financial impact statement/Time frame/Consultation

Financial impact

The PUDO Project was a partnership between TfNSW and Council with the voluntary contribution of service providers. The costs involved were substantially borne by TfNSW as an in-kind contribution to the project and included some comparatively small costs to Council.

The provision of the Innovation Challenge and associated grants to App developers were paid by TfNSW with an allocation of \$850,000.

The engagement of Outcomex (Cisco) to develop and conduct the camera trial was a TfNSW cost and is ongoing until end of February 2022 and is an additional undisclosed cost to TfNSW.

Council costs were approximately \$2,000 for signage and line marking of the PUDO bays and an expected foregone revenue of \$10,500 for metered parking space at Bondi Beach (Hall Street near Campbell Parade. This space is a very high-use space in the data).

Timeframe

The PUDO Project was expected to run as a trial for 12 months. The emergence of COVID-19 delayed the beginning of the project and has seen the project run for approximately 18 months to date. The TfNSW camera monitoring will continue until Feb 2022.

Consultation

Two Have Your Say Surveys were conducted, the first in November 2020 and the second in June 2021. The results of these surveys show a growing awareness of the PUDO bays and their purpose with a very strong awareness of the Grafton St PUDO Bay followed by the bays at Bondi Beach.

For the second survey there were 281 visits to the PUDO information page and 58 contributors to the second PUDO Survey. Most of the awareness of the PUDO bays came from seeing one in the street, while there is signage facing the road and the footpath to identify the PUDO bays in addition to small informative signs. The visibility of the PUDO bays had improved in the time between the two surveys due to the installation of the on-road line-marking of the PUDO bays. This has significantly contributed to the awareness and recognition of the PUDO bays in addition to making the bays easier to recognize for drivers. Three quarters of survey respondents use the PUDO bays at least once a week with around 17% using the PUDO bays more than once a day. An overwhelming number of respondents 90% were supportive of the PUDO bays although a small number of requests were for additional short stay parking (the PUDO bays are not intended to facilitate this) and for an additional PUDO Bay on Beach Street near Campbell Pde. Whilst Uber drivers were not able to be surveyed, the project is supported by Uber as the availability of the PUDO bays improves the reliability of a successful pick-up as drivers and users are able to find each other more reliably.

6. Conclusion

The PUDO Project was a complex undertaking with many stakeholders involved throughout the life of the project. It has achieved a first in Australia with allocation of kerbside space for access by ride share, taxis and kiss and ride. It also continues a first of type monitoring of three PUDO bays for their use and success. Significantly the project also gained access to tightly held data from ride share operators to facilitate planning of the project. This was made possible by the relationship building skills of the Waverley staff member running the project, Leo Huertas.

For a relatively small investment by Council, officers have gained significant good will, recognition and support from TfNSW and the spectrum of new shared transport operators. The PUDO Project has demonstrated how Council can create an innovative solution to a new problem and in doing so reinstate Council Management of parking and traffic congestion on Council controlled roads. The project will continue to be monitored by TfNSW and will inform the TfNSW approach to managing shared transportation especially ride share.

7. Attachments

Nil.

REPORT
CM/7.9/21.10

Subject: Grafton Street Bicycle Cage - Lease

TRIM No: SF21/4020

Author: Clint Yabuka, Manager, Strategic Transport

Director: Tony Pavlovic, Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Enters into a lease with Transport for NSW (TfNSW) for the land on which a bicycle parking cage will be located near the corner of Grafton Street and Grosvenor Street, Bondi Junction.
2. Delegates authority to the General Manager to finalise negotiations and execute the lease.
3. Procures the bicycle cage from the supplier currently used by TfNSW for bicycle cages.

1. Executive Summary

The provision of commuter bicycle parking adjacent the Bondi Junction interchange has been sought for several years. Currently, there are limited bicycle parking racks adjacent the Bondi Junction Station Entry and the majority of bicycle commuters park in Oxford Street Mall where there is safer access and better passive surveillance of their bicycles.

The provision of a bicycle parking cage on Grafton Street adjacent the Bondi Junction Interchange through an Active Travel Grant from Transport for NSW (TfNSW) will provide a much-needed community facility at minimal cost to Council. The land on which the bicycle cage is to be located is owned by TfNSW and the bicycle cage will be a Waverley Asset, a peppercorn lease has been proposed by TfNSW to facilitate the placement of the bicycle cage.

The provision of safe access via a share path on Grafton Street linking to the eastern end of the Bondi Junction Cycleway will provide safe and convenient access to the bicycle parking cage and the adjacent transport interchange.

2. Introduction/Background

Discussions with TfNSW have been occurring for a few years to determine a location for and funding for the provision of a commuter bicycle parking cage adjacent to the Bondi Junction Interchange. Such facilities are provided at other major railway or Transport Interchanges across the transport network however to date Bondi Junction has not had such a facility. Whilst there are a small number of bicycle lockers that are located near Newland Street under the northern side of Syd Einfeld Drive these are hired by TfNSW to individuals and are permanently occupied rather than being suited as commuter bicycle parking.

The proposed site for the bicycle cage is located adjacent the corner of Grafton Street and Grosvenor Street beneath Syd Einfeld Drive. This location meets TfNSW requirements for passive surveillance and safe

access. This land is owned by TfNSW and is currently part of a TfNSW lease to Wilson Parking. TfNSW is proposing to amend the lease with Wilson Parking and lease the area required for the bicycle parking cage and access to Council for a nominal annual fee.

The provision of the bicycle cage will be funded via a TfNSW Active Transport Grant received in 2020. The bike cage will provide parking for 75 bicycles in a typical bicycle cage format used by TfNSW elsewhere and similar to the bicycle parking cage located at the forecourt to Green Square Train Station. The access to the cage will be controlled by an Opal Card with access limited to those who have registered. This access will be administered by TfNSW.

3. Relevant Council Resolutions

Nil.

4. Discussion

The provision of bicycle cages at major transport facilities by TfNSW is supported and the absence of such a facility at an interchange as significant as Bondi Junction is seen as a good location due to the demand for this type of facility from bike commuters. Receipt of the TfNSW Grant will assist the delivery of this much needed community facility at almost no cost to Council.

Across Waverley there is an average of 2.4% of residents who ride a bike to work, within Bronte this increases to 5% who ride a bike to work. Commuter bike share across Sydney is approximately 2%. If we consider the 28,420 people (2018 entries) who visit the interchange daily (pre-covid) then the potential bicycle share is 568 bicycle journeys per day yet there is currently no safe bicycle access to the interchange and only about 10 bicycle parking spaces on Grafton Street. The bicycle parking available in Oxford Street Mall has typically been full with bicycles locked to poles in absence of sufficient parking locations, Council provides approximately 124 bicycle parking locations in the Bondi Junction Town Centre, this includes bicycle parking adjacent to shops and community facilities.



Figure 1. Three locations were considered as possible sites. Location 3 is the proposed site for the lease.

Whilst the site originally proposed to TfNSW was on Council owned land (Location 1) the site was separate from the interchange and passive surveillance. It was therefore deemed unsuitable as TfNSW experience has shown that if bicycle cages are hidden from public view, as this site was, they become occupied by the

homeless. A second site proposed on TfNSW land (Location 2) had similar challenges with passive surveillance and therefore TfNSW identified the current proposed site on their land.

The difficulty in procuring bicycle parking facilities has been due to TfNSW internal funding constraints. The TfNSW Grant that has been awarded to facilitate procurement of the cage. This has resulted in a situation where the physical asset will need to be owned by Waverley Council for it to be procured, however the only suitable and available site is on land owned by TfNSW. To reconcile these two constraints TfNSW have proposed a peppercorn lease for a nominal annual fee to Council for a small area of the land located beneath Syd Einfeld Drive.

The proposed site is currently part of a lease by TfNSW to Wilson Parking and negotiations between those two parties have in principle support for the modification of the lease. This would impact upon three car parking spaces in the parking area that would be converted to additional motorcycle parking with the three car parking spaces recovered by removing a concrete buildout installed during the Meriton construction in the late 1990s. The proposed site is identified in the attached plan.



Figure 2. Typical TfNSW bicycle cage.



Figure 3. Proposed cage location in green outline.

It is proposed that Council approves entering into a lease agreement with TfNSW for a peppercorn amount (notionally \$1 per annum) for the site to accommodate a bicycle cage and that authority is delegated to the General Manager to negotiate the detail of the lease agreement with TfNSW.

Whilst there are multiple suppliers for bicycle cages, TfNSW has a current procurement and management contract with a specific supplier, which can therefore provide integration to the Opal Card access, in addition to providing cleaning and maintenance to TfNSW standards. The provider of the bicycle cage will include the access, cleaning and maintenance of the cage until the end of its current contract with TfNSW in approximately three years.

Safe bicycle access to the bicycle cage is provided by a proposed to link to the eastern end of the Bondi Junction Cycleway via an existing share path to the corner of Adelaide Street and Grafton Street and an extension to this shared path along Grafton Street as recommended for approval by the August 2021 Waverley Traffic Committee.

5. Financial impact statement/Time frame/Consultation

The lease of the site for the bicycle cage from TfNSW would be subject to an annual nominal fee of approximately \$1. Maintenance, cleaning and integration with Opal will be included with the procurement of the bicycle cage for a period of three years. The cage will require an electricity connection although the cost of the electricity consumption will not be significant.

The location of the cage was consulted on with Council's Assets and Properties teams, which agreed that this is a good location.

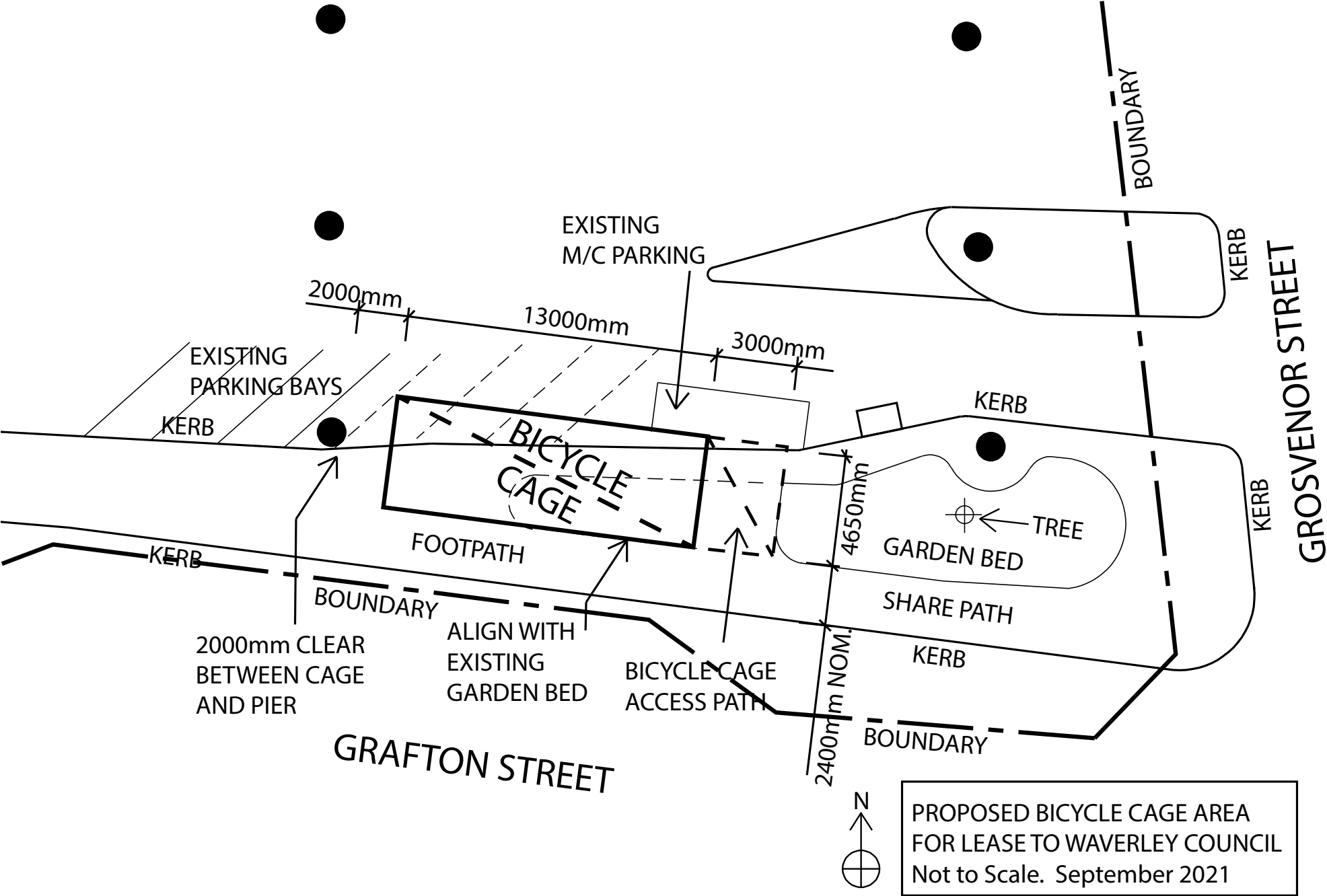
6. Conclusion

The receipt of a TfNSW Grant to procure the bicycle parking facility adjacent the Bondi Junction interchange will provide community benefit for the secure parking of 75 bicycles at minimal cost to Council. This will be connected to the Bondi Junction Cycleway and will relieve bicycle parking from the centre of Oxford Street Mall.

The peppercorn lease from TfNSW is proposed as the most appropriate way facilitate the procurement of the commuter bicycle parking cage.

7. Attachments

1. Grafton Street bicycle cage lease plan [↓](#) .



REPORT
CM/7.10/21.10

Subject: Small Grants Round 2021-22 - Round 1

TRIM No: A21/0261

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

Director: Sharon Cassidy, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council, under the Small Grants Program 2021–22 (Round 1), grants \$50,600 to the individuals and organisations as set out in Table 1 of the report, subject to any conditions specified in Attachment 1 of the report.

1. Executive Summary

Round 1 of Council's Small Grants Program 2021–22 closed on 6 September 2021. Forty-nine submissions were received, 36 for Community and Cultural projects and 13 for Environmental projects. The applications received have been assessed by officers against the relevant selection criteria. Support for 15 applications is recommended to the value of \$50,600. An overview of the applications and recommendations made is provided in Table 1, and a summary of each of the applications is provided in Attachment 1.

2. Introduction/Background**Small Grants Program**

The Small Grants Program enables Council to support community initiatives through the provision of financial assistance, offered in three streams:

Community and Cultural	Aims to support the delivery of identifiable social, cultural and recreational benefits to Waverley's community that align with goals in the Waverley Community Strategic Plan 2018-29.
Environmental	Aims to support environmental improvement projects that align with goals in the Waverley Community Strategic Plan 2018-29, and Council's Environmental Action Plan.
Creative Streets	Aims to support community contributions to public spaces that align with goals in the Waverley Community Strategic Plan 2018-29, using an Urban Interventions Framework.

Council allocates a budget of around \$100,000 annually to Small Grants for projects that meet community and cultural, environmental, and creative streets objectives. Grants are offered in two rounds that are advertised in March and August each year.

In July 2019, Council endorsed amendments to the guidelines, including expanding the eligibility criteria, tightening the selection criteria, and increasing the maximum amount available per application from three to five thousand dollars. Council also endorsed the offer of 'Creative Streets' grants just once a year, to be advertised in March. In March 2020, Council endorsed an overarching Community Grants Policy that covers the Community Services and Cultural Grants, and Small Grants Programs.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 25 May 2021	CM/7.13/21.05	That Council, under the Small Grants Program 2020-21 (Round 2), grants \$46, 531 to the individuals and organisations as detailed in Table 1 of the report, subject to any conditions specified in Attachment 1 of the report.
Council 20 October 2020	CM/7.3/20.10	That Council, under the Small Grants Program 2020–21 (Round 1), grants \$50,000 to the individuals and organisations as recommended in Table 1 of the report, subject to any conditions specified in Attachment 1 of the report.
Council 17 March 2020	CM/7.4/20.03	That Council adopts the Community Grants Policy attached to this report.
Council 16 July 2019	CM/7.10/19.07	That Council: <ol style="list-style-type: none"> 1. Under the Community Grants Program 2019–20, grants \$333,673 to the organisations set out in Attachment 1 to this report for the activities and amounts listed. 2. Adopts the following guidelines attached to this report: <ol style="list-style-type: none"> (a) Small Grants – Community and Cultural Grants Guidelines (Attachment 3). (b) Small Grants – Environmental Grants Guidelines (Attachment 4) (c) Small Grants – Creative Streets Grants Guidelines (Attachment 5).

4. Discussion

Round 1 of Council's Small Grants Program 2021–22 closed on 6 September 2021. An invitation for applications to the round was distributed widely in August through Council's social media channels, community interagencies, and special interest email groups.

Forty-nine applications were received from individuals and organisations seeking funds totalling \$234,195 as shown in Table 1. Almost two-thirds of the applications were from first-time applicants, and project proposals included 12 that represent new ideas or innovation. Nearly two-thirds of the applicants sought at least the maximum grant amount available, making the round very competitive.

The community and cultural stream elicited a strong response, with many applicants evidently thinking about life after the 2021 COVID-19 lockdown. More than double the usual number of applications was received from people in the arts, a sector hard hit by COVID-19 lockdowns. The strongest applications were able to demonstrate a clear understanding of the need for careful and flexible planning to accommodate COVID-safety and changing health orders.

This round also reflected a continuing community interest in shared gardens, with seven applications proposing the creation of new gardens in spaces that are shared in some way. A recently established inter-departmental working group assessed the 'garden plans' for proposals to establish gardens in public spaces, considering suitability and safety issues, prior to assessment of grant applications.

Council officers with expertise in each of the grant categories assessed the applications received against the relevant selection criteria, consulted with sector specialists, and undertook follow up with applicants where necessary. Support for a total of 15 proposals is recommended. With the intention of sharing the funds available among as many applicants as possible, almost half the recommendations made would provide applicants with a portion of the funds sought. Careful consideration has been given to the amount of funds needed to make a project viable as indicated in the project budgets supplied by applicants.

The proposals recommended demonstrated clearly articulated aims with a meaningful link to Waverley, well developed project plans, and informative, realistic budgets. Consideration was also given to other forms of support provided by Council to ensure 'fair sharing' of resources overall. The projects recommended for support include projects that create something completely new: four (\$15,000); promote inclusion for an identified segment of the Waverley community: four (\$10,500); promote local connections: three (\$8,500); promote biodiversity: two (\$5,600); and reduce waste: two (\$5,000).

Table 1. Overview of applications and recommendations.

No	Project	Applicant	1 st Time	Target for Benefit	\$ Sought	\$ Recomm
Arts & Culture						
1	Head on Photo Festival 2021 at Bondi Beach	Head on Foundation		General Public	\$25,000	\$5,000
2	Flickerfest International Short Film Festival	Flickerfest		General Public	\$5,000	-
3	Bronte Summer - a contemporary music program	Sydney Improvised Music Association (SIMA)	Yes	General Public	\$5,000	-
4	Satellite: at Twenty Twenty Six Gallery	Revelo Art Agency	Yes	General Public	\$5,000	-
5	In the Shadow of the Black Love...Jimmy Little's <i>Messenger</i>	Brendan Gallagher		General Public	\$4,500	-
6	Now is the time, the time is now	Claire Edwards		General Public	\$5,000	-
7	Take Five Walks for a better Waverley	Tina Matthews	Yes	Children	\$5,000	-
8	True to Nature	Weird Nest	Yes	People w Disability	\$5,000	\$5,000
9	Teacups	Finbar Watson	Yes	Mental Health	\$5,000 - \$7,000	\$5,000
10	The Botanical Absurd bringing 1840's Bronte to Life	Clementine Robertson	Yes	General Public	\$5,000	\$5,000

No	Project	Applicant	1 st Time	Target for Benefit	\$ Sought	\$ Recomm
11	Dangerous when Wet	Eliane Morel		General Public	\$5,000	-
12	Reset 2022	Firelight	Yes	Arts Professionals	\$5,000	-
	Total				\$79,500	\$20,000
Community						
1	Chanuka in the Park	Dover Heights Shule		Diversity	\$5,000	\$3,000
2	Mentor Program Networking Night	City East Community College		Diversity	\$3,500	\$3,500
3	Out of Sight, Out of Mind at Ocean Lovers Festival	Underwater Earth Limited (UWE)	Yes	General Public	\$5,000	-
4	The Big Bowlo Rock 'n' Roll Up	Bowlo Sports and Leisure	Yes	-	\$4,000	-
5	Girls Cricket at Eastern Suburbs Cricket Club	Eastern Suburbs Cricket Club		Women in Sport	\$4,000	\$4,000
6	Futsal Education	Eastern Suburbs Hakoa Futsal	Yes	Sport	\$5,000	-
7	Australian Sports Program	Australian International Sports Organisation	Yes	Diversity	\$2,905	-
8	Playball!	Tammy Ceppi	Yes	Children	\$4,800	-
9	Dippers Programs: Bondi & Bronte	Autism Swim	Yes	People w Disability	\$10,000	-
10	Mindful Wellbeing Tools Sessions	Xanthe Pearson	Yes	-	\$5,000	-
11	Mums Bubs and Carers World Music Sessions	Miriam Lieberman	Yes	Children & Families	\$3,946	-
12	Uplift Prints	Ryan Blakley	Yes	Youth	\$3,121	-
13	Wayside Chapel Community Activities	Wayside Chapel Norman Andrews House		Isolated & vulnerable people	\$5,000	-
14	Shellpine	Graeme Wattie	Yes	-	\$5,000	-
15	Bondi Beach Babes - Website Build & Design	Amy Lynch & Sarah Launt	Yes	-	\$5,000	-
16	Keep it Local 'Map of Waverley' Pilot Project	Bondi & Districts Chamber of Commerce	Yes	Local Business	\$5,000	-
17	North Bondi Share Board	Cameron Scott	Yes	Community Connections	\$900	\$500

No	Project	Applicant	1 st Time	Target for Benefit	\$ Sought	\$ Recomm
18	Avoca Street Garden and Community Library	Darren Reynolds	Yes	Community Connections	\$1,200	-
19	Bronte Animal Habitat Stepping Stone	Bridget O'Neill	Yes	-	\$2,000	-
20	1 st Clovelly Scout Group Outdoor Recreation	1 st Clovelly Scout Group	Yes	Children	\$5,000	\$4,000
21	The St James Road Community Garden Establishment	Howard Parry-Husbands	Yes	Community Connections	\$5,000	\$4,000
22	Edible Garden for Clovelly Public School	Clovelly Public School Parents and Citizens Association		Children	\$5,000	-
23	'Bondi Surfer Magazine' scanning and public access	Bondi Surf Bathing Life Saving Club		General Public	\$1,000	\$1,000
24	The Waverley Tool Box	Haydn Keenan	Yes	Community	\$5,000	-
	Total				\$101,372	\$20,000
Environment						
1	Improvement Plan rear 276-278 Bronte Road	Charing Cross Precinct	-	-	\$5,000	-
2	Waverley Birds & Bees Highway	Planting Seeds Projects	Yes	Biodiversity	\$5,000	\$5,000
3	Vertical Pollinator Garden	Uniting Early Learning Centre North Bondi		Biodiversity	\$5,000	-
4	Vertical Pollinator Garden	Uniting Early Learning Iluka		Biodiversity	\$4,950	-
5	Children's clothing from waste fabric	Small Fry	Yes	Waste Reduction	\$5,000	\$2,500
6	Carbon Heroes	Custom Concepts Australia	Yes	Waste Reduction	\$5,000	-
7	Wicking beds for native plants	Bondi Public School		Water Saving	\$2,475	-
8	Native Planting and Misting System	Bronte Public School		Heat Mitigation	\$2,898	-
9	Compost and Sustainability Caper	Castlefield's Kindergarten	Yes	Waste Reduction	\$2,000	-
10	Solar panel	Connection		Reduce	\$5,000	

No	Project	Applicant	1 st Time	Target for Benefit	\$ Sought	\$ Recomm
	installation on COA Krygier Centre	Opportunities Activities (COA) Sydney		Energy Use		
11	Harbour Harvest	BC Media	Yes	Litter Reduction	\$5,000	-
12	Native beehive and wicking beds	Langlee Lane Community Garden	Yes	Biodiversity	\$1,000	\$600
13	Slow Fashion Waverley Workshops	Meyd.it Pty.Ltd	Yes	Waste Reduction	\$5,000	\$2,500
	Total				\$53,323	\$10,600

5. Financial impact statement/Time frame/Consultation

Sufficient funds are available in recurrent budgets to cover the grant allocations recommended in this report. Table 2 below provides an overview of the budget for each of the streams and the value of the grants recommended. The disbursement of funds can take place immediately after approval, provided applicants meet any conditions required.

Table 2. Small Grants Program 2021–22 (Round 1) – Summary of budgets and recommendations.

Grant Category	Budget Round 1	No of applications received	\$ Value of applications received	No of grants recommended	\$ value of total grants recommended
Community and Cultural	\$40,000	36	\$180,872	11	\$40,000
Environment	\$10,600	13	\$53,323	4	\$10,600
Total	\$50,600	49	\$234,195	15	\$50,600

6. Conclusion

The Small Grants Program provides Council with a unique opportunity to respond to ideas proposed by members of its community, and to facilitate diverse contributions to Waverley's physical and social infrastructure. This report recommends that Council approves grants to the value of \$50,600 to individuals and organisations as set out in Table 1 of this Report, with conditions where specified in Attachment 1.

7. Attachments

1. Small Grants project proposals 2021-22 (Round 1) - Descriptions and recommendations [↓](#) .

Attachment 1: Description Small Grants Project Proposals Round 1, 2021/22

File Ref: A21/0261

October 2021

Descriptions and recommendations prepared in consultation with other specialist staff by:

Leisa Simmons and Julie Jenkinson, Community Programs

Viv Rosman, Arts and Culture

Vicky Bachelard, Environmental Sustainability

Arts and Culture

Application 1	Head on Photo Festival 2021 Installations at Bondi Beach
Organisation	Head on Foundation
The Activity	Funds are sought to support installation of 31 curated photo exhibits from entries in the 2021 Head on Photo Competition along the Bondi Beach Promenade from 20 November -12 December 2021. The exhibits would be selected to ensure suitability for viewing by children and would be accompanied by artists talks and workshops presented on-line.
Assistance Sought	\$25,000
Background	The Head on Photo Festival is an established annual international photographic competition. The Head on Foundation has a commitment to 'bringing the art to the people' through free exhibitions in public spaces. The Foundation has received grants from Create NSW and is sponsored by Sony, and Olympus.
Funding History	The Head on Foundation received a small grant in October 2020 to support the mounting of an exhibition along the Bondi Beach promenade, one of the few cultural activities available to the local community during the 2020 COVID-19 lockdown. The exhibition, held in November, added colour, vibrancy, and something new to the beach promenade, and was viewed by an estimated 80,000 people.
Website	www.headon.com.au
Comment	This exhibition has been approved to proceed and will provide a valuable cultural experience for a broad cross-section of the community. Despite the large funding request, officers recommend funding at \$5,000 given the parameters of the Small Grants Program and the competition for limited funds in this round.
Recommendation	<i>\$5,000 recommended</i>

Application 2	Flickerfest International Short Film Festival 2022
Organisation	Flickerfest
The Activity	<p>Funds are sought to support the 31st year of Flickerfest, scheduled for 21-30 January 2022 in North Bondi Park. The applicant reports that the 2022 Program will include more than 20 competitive programs encompassing Australian, international and documentary films.</p> <p>Targeted programs include: Flickerup, Flickerfest's national schools competition, Flickerkids a program curated for families and children 6-12</p>

	<p>years old, Rainbow Shorts providing a platform for LGBTQI film makers, and the Best of Indigenous Shorts Program successfully offered for the first time in 2021. Flickerlabs will provide professional development opportunities for new film makers through 4 workshops covering writing, direction producing, marketing and multi-platform distribution.</p> <p>Planning for a COVID safe 'in person' event in 2022 is underway in association with Council's major events team and NSW Health with anticipated requirements for sanitation, social distancing and restricted audience numbers.</p>
Assistance Sought	\$5,000
Background	Homegrown in Waverley, Flickerfest is an internationally recognised and accredited short film festival and a leader in Australia in this field. It is supported by grants from Screen Australia and Screen NSW.
Funding History	Flickerfest received a Small Grant of \$5,000 in October 20 (acquitted). The applicant reports that Flickerfest, held in January 2021, included 28 competitive programs, and attracted an audience of more than 6,950 to 208 film screenings. Australian content made up 50% of films screened, and 50% were directed by women.
Website	http://flickerfest.com.au
Comment	Council is investing significant funds in the hire and construction of a bespoke temporary venue for Flickerfest in 2022. Officers recommend that it would not be equitable to other applicants to provide further funding to this applicant through the Small Grants round.
Recommendation	<i>Not recommended</i>

Application 3	Bronte Summer - a month long contemporary music program
Organisation	Sydney Improvised Music Association (SIMA)
The Activity	Funds are sought to support the provision of a series of four free, 3 hour Sunday twilight pop-up concerts in Bronte throughout the month of February 2022 featuring contemporary Waverley musicians.
Assistance Sought	\$5,000
Background	The Sydney Music Association (SIMA) is a contemporary music producer/presenter specialising in contemporary jazz and creative music.
Funding History	Nil
Website	https://sima.org.au
Comment	This is a strong application however concerns were raised around timing of the project in relation to COVID-19 and public health orders. The applicant is strongly encouraged to re-submit in the next funding round and to discuss performance sites with Council's Events, and Arts and Culture officers prior.
Recommendation	<i>Not recommended</i>

Application 4	Satellite: at Twenty Twenty Six Gallery
Organisation	Revelo Art Agency
The Activity	Funds are sought to support the presentation of a NFT (digital) art exhibition at the Twenty Twenty Six Gallery bringing together more than 50 digital artworks from local and international artists scheduled for 9 March-3 April 2022. The Agency will offset the exhibition's carbon footprint through the purchase of gold standard verified emissions reduction units from Carbon Neutral's reforestation project, located in the Yarra Yarra Biodiversity Corridor Western Australia.
Assistance Sought	\$5,000
Background	NFTs or non-fungible tokens, transform digital artworks into unique verifiable digital assets that are tradable on the blockchain. They may incorporate payment for artists. Since NFTs use the same blockchain technology as some energy hungry cryptocurrencies they also end up using a lot of electricity, and so generate a lot of greenhouse gas emissions.
Funding History	Nil
Website	www.revelo.com.au
Comment	This is a strong application for a project that has already secured substantial funding. Questions were raised about the commercial nature of NFTs and about whether Council support is needed to make the exhibition possible.
Recommendation	<i>Not recommended</i>

Application 5	In the Shadow of the Black Love – Recording and Touring Jimmy Little's <i>Messenger</i>
Organisation	Brendan Gallagher
The Activity	Funds are sought to support the stageing of a one man multi media show <i>In the Shadow of Black Love</i> at the Bondi Pavilion Theatre in April/ May 2022. The show shares music, images, stills and video, generated over the 16 years in which the applicant worked with Jimmy Little and recorded his aria award winning album <i>Messenger</i> . The applicant reports that the show was originally developed in response to a request from SBS to participate in its Reconciliation Week Program.
Assistance Sought	\$4,500
Background	Brendan Gallagher is an independent singer, songwriter, composer, performer and producer. He has produced more than 40 albums. Over the last 20 years he has taught music at the Australian Institute of Music and UTS, and the Bondi Wave.
Funding History	Nil
Website	https://brendangallaghermusic.com
Comment	Unfortunately, this application lacked detail although officers noted the high quality of the applicant's artistic practice and of Jimmy Little's music as the subject of the work. Officers encourage the applicant to discuss this project further with Council's Arts and Culture team.
Recommendation	<i>Not recommended</i>

Application 6	Now is the time, the time is now
Organisation	Claire Edwards
The Activity	Funds are sought to support the design, production and installation of a neon sign: <i>Now is the time, the time is now</i> , and an accompanying Instagram account calling on locals to upload an image representing a time which they enjoyed or a place that holds attachment for them or a contemporary issue that is important to them. Bondi Junction is the preferred location for the installation, and mounting on the wall of a Council building is proposed for a period of 3-6 months.
Assistance Sought	\$5,000
Background	Claire Edwards describes her trade as a creative producer and researcher.
Funding History	Nil
Website	-
Comment	This was a quality application and an appealing project, although concerns were raised about the proposed location and timing of this work. Officers encourage the applicant to consider reapplying in a future round following discussion with Council's Visual Arts team.
Recommendation	<i>Not recommended</i>

Application 7	Take Five Walks for a better Waverley
Organisation	Tina Matthews
The Activity	Funds are sought to support the production of five murals in intergenerational workshops during 2022 involving participants from Waverley schools, aged care homes and community centres. Participants would be invited to draw 5 things in their locality that trouble them and draw 5 things they can imagine would bring about an improved future environment. The ten small drawings would be cut out and collaged onto a background of 5 x A1 panels to produce a mural which can be reproduced digitally and displayed in public areas or local shop fronts.
Assistance Sought	\$5,000
Background	Tina Matthews is a local author of children's picture books, artist, musician and 'maker'.
Funding History	Nil
Website	https://ttinamatthews.com
Comment	This project would benefit from further partnership development and discussion with the relevant stakeholders across Council. Additional information about the applicant's previous experience and capacity to deliver this project would also strengthen the application.
Recommendation	<i>Not recommended</i>

Application 8	True to Nature
Organisation	Weird Nest
The Activity	Funds are sought to support first stage development of an original work <i>True to Nature</i> in a process led by director/choreographer Dean Walsh, providing performance training, co-creation, and opportunities for up to 8 young (8-25 years) local performers with disability. Two performances of the 'work in progress' would be prepared in time for inclusion in the 2022 Bondi Festival scheduled for the Bondi Pavilion Theatre in July 2022.
Assistance Sought	\$5,000
Background	<p>Weird Nest is an arts company whose services include development and presentation opportunities for artists living with disability through programs registered with the NDIS.</p> <p>Since September 2020 Weird Nest has run a program for a group of young people living with disability out of the Hugh Bamford Hall, which includes individual mentorships, larger group activities and smaller group activities to enhance creative agency for participants.</p> <p>The group intends to apply for a fee waiver for use of the Hall for its 2022 program, which they value at \$3,000.</p>
Funding History	Nil
Website	www.weirdnest.com
Comment	This is a strong application for an interesting creative project that gives agency to young people with disability. Although there is some risk around the timing in relation to COVID-19 and the Bondi Festival, it is likely that the project will be able to proceed, or to be postponed without substantial negative impact.
Recommendation	<i>\$5,000 recommended</i>

Application 9	Teacups
Organisation	Finbar Watson
The Activity	<p>Seeking a contribution towards the cost of production of <i>Teacups</i>, a 5-6 minute animation on the life of Don Ritchie who, for almost half a century, would approach people contemplating suicide at the Gap, 50 metres from his home in Watson's Bay, offering them conversation and a cup of tea. The proposed animation is a retelling of Don's service as a lookout in the Navy in WW2, his motivations for dissuading over 160 people from suicide, and his journey to reconcile the suicide of one of his best mates.</p> <p>The applicant's stated aim in producing the film is to normalise conversations around mental health, and thereby empower people struggling with mental illness and those who can help. The film would be distributed through the networks of Gotcha4life, a Sydney based mental fitness organisation that aims to end suicide, and locally, through the Bondi Bowling Club, as well as Film Festivals such as Flickerfest, YouTube and social media.</p>
Assistance Sought	\$5,000-\$7,000
Background	Contributions towards the budget of \$126,000 have been secured from NSW Create, and Woollahra Council. Script and Direction by Alec Green and Finbar

	Watson. A production team has been secured including AndMapsAndPlans for animation, Hugo Weaving narrator, and Hollie Buhagier, score.
Funding History	Nil
Website	-
Comment	This is a strong application and the artistic sample provided demonstrates the high quality of this work. Officers encourage the applicant to flesh out their local distribution and engagement plans further and would be happy to support these efforts.
Recommendation	<i>\$5,000 recommended provided that the applicant can demonstrate that sufficient funds have been secured to complete the project.</i>

Application 10	The Botanical Absurd bringing 1840's Bronte to Life
Organisation	Clementine Robertson
The Activity	<p>Funds are sought to support the development of a video artwork documenting the interactions between selected local plants, and the ways people knew/ understood and interacted with them, inspired by 1840's Waverley and the little known residents of Bronte House, Robert and Georgiana Lowe, who were passionately engaged with the land throughout the time they spent there.</p> <p>The project is informed by experiences documented in letters and sketches and the perspectives of first nations people of Cadigal and Bidjigal country. The Gujaga Foundation will be engaged to provide cultural guidance ensuring that the artwork includes indigenous perspectives and appropriate local performers.</p> <p>By distilling history through a multidisciplinary exhibition the project aims to engage the contemporary community with alternative historical voices of the past and shed new perspectives on the local landscape.</p>
Assistance Sought	\$5,000
Background	Clementine Robertson is a multidisciplinary artist with a passion for ecology who interweaves performance and ethnobotanical narrative.
Funding History	Nil
Website	-
Comment	This is an appealing project with strong local interest and numerous opportunities to be shared with the community. Officers recommend seeking a confirmation letter from the Gujaga Foundation as a condition of funding.
Recommendation	<i>\$5,000 recommended provided that the applicant provides information confirming the involvement of the Gujaga Foundation.</i>

Application 11	Dangerous when Wet
Organisation	Eliane Morel
The Activity	Funds are sought to support the creative development phase of the play script <i>Dangerous when Wet</i> , developed during the COVID-19 2020 lockdown with the support of a Council small grant. The applicant is now applying for funds to support collaborative development of the script with the aim of scheduling performances at Wylie's Baths (March/ April 2022) and, when it becomes available, the Bondi Pavilion.
Assistance Sought	\$5,000
Background	<i>Dangerous when Wet</i> is a play about legendary local swimmers Fanny (Sarah) Durack and Mina Wylie, and their struggle, set within the context of the fight for women's emancipation, to become the first women swimmers to represent Australia in the 1912 Stockholm Olympics.
Funding History	Eliane Morel received a small grant in May 2020 to support the collaborative drafting of the script which has been acquitted. The applicant reports that grant applications have also been made to Randwick City Council (successful) and Create NSW (awaiting outcome). Wylie's Baths has offered a fee waiver for use of the baths for rehearsal and performance.
Website	https://elianemorel.com/dangerous-when-wet/
Comment	While the subject matter has local interest, this project has already received development funding from Council. Officers do not recommend providing further support for another development stage given the strong competition for limited funds in this round.
Recommendation	<i>Not recommended</i>

Application 12	Reset 2022
Organisation	Firelight
The Activity	<p>Funds are sought to offer a development program free of charge to local arts professionals that is designed to help individuals 're-set' after the disruption to their professional practice and income generated by the COVID-19 shutdowns of 2020/21.</p> <p>The program consists of quarterly face to face 3.5 hour workshops that launch a cohort of participants into a 90 day Goal Plan period. Participants will be provided with extensive worksheets and templates, a webinar service of instructional and motivational videos and access to the Reset 2022 Program's moderated Facebook and LinkedIn groups. Targets for participation include 50 participants for each of the workshops, and 300 downloads of the planning materials.</p>
Assistance Sought	\$5,000
Background	Firelight is a small consulting, coaching and film production service operated by local film makers, Ellenor Cox & Marcus Gillezeau. Their application demonstrates impressive histories of professional and voluntary contributions to the film and performing arts sectors.
Funding History	Nil

Website	www.firelight.com.au
Comment	While a project supporting local creatives at this time is to be commended, the project proposal lacks clearly defined local targeting.
Recommendation	<i>Not recommended</i>

Community

Application 1	Chanuka in the Park
Organisation	Dover Heights Shule
The Activity	Funds are sought to support the delivery of Chanuka in the Park scheduled for 28 November 2021 in Dudley Page Reserve Dover Heights, to include entertainment and the traditional lighting of the menorah, spreading the message of light and hope in the Jewish festival of lights.
Assistance Sought	\$5,000
Background	Chanuka is a Jewish celebration of faith, hope and light.
Funding History	The Shule received a grant of \$2,869.25 in 2020 to cover the cost of venue hire for Chanuka in the Park 2020 (acquitted). Participation was limited to 500 to ensure a COVID safe event and organisers focussed on bringing together people in the local neighbourhood.
Website	www.dhs.org.au
Comment	The Jewish community, which represents 17% of Waverley's population is strongly represented in the Dover Heights area. The celebration of Chanuka provides a great opportunity to bring the local community together.
Recommendation	<i>\$3,000 recommended to cover the costs of venue hire and associated requirements</i>

Application 2	Mentor Program Networking Night: Promoting Diversity and Inclusion
Organisation	City East Community College
The Activity	Funds are sought to support the College's annual Mentor Program gathering booked for the Margaret Whitlam Recreation Centre in May 2022. The event will highlight stories of connection and inspiration between migrants and refugees and volunteer community mentors. New Australians from culturally diverse backgrounds will share their experiences of transitioning into life and work in Australia while mentor program volunteers will speak about their supportive roles and explain the benefits of volunteering as a mentor.
Assistance Sought	\$3,500
Background	The College's Mentor Program supports professionally skilled migrants, refugees, and asylum seekers to reach their employment potential by matching them with volunteers from their profession. The applicant reports that since the start of the Program in 2016, 460 job seekers have found support through professional volunteer mentors, many of whom live or work in Waverley.
Funding History	Council has provided support annually through the small grants program to

	support the Networking evening. No networking event could be held in 2020 due to COVID-19 restrictions and the funds were redirected to the production of a series of six digital stories by mentors and mentees. The collection is due for completion and launch in October 2021.
Website	www.cec.edu.au
Comment	The 2016 census showed that 17.4% of Waverley residents worked in professional, scientific and technical services, and that 38.5% of the population was overseas born. This program provides a valuable opportunity for Waverley's many professionals to 'give back' by volunteering as a mentor and sharing the benefit of their own experience as a professional and/ or as a migrant.
Recommendation	<i>\$3,500 recommended</i>

Application 3	Out of Sight, Out of Mind at Ocean Lovers Festival
Organisation	Underwater Earth Limited (UWE)
The Activity	Funds are sought to support the mounting of an interactive ocean exhibition at the Ocean Lovers Festival, scheduled for 10-13 March 2022. The virtual exhibition enables people to access 360 degree underwater images collected across the globe on their mobile devices, using a QR code. The proposed exhibition would include images taken off the Sydney coast giving people an opportunity to view what lies beneath the waves. The content would be made available for the Bondi Story Room to facilitate continued community engagement with the protection of the oceans.
Assistance Sought	\$5,000
Background	The Ocean Lovers Festival is an annual event bringing together sport, science, art, music and environmental action. The festival showcases the latest innovations, technology and ideas for helping the ocean.
Funding History	In May 2021, Council awarded two small grants of \$5,000 each to support the following elements of the Ocean Lovers Festival: Litterarty School Waste Art Competition, and Science Space and Ocean Labs Workshop. Along with the Festival, implementation of these projects has been delayed by the COVID-19 shutdown. The funds will be applied to support these elements of the March 22 festival.
Website	www.underwater.earth
Comment	Given that grants amounting to \$10,000 have been awarded for elements of the Ocean Lovers Festival, which have been delayed by the COVID-19 shutdown and are yet to be implemented, officers recommend that it would not be equitable to other applicants to provide further funding in this round.
Recommendation	<i>Not recommended</i>

Application 4	The Big Bowlo Rock 'n' Roll Up
Organisation	Bowlo Sports and Leisure
The Activity	Funds are sought to support a one day event at the Bondi Bowling Club on 27 March 2022 with live music, entertainment and barefoot bowling with the aim of stimulating the live music scene in Waverley, bringing together older and younger demographics, and reminding the community of the value of local bowling clubs as a place for people to gather and mingle.
Assistance Sought	\$4,000
Background	The applicant provides marketing and consulting services to bowling clubs.
Funding History	Nil
Website	www.bowlo.beer
Comment	Although the idea of bringing people together to enjoy some live music after the lockdowns is appealing, in officers' assessment, benefit from this proposal would mainly flow to the promoter and the bowling club rather than to the broader community.
Recommendation	<i>Not recommended</i>

Application 5	Girls Cricket at Eastern Suburbs Cricket Club
Organisation	Eastern Suburbs Cricket Club
The Activity	Funds are sought to support the provision of professional cricket coaching for girls during the 2021/22 season with the aim of increasing participation and development pathways.
Assistance Sought	\$4,000
Background	Easts Cricket runs an extensive program of junior cricket for boys and girls in age ranges from 7 to under 15. Coaching in the program is provided by parent volunteers. Inspired by Cricket Australia's <i>Press for Progress</i> plan to re-imagine cricket for a future that includes all Australians, and working with Cricket NSW, the Club is hoping to provide encouragement and development pathways for girls by providing specialised professional coaching.
Funding History	The Club received grants in 2018 and 2019 for elements of its 125 year centenary celebrations that have been acquitted.
Website	http://www.eastscricket.com.au
Comment	With women's cricket coming to prominence through the telecasting of matches, there has been a strong growth in interest in the sport among girls. It is positive to see Waverley's 125 year old local club joining the sport's journey towards gender equity.
Recommendation	<i>\$4,000 recommended</i>

Application 6	Futsal Education
Organisation	Eastern Suburbs Hakoia Futsal
The Activity	Funds are sought to support the development of course of 40 x 90 minute 'on-line' Futsal instruction sessions for players, including videos and lectures with multiple choice testing at the end of each unit to reinforce learning.
Assistance Sought	\$5,000
Background	The applicant reports that the Club has more than 220 futsal (indoor soccer) players in the local area, aged 8 to adult, who usually train weekly. Competition and training have been interrupted by the COVID-19 lockdowns of 2020, and 21. It is proposed that the 'on-line' training sessions would allow players to stay in touch with the game and with each other, and continue learning about the sport regardless of lock-downs. An 'on-line' resource, the first of its kind, could also be made more broadly to members of Futsal NSW.
Funding History	Nil
Website	www.eshfc.com.au
Comment	Although this is a strong application and a great development idea for the code, in officers' assessment, benefit from the proposal would mainly flow to the code with limited benefit for the broader local community. Hopefully local players will be able to meet and train in person in the coming season as NSW transitions out of the 2021 lockdown.
Recommendation	<i>Not recommended</i>

Application 7	Australian Sports Program
Organisation	Australian International Sports Organisation Pty Ltd
The Activity	Funds are sought to support the delivery of one Australian Sports Program in Waverley in March/April 2022. The three hour Program provides up to 100 international students and members of multicultural communities with an opportunity to learn about Australian culture through sport, including an introduction to local sporting organisations, and ways to get involved.
Assistance Sought	\$2,905
Background	This program is based in Seven Hills and is linked to a number of sporting codes at state level.
Funding History	Nil
Website	www.ausiso.co
Comment	The application does not demonstrate that links with local clubs have been established. Although the program appears to provide significant benefit for communities with large numbers of international students, refugees and other recently arrived migrants, it doesn't appear to address Waverley's local needs.
Recommendation	Not recommended

Application 8	Playball!
Organisation	Tammy Ceppi
The Activity	Funds are sought to support the delivery of 32 sessions of the Playball Program in Waverley's Early Learning Centres during 2022. The Program is run by experienced sports/ early education specialist and is designed to benefit children 3-5 years old.
Assistance Sought	\$4,800
Background	Playball teaches sports skills using a variety of sports equipment as a fun way for children to learn life skills and school readiness skills, including physical skills, self confidence, and playing well with others.
Funding History	Nil
Website	https://playball.com.au
Comment	Although this program would undoubtedly benefit young children, support for delivery through a Council grant is not recommended.
Recommendation	<i>Not recommended</i>

Application 9	Dippers Programs
Organisation	Autism Swim
The Activity	Funds are sought to support implementation of Autism Swim's Dippers Program in partnership with the Bondi and Bronte Surf Lifesaving Clubs in January-February 2022. The Program is a modified Nippers and surf education program, tailored for individuals with Autism Spectrum Disorder, which provides water skills to those who may not otherwise have the opportunity and is open to all ages and abilities.
Assistance Sought	\$10,000
Background	Autism Swim is an international social enterprise of experts specialising in wandering and drowning prevention for those with Autism Spectrum Disorder (ASD) and other abilities, established in Australia in 2016.
Funding History	Council awarded the Bondi Surf Lifesaving Club a small grant of \$5,000 in October 2019 to enable the club to develop an inclusion program in association with Autism Swim. The Club reported that the program ran successfully with 14 kids with disabilities participating in Jan-Feb 2020.
Website	https://autismswim.com.au
Comment	Although officers strongly support ideas for improving access to everyday activities for those members of Waverley's community who have disability, the delivery model proposed in this application is unclear and potentially problematic. Officers propose to undertake further exploration of the model with the key players in the hope that the proposal could be considered as part of a planned EOI process specifically focussing on improving access for residents with disability.
Recommendation	<i>Not recommended</i>

Application 10	Mindful Wellbeing Tools Sessions
Organisation	Xanthe Pearson
The Activity	Funds are sought to support the delivery of 20 x short classes over a period of 12 months providing simple mindfulness tools to promote wellbeing tailored for the needs of participating organisations.
Assistance Sought	\$5,000
Background	Xanthe Pearson is an accredited ATMS and Australian Kinesiology Association Practitioner. Drawing on Eastern and Western healing traditions Kinesiology uses muscle monitoring to identify imbalances or blockages in energy flows within the body.
Funding History	Nil
Website	www.equissence.com
Comment	Without participating organisations having been identified, the potential benefits of this program could not be assessed.
Recommendation	<i>Not recommended</i>

Application 11	Mums Bubs and Carers World Music Sessions
Organisation	Miriam Lieberman
The Activity	<p>Funds are sought to support the provision of a free six week program of learning songs from around the world for up to 20 mums/ carers and young children per session at the Margaret Whitlam Recreation Centre, or the School of the Arts in April/ May 2022.</p> <p>The applicant's stated objectives are to celebrate the universal power of music across language and culture, to celebrate Waverley's diversity, and to provide an opportunity for mothers/ carers to come together and connect after the lock down of 2021.</p>
Assistance Sought	\$3,946
Background	Miriam Lieberman is a singer song writer with decades of experience in world music and is accredited as a primary school teacher. She reports that prior to the 2020 COVID-19 shutdown she ran similar classes from the Bondi Pavilion.
Funding History	Nil
Website	www.miriamlieberman.com.au
Comment	Although this program would undoubtedly benefit mums/ carers and bubs, support for delivery through a Council grant is not recommended.
Recommendation	<i>Not recommended</i>

Application 12	Uplift Prints
Organisation	Ryan Blakley
The Activity	Funds are sought for materials and equipment to enable Uplift Prints to offer their creative skills program to the youth refugees in Waverley. These have not yet been approached to determine need/ interest due to the COVID-19 shutdown.
Assistance Sought	\$3,121
Background	<p>Uplift Prints is a student project under Enactus NSW providing a creative skills program for disadvantaged young people in Sydney. Its mission is to empower young people experiencing, or at risk of, homelessness by providing them with a platform for creative expression.</p> <p>To achieve this mission, Uplift Prints offers creative workshop programs through youth refuges in Sydney, including T-shirt design, Photoshop and screen-printing. Since 2018, Uplift has piloted various programs including programs for Oasis Youth Support Network, Jacaranda Cottage, Project Youth and The Bridge.</p>
Funding History	Nil
Website	https://www.upliftprints.com
Comment	Without participating organisations having been identified, and partnerships based on need established, the potential benefits of this program could not be assessed.
Recommendation	<i>Not recommended</i>

Application 13	Wayside Chapel Community Activities
Organisation	Wayside Chapel Norman Andrews House
The Activity	Funds are sought to support the development and delivery of social enrichment programs at Wayside's Norman Andrews House in Bondi, in particular programs that facilitate participation in broader community activities.
Assistance Sought	\$5,000
Background	Through Norman Andrews House, the Wayside Chapel delivers 'drop in' services to rough sleepers, and other disadvantaged people in Waverley, including a community café and food garden, practical assistance, supplies and services such as showers, laundry and personal care products, a range of social and skills based activities, and medical, legal, counselling, referral and case coordination services. Wayside is a key contributor to the Eastern Suburbs Homeless Coalition, and part of the Therapeutic Support Team providing fortnightly outreach patrols in Bondi.
Funding History	Nil recent small grants. Council provides Wayside with an annual community services grant to support the employment of a coordinator for the service.
Website	www.waysidechapel.org.au

Comment	Officers recommend that the applicant undertakes some further development of their project proposal to achieve greater clarity of objectives and anticipated outcomes and applies again in a future round.
Recommendation	<i>Not recommended</i>

Application 14	Shellpine
Organisation	Graeme Wattie
The Activity	Funds are sought to support the development of a community platform to promote sports and leisure with the Waverley community, which will include parkland resources, local clubs, and other sports and recreation businesses, with the aim of improving mental and physical health, creating community connections, and supporting local business.
Assistance Sought	\$5,000
Background	<p>According to the applicant Shellpine will consolidate sports and leisure opportunity with an 'all-in-one community marketplace' (<i>tech platform</i>), connecting people to sports, goods, and the community. Activities will be displayed in a postcode related directory. The marketplace will provide improved transparency of things to do in the Waverley LGA.</p> <p>A community feed of local announcements, events, special offers, and consumer posts; will increase community engagement and awareness. The platform will also connect people with local sports and leisure retailers (stores), as an enabler for physical activity, and to help support local businesses.</p>
Funding History	Nil
Website	-
Comment	The application does not demonstrate any particular need for the proposed project in Waverley, or local connections that would facilitate its development. Generally, the Waverley community is well connected to sports and recreation opportunities.
Recommendation	<i>Not recommended</i>

Application 15	Bondi Beach Babes - Website Build & Design
Organisation	Amy Lynch & Sarah Launt
The Activity	Funds are sought to support the development of a web site to provide opportunities for connection for local women, and promote local activities, services and events, with the aim of encouraging women to join in for their own benefit, and to support the recovery of the local economy from COVID-19 shutdowns.
Assistance Sought	\$5,000
Background	The applicant reports that Bondi Beach Babes was established on Facebook in 2020 to support women through the isolation of the 2020 lockdown, offering connection through 'fun' local COVID safe activities, achieving support for both members and local small businesses. In 12 months since, the Facebook site has established a Facebook group membership of 4,000 and numerous

	connections with local small businesses.
Funding History	Nil
Website	https://www.facebook.com/bondibeachbabes
Comment	The value of development of a web site is unclear if the Facebook site is achieving the applicant's objective of helping local women to connect and get to know one another through events and activities supplied by local business.
Recommendation	<i>Not recommended</i>

Application 16	Keep it Local 'Map of Waverley' Pilot Project
Organisation	Bondi & Districts Chamber of Commerce
The Activity	Funds are sought to support the development of an upbeat and optimistic map of Waverley which will incorporate key points of interest in the Waverley LGA, showcase local walks and tours and members' business locations, and encourage people to shop local. The aim of the pilot is to bring a sense of hope, fun and optimism to a community that has been through a challenging time during the lockdown.
Assistance Sought	\$5,000
Background	The Chamber has secured Lime Bikes as a project partner, and artist Rosie Apps for the proposed project.
Funding History	Nil
Website	www.bondichamber.com.au
Comment	While a project supporting recovery of Waverley's small business community is to be welcomed, the project as proposed also provides a promotional vehicle for a single company as project partner. This creates complexities that cannot be resolved through the small grants process. Officers recommend that the applicant undertakes further project development, in consultation with relevant Council teams, and applies again in a future round.
Recommendation	<i>Not recommended</i>

Application 17	North Bondi Share Board
Organisation	Cameron Scott
The Activity	Funds are sought to support the continued operation of a surf board share scheme running from a site above the Wally Weeks Wading Pool. Damaged or donated boards are refurbished and made available for beach goers informally and free of charge. Funds are sought to help cover costs associated with refurbishment and maintenance of the scheme.
Assistance Sought	\$900
Background	-
Funding History	Nil
Website	https://www.notnotcamscott.com/surf
Comment	Communal custodianship of resources supports community connections. Repairs keep broken boards out of landfill and promote a circular economy.
Recommendation	<i>\$500 recommended for materials to support board refurbishment</i>

Application 18	Avoca Street Garden and Community Library
Organisation	Darren Reynolds
The Activity	Funds are sought to support the construction and installation of a raised garden bed and a small street library on a verge in Avoca Street Bondi by a group of neighbours who plan to maintain it as a shared garden project.
Assistance Sought	\$1,200
Background	The plan submitted for a shared garden at 24 Avoca Street has not received approval through the public gardening assessment process, on the grounds that the location proposed is not suitable for a raised garden bed due to accessibility and safety concerns.
Funding History	Nil
Website	-
Comment	Officers recommend that the group revises and re-submits the plan for their garden and applies again for Council support in a future round.
Recommendation	<i>Not recommended</i>

Application 19	Bronte Animal Habitat Stepping Stone
Organisation	Bridget O'Neill
The Activity	Funds are sought for the purchase of equipment to support bee swarm 'rescues', and to fit out the applicant's garden in Bronte as a safe place for bees and other pollinators to obtain food and water.
Assistance Sought	\$2,000
Background	The applicant has completed apiarist training and is a member of the Sydney Bee club. She reports that she has become an active responder to requests from the local community for help with bee swarms and has collected five so far this spring season. She is seeking support to enable her to continue this work.
Funding History	Nil
Website	-
Comment	Although they are intended to achieve a contribution towards a good cause, Council's Small Grants Program cannot subsidise improvements to an individual's garden. Officers recommend that the applicant applies for an environmental small grant in a future round for those elements of the proposal that represent a contribution to bee rescue and re-homing.
Recommendation	<i>Not recommended</i>

Application 20	1st Clovelly Scout Group Outdoor Recreation
Organisation	1 st Clovelly Scout Group
The Activity	<p>Funds are sought for the purchase of materials to enable the scout group to transform a dilapidated area of ground behind the scout hall at the corner of Chesterfield Parade/ Chesterfield Lane Clovelly to increase its value and safety for outdoor activities such as learning about bushcraft, gardening and the night sky.</p> <p>The group proposes to use the volunteer labour supplied by its members to:</p> <ul style="list-style-type: none"> ▪ Build new steps to a small deck area ▪ Transform the remaining ground into a grassed area bordered with veggie gardens and native plants ▪ Install railings across the 'drop' ▪ Replace fencing ▪ Install a Water Butt.
Assistance Sought	\$5,000
Background	<p>The applicant reports that the group is one of two remaining scout groups in Waverley, preparing to celebrate its 95th anniversary. The group has 150 members aged 8-18 from more than 100 Waverley families, offering activities for both boys and girls through its Cubs, Scouts and Ventures Programs.</p> <p>The group rents out the hall for other community uses on weekdays including yoga, martial arts and dance. Council records indicate that the property falls within the Waverley LGA, and the Scouts own the land.</p>
Funding History	Nil
Website	https://joinscouts.com.au/scouts/1st-clovelly-scout-group
Comment	This is a strong application with a well developed implementation plan and budget. The proposed project will support community connections within the scout group, and among other users of the community space.
Recommendation	<i>\$4,000 recommended</i>

Application 21	The St.James Road Community Garden Establishment
Organisation	Howard Parry-Husbands
The Activity	<p>Funds are sought by a group of St James Road neighbours to support the establishment of community garden facilities on the western nature strip of the St James Road Park, including 4 raised garden beds (4 x 2 x 1 m) a tool store, compost bin, gardening equipment and supplies. The group has established a Sunday afternoon timetable for maintaining the garden.</p>
Assistance Sought	\$5,000
Background	<p>There has been strong, active local community interest in the St James Rd Park for many years. The plan submitted for the shared garden has received approval through the public gardening assessment process.</p>
Funding History	Nil
Website	-

Comment	The applicant represents a core group of neighbours who are actively encouraging and facilitating participation by other local families, have sought advice from other garden group coordinators across Waverley, and have joined Council's monthly public gardens network gatherings. The project proposed will enhance park facilities, and local connections.
Recommendation	<i>\$4,000 recommended provided that the group continues to work with Council's Community Connections Coordinator.</i>

Application 22	Edible Garden for Clovelly Public School
Organisation	Clovelly Public School Parents and Citizens Association
The Activity	The Clovelly Public P&C is seeking funds to support the installation of an edible garden in the grounds of Clovelly Public School including garden beds, tables and an outdoor classroom space to offer the children an outdoor garden learning experience.
Assistance Sought	\$5,000
Background	The applicant reports that the site selected for the garden space is currently asphalt. The school intends to employ a garden/ manager educator to ensure garden maintenance and long term sustainability of the associated education programs.
Funding History	The school received small grants in 2018 for the installation of a new flag pole, and 2019 towards the installation of solar panels. Both have been acquitted.
Website	https://clovellypublicpandc.com
Comment	Officers recommend that the applicant undertakes some further development of their project proposal in consultation with Council's Environmental Services Team, and Community Connections Coordinator, and applies again in a future round.
Recommendation	<i>Not recommended</i>

Application 23	'Bondi Surfer Magazine' scanning and public access
Organisation	Bondi Surf Bathing Life Saving Club
The Activity	Funds are sought to support scanning to enable public access to a magazine called the Bondi Surfer, produced monthly by the club from 1951 – 1968, and featuring a wide variety of local stories that provide an insight into the development of beach culture in Waverley. The Waverley Library holds 130 editions of the magazine on loan from the Club, and the Club would like to scan these to ensure their preservation and facilitate electronic access through the library and the Club.
Assistance Sought	\$1,000
Background	The Bondi Surf Club began in 1907, and its records represent an important historical resource for the community.
Funding History	In May 2020, the Bondi Surf Lifesaving Club received a Small Grant of \$3,050 (acquitted) to help the club organise, label, store and digitise their archival

	records. With equipment provided through Council's grant, a team of volunteers spent more than 500 hours working to organise and digitise the archive.
Website	https://bondisurfclub.com/
Comment	The club has demonstrated that the small grant previously provided enabled a strong volunteer contribution towards improving public access to records of Waverley's local history. A small further contribution is sought.
Recommendation	<i>\$1,000 recommended</i>

Application 24	The Waverley Tool Box
Organisation	Haydn Keenan
The Activity	Inspired by the contrast in living conditions between pre- and during COVID-19 lockdowns in Bondi, the applicant is seeking funds to support the development of a 'toolbox' of resources, including legal advice, to assist residents determine avenues available to them to respond to anti-social neighbourhood behaviour generated by air b&b, short term rental, and unlicensed back packer hostels.
Assistance Sought	\$5,000
Background	
Funding History	Nil
Website	-
Comment	The provision by Council of a grant to a private individual for this purpose is likely to generate confusion in the delineation of roles and responsibilities in relation to these types of short term rental in Waverley. A funding source alternate to Council's program may prove more appropriate.
Recommendation	<i>Not recommended</i>

Environment

Application 1	An Environmental improvement Plan for rear of 276-278 Bronte Road
Organisation	Charing Cross Precinct
The Activity	Charing Cross Precinct group are seeking funds to improve the amenity at the rear of 276-278 Bronte Road, where the Waverley Action Group are located. Their proposal includes removing pavers around car parking bays to insert garden beds, installing a rainwater tank and setting up compost bins to be utilised by cafes.
Assistance Sought	\$5,000
Background	The Charing Cross Community Hub operates from the shop owned by Council at 4/276 Bondi Road. The Hub has established partnerships with a variety of local groups including the Waverley Historical Society, Bondi and Districts Chamber of Commerce and the Charing Cross Precinct. The shop is leased from Council on a temporary lease. The building has shared ownership with

	NSW Housing being one of the other owners.
Funding History	Nil
Website	https://waverleyactiongroup.org.au/
Comment	<p>Council Facilities Team has advised that they cannot approve upgrades to this area as the premises lease is only temporary. Permission would also have to be sought from the other owners and users of the space.</p> <p>Charing Cross Precinct group would also need to get approval through Council's community gardens approval process.</p> <p>In addition to these complications the environmental benefit of the application is unclear.</p>
Recommendation	<i>Not recommended</i>

Application 2	Waverley Birds & Bees Highway project
Organisation	Planting Seeds Projects
The Activity	Planting Seeds have developed a schools and early learning program to complement their existing B & B Highway program. The B & B Highway establishes pollinator habitat gardens and native bee hives on public spaces such as churches and schools. The grant funds requested would cover the running of this program at 1 primary school and 2 early learning centres in Waverley. Students learn about biodiversity & pollination, plantings, citizen science and habitats and help install native plants and a beehive on their site.
Assistance Sought	\$5,000
Background	<p>The B & B Highway creates habitat stop-overs for pollinators and birds, allowing animals to move around more freely in search of food.</p> <p>The education program has been developed in collaboration with the Department of Education.</p>
Funding History	None
Website	https://www.ps.org.au/
Comment	This was a strong application providing a good methodology on biodiversity site assessment, education and evaluation. Approximately 30 native plants and 1 beehive will be installed at each site along with the educational components.
Recommendation	<i>\$5,000 recommended</i>

Application 3	Vertical Pollinator Garden
Organisation	Uniting Early Learning Centre North Bondi
The Activity	Uniting Early Learning North Bondi would like to install a vertical garden on the exterior building wall. They would plant plants suitable for native bees and teach the children about pollinators.
Assistance Sought	\$5,000
Background	<p>The centre is currently engaged in a community garden on the verge on Niblick St and has a relationship with Council's Local Connections Coordinator.</p> <p>They are proposing to use a company called Growing Trend, to design, install and supply plants.</p>

Funding History	Nil
Website	https://www.uniting.org/services/early-learning-and-childcare/facility/uniting-early-learning-north-bondi
Comment	It is suggested that Uniting Early Learning do more research into the types and numbers of plants they will use, the size of the vertical garden and how it will be maintained and watered as the application was lacking detail. Uniting submitted two applications, this one and one for Iluka Uniting Early Learning Centre. This application was the first one submitted so would be the one to be considered.
Recommendation	<i>Not recommended</i>

Application 4	Vertical Pollinator Garden
Organisation	Uniting Early Learning Iluka
The Activity	Uniting Early Learning Iluka would like to install a vertical garden on the exterior building wall. They would plant plants suitable for native bees and teach the children about pollinators.
Assistance Sought	\$4,950
Background	They are proposing to use a company called Growing Trend, to design, install and supply plants.
Funding History	Nil
Website	https://www.uniting.org/services/early-learning-and-childcare/facility/uniting-iluka-early-learning-bondi-beach
Comment	It is suggested that Uniting Early Learning Iluka do more research into the types and number of plants they will use and the size of the vertical garden. Uniting submitted two applications, this one and one for Uniting Early learning North Bondi. This application was the second one submitted so will not be considered.
Recommendation	<i>Not recommended</i>

Application 5	Children's clothing from waste fabric from the apparel industry
Organisation	Small Fry
The Activity	Small Fry are seeking funds to help develop a small business to create Children's clothing using only fabric offcuts that would otherwise go to landfill. They would also like to include an educational component to their website on sustainable fashion.
Assistance Sought	\$5,000
Background	As cotton has a high carbon footprint, it takes a large amount of water to produce and air miles to transport. This product will repurpose left-over fabric reducing the environmental impact of the product. It is estimated that 575 metres of fabric will be diverted from landfill in the first year.
Funding History	None
Website	N/A

Comment	Small Fry have an established supply of fabric offcuts and have conducted market research for their product. Small Fry owners have been in the fashion industry for many years and have established networks. Partial funding is recommended to help explore this opportunity.
Recommendation	<i>\$2,500 recommended</i>

Application 6	Carbon Heroes – Home Pyrolysis to Directly Sequester Carbon
Organisation	Custom Concepts Australia
The Activity	Funds are sought to develop a trial residential pyrolysis system enabling residents to turn their organic waste, paper and cardboard into stable carbon for use on gardens as a soil improver to help plants grow. The applicant seeks to develop and test this technology in their garden as a test of it's feasibility for local small scale residential use.
Assistance Sought	\$5,000
Background	The pyrolysis (or devolatilization) process is the thermal decomposition of materials at elevated temperatures in an inert atmosphere. It involves a change of chemical composition, and is currently used in large scale agricultural settings but not in residential use.
Funding History	Nil
Website	N/A
Comment	Whilst there could be GHG reduction benefit, the assessment panel is unclear if this will add benefit to Waverley in terms of the current systems in place to recycle cardboard and paper and compost organic waste in gardens. The proposal needs further development to provide an analysis of potential uptake in the community of this technology and more information on the measurable waste to be processed and GHG emission reductions from the trial.
Recommendation	<i>Not recommended</i>

Application 7	Wicking beds for native plants
Organisation	Bondi Public School
The Activity	Funding sought to install eight wicking beds to contribute to the creation of a bush tucker and a native pollinator garden. The wicking beds will provide space for both edibles and flowering plants. Plants will be labelled with QR codes to enable community members to look up the plant information.
Assistance Sought	\$2,475
Background	Bondi PS has an established Stephanie Alexander kitchen garden program and has previously received funding through this grant program to replace existing garden beds with wicking beds.
Funding History	20/21 R1 - \$4000 for classroom recycling bins. 19/20 R1 - \$5000 wicking garden beds
Website	https://bondi-p.schools.nsw.gov.au/
Comment	As Bondi PS has received grant funding over the last two years, preference has

	been given to applicants who have not previously received funding.
Recommendation	<i>Not recommended</i>

Application 8	Bronte Public School Native Planting and Misting System
Organisation	Bronte Public School
The Activity	Funds are sought to install native understorey plants under existing trees and install a misting system. The aim of the misting system is to provide cooling to the children's astro turfed playground.
Assistance Sought	\$2,898
Background	The astro turf play area can get hot during summer months. The school aims to reduce the playground heat with the installation of a water misting system. Three species / 9 plants in total have been suggested to be planted under the existing canopy trees. The neighbours and P & C have been consulted.
Funding History	2010/11 - \$3000 garden and irrigation 2013/14 - \$1101 recycling and gardening 2014/15 - \$3000 native beehive 2016/17 - \$3000 roof top solar
Website	https://bronte-p.schools.nsw.gov.au/
Comment	In some instances, a commercial misting system may be appropriate to keep playground temperatures down in summer. However, this needs to be assessed based on current ambient temperatures, what the expected temperature would be after installation of the misting system and include analysis of the best location for the system. This application needs further development with the inclusion of expert advice on playground cooling options stating why a misting system is appropriate in this case. It would also need to include measurable environmental outcomes and include the expected water use of the system.
Recommendation	<i>Not recommended</i>

Application 9	Castlefield's Compost and Sustainability Caper
Organisation	Castlefield's Kindergarten
The Activity	Funding sought for worm farms, compost bins, a rainwater tank and an Indigenous learning session.
Assistance Sought	\$2,000
Background	Castlefield kindy is located in Bondi and has been operating for 40 years.
Funding History	Nil
Website	https://www.castlefieldkindergarten.com.au
Comment	Council's Compost Revolution program can provide free compost bins and worm farms to childcare centres and schools, so no funding is recommended for this purpose. The applicant will be invited to reapply for funds for the rainwater tank and provide details such as size of tank, use and water saving expectation.
Recommendation	<i>Not recommended</i>

Application 10	Complete solar panel installation on COA Krygier Centre
Organisation	Connection Opportunities Activities (COA) Sydney
The Activity	Funds are sought to install roof top solar system on the roof of COA Krygier Centre building, located over two properties at 23 and 25 Rowe St Woollahra, and owned by COA Sydney Incorporated.
Assistance Sought	\$5,000
Background	The COA runs a Kosher Meals on Wheels service with the many clients residing in Waverley LGA. They operate two full-size cool-rooms, three fridge-freezers, and five to six full size freezers 24 hours per day, 7 days a week.
Funding History	COA received a grant of \$5,000 in May 20 to support expansion of its shopping service to support older people isolated by the COVID-19 lockdown (acquitted).
Website	https://www.coasydney.org/
Comment	Whilst COA does service and provide benefit to the Waverley community, the property location is in the Woollahra LGA. It is suggested that the COA apply to the Woollahra Council for grant funding and investigate opportunities with the Three Council Solar My Club program.
Recommendation	<i>Not recommended</i>

Application 11	Harbour Harvest
Organisation	BC Media
The Activity	Funds sought to establish an awareness campaign to encourage paddlers / kayakers in the harbour to collect rubbish from the water.
Assistance Sought	\$5,000
Background	The applicant aims to run this project from Tingara Reserve, Rose Bay
Funding History	Nil
Website	Bcmedia.com.au
Comment	The project is for activities taking place in the Woollahra LGA.
Recommendation	<i>Not recommended</i>

Application 12	Native beehive and wicking beds
Organisation	Langlee Lane Community Garden
The Activity	Funds are sought to create wicking beds for growing vegetables and installing a native beehive in the community garden.
Assistance Sought	\$1,000
Background	Langlee Community Garden has been in operation for around ten years and work with Council's Local Connections Coordinator. Wicking beds will make it easier to water vegetable gardens and the native beehive will encourage pollination of plants and increase biodiversity.
Funding History	Nil
Website	N/A

Comment	Recommend funding the native beehive and encourage the applicant to provide more information about water saving benefit of the wicking beds including an estimate of the water that would be saved using this method of gardening.
Recommendation	<i>\$600 recommended</i>

Application 13	Slow Fashion Waverley Workshops
Organisation	Meyd.it Pty Ltd
The Activity	Funding sought to develop a suite of workshops to skill the community in techniques to up-cycle their clothes. Slow fashion experts will teach participants how to transform articles of clothing giving them new life instead of throwing them out. Workshops will also educate on the benefits of slow fashion over fast fashion and how to reduce waste.
Assistance Sought	\$5,000
Background	Reducing community textile waste from fast fashion will help Council meet its waste reduction targets.
Funding History	Nil
Website	http://linkedin.com/in/suhansen
Comment	Council's sustainable waste team is interested in supporting workshops on this topic and would like to work with Meyd.it to refine their offering and measurement of project goals. Partial funding is recommended to help develop the idea and trial two workshops.
Recommendation	<i>\$2,500 recommended</i>

**REPORT
CM/7.11/21.10**

Subject: Public Gardening Policy and Verge Garden Guidelines - Adoption

TRIM No: A13/0054

Author: Rebecca Rodwell, Manager, Community Planning and Partnerships

Director: Sharon Cassidy, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Adopts the Public Gardening Policy attached to the report (Attachment 1).
2. Notes the Verge Garden Guidelines and expression of interest form attached to the report (Attachments 2 and 3).

1. Executive Summary

This report seeks Council's adoption of the Public Gardening Policy for gardening in public spaces. A summary of the feedback received has been incorporated into this report, along with a resourcing strategy to implement the new systems, documents and processes.

2. Introduction/Background

A 2017 Council resolution requested officers to report on progress with updating Council's public gardening policy and street garden guidelines; improved and faster application processes; better promotion; and consultation with residents prior to removal of any gardens in the public domain. The policy and guidelines were reviewed and updated through a comprehensive internal consultation process, and a best practice review of other Council systems supporting similar activities was conducted.

The draft Public Gardening Policy, Verge Garden Guidelines and expression of interest form for gardening in public spaces were on public exhibition from 11 August 2021 until 8 September 2021.

Council received 24 individual responses through 'Have Your Say' and an additional two responses via email/letter directly to Council from residents. The feedback received from the public was generally positive, with people appreciating Council's recognition of the importance of caring for the environment, beautifying the neighbourhood, increasing biodiversity, reducing illegal dumping, and creating neighbourhood connections. Simplifying the process of creating gardens was a common thread running through most of the comments made by respondents.

During the consultation period, a range of relevant teams including Environmental Sustainability, Open Spaces and Governance provided additional feedback to further refine the process.

Whilst updating the documents, officers have also established a 'Public Gardening Project Control Group' which meets monthly, to respond to verge garden applications and expressions of interest for other public gardening activities. The aim of this group has been to streamline the process for residents by providing

one point of contact. This has ensured residents receive a high standard of customer service and a coordinated, timely response to their often complex enquiries as the group represents cross council subject matter experts. The Co-ordinator, Local Connections, has managed this process with good support from key officers, through a six-month trial.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Operations and Community Services Committee 6 July 2021	OC/5.2/21.07	That Council: 1. Publicly exhibits the draft Public Gardening Policy and draft Verge Garden Guidelines attached to the report for 28 days. 2. Officers prepare a report to Council following the exhibition period, including a resourcing strategy to enable implementation of the policy and guidelines.
Council 10 October 2017	CM/8.5/17.10	That Council: 1. Updates the Public Gardens Policy and Street Garden Guidelines to make it easier and quicker for residents to apply for a verge garden outside their property. 2. Assesses its current measures to promote street gardens and identifies ways to improve uptake by residents, including a process for faster approvals. 3. Notes that there is no street garden application fee to the resident. 4. Ensures that existing street gardens in the public domain are not removed without first consultation with adjacent residents. 5. Prepares a report on the above matters for consideration, including progress and achievements to date from the Council resolution CM/7.7/16.09 on street gardens and residential verges.

4. Discussion

Council received 24 responses through 'Have Your Say' and two additional submissions via email/letter. The draft verge garden guidelines were downloaded 82 times, the policy 38 times and the expression of interest form 26 times.

A summary of the feedback provided is outlined below. Importantly, 91% had not sought approval for a public garden in the past and about the same proportion of respondents are not connected with a shared garden.

The feedback was as follows:

- Gardening in public spaces is important to people as it provides opportunities for greening space, beautification, reducing illegal dumping, food production, increase in native plantings, connecting with others, creating habitat corridors and biodiversity, caring for the environment and community.
- Respondents reported that some of the positive impacts of gardening in public spaces are bringing people together and a sense of community, increasing cohesion and community safety and encouraging good physical and mental health.
- 81% felt the policy and guidelines were easy to understand.
- 77% indicated that the policy and guidelines would make it easy to apply for a garden and make the process simple.
- 86% felt that the policy and guidelines would help identify the right plants to use.
- 63% were confident knowing how to garden in public spaces.
- 65% of survey respondents have access to public space to garden, and of these almost 90% mentioned having access to a verge.
- Some of the barriers identified were, a lack of space, cost of materials, ongoing commitment, application process, unsupportive neighbours and the manual labour required to establish a garden.
- Ensuring verges are still accessible for people moving in and out of cars, and to locate bins was identified as important.
- The importance of maintenance was raised by a number of respondents.

Different opinions were voiced around compost bins on verges and in gardens. Some residents were very supportive, while others were opposed. Based on this feedback, more detailed information around compost bins has been incorporated into the policy/guidelines.

Other suggestions that were considered outside the scope of the policy but may be revisited in the future include:

- The inclusion of 'laneways' within the policy framework.
- Approving all gardens within the local government area that were in existence prior to the policy and guidelines.
- Removing the requirements of landlords to be supportive of an application.

In summary, the respondents were generally supportive of the updated policy and guidelines which included the flowchart below illustrating the proposed application and approval process.

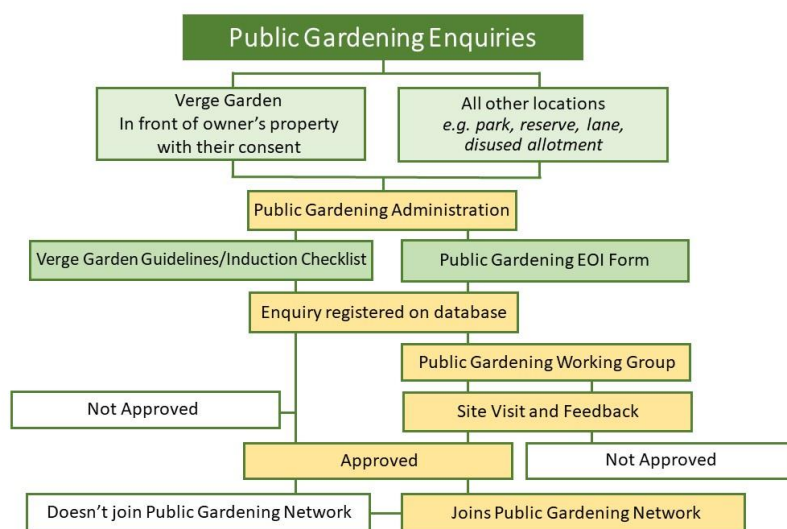


Figure 1. Public gardening approvals process – Draft Public Gardening Policy, p. 6.

One positive comment highlighting rate payers' appreciation of the proposed improvements is included below:

'I think the current consideration given to updating these policies is evidence of a Council that is truly serving its public and taking residents' views on board. I am very impressed with the way Council has made such initiatives and feel that my rate payments are REALLY being used to advantage everyone in the community.'

During the public consultation process, officers further refined some central issues relating to the implementation of the policy and guidelines.

- A central email address (publicgardening@waverley.nsw.gov.au) will function as a triage point to receive all enquiries related to public gardening. Enquiries will then be forwarded to the most appropriate Officer, which should create clear pathways and clarify expectations for responsibilities and follow up.
- A centralised database has been established to ensure consistent records are maintained and to allow shared access by relevant officers (i.e. compliance, open spaces).

The inclusion of 'compost bins' was identified as an important amendment to the documents. Council receives multiple enquiries about composting from the public through the Compost Revolution program, and also through public gardening enquiries. The following statement relating to compost bins has now been incorporated into the documents:

Public Gardening Policy

On-site composting facilities may be permissible in limited circumstances when connected to an approved public garden, where the size, and type of compost facility, location and ongoing maintenance have been approved by Council. Any facilities that are not maintained to the required standards may be removed or relocated at Council's discretion.

Verge Garden Guidelines

Waverley encourages residents to compost and utilise the rich soil and liquid fertiliser it provides while reducing landfill. Compost should be established and maintained within a resident's property, however if there is no outdoor space available within the property, composting may be approved on public land in limited circumstances when connected to a verge garden. Composting in Waverley is supported by the 'Compost Revolution' program.

Officers have engaged the Governance and Risk and Safety teams in discussions around Council's duty of care, risk management and WHS procedures. This was important for achieving a simplified, user friendly process in response to the 2017 resolution without compromising people's safety in the public domain.

Council will take out and keep current public liability insurance to cover private individuals in relation to verge gardens approved and subsequently maintained in accordance with the Public Gardening Policy and applicable Guidelines through the Uninsured Community Groups Public Liability Policy. However, this does not prevent a third party from making a claim against the owner relating to gardens. Shared gardeners are covered through Council's Public Liability Policy. Officers are satisfied with the insurer's, advice on best practice in risk management by incorporating the following into the process:

- Risk assessment.
- Induction
- Evidence of compliant garden (photo as a minimum).
- Regular Inspections.

To support Council's intent of simplifying the updated policy and guidelines, officers will undertake to incorporate these steps within the existing structure (i.e. through the checklist, additional submission of photo, inspections through regular infrastructure inspections, record keeping through the new data base).

5. Financial impact statement/Time frame/Consultation

Once endorsed the attached final draft documents will be professionally designed and used for promotion, to support community education and direct internal workflow processes.

The consultation process was extensive and included ELT, internal teams and subject matter experts, the recently established Project Control Group (PCG), residents connected to Council's volunteering and gardening networks, culminating in the public exhibition process from 11 August until 8 September 2021 and further internal consultation to finalise the policy and guidelines following public exhibition.

6. Conclusion

This report provides a summary of community and internal feedback received on the draft public gardening policy and verge garden guidelines. The overview indicates broad support for proposed changes and improvements to the current application and approval process. Some feedback has resulted in further inclusion or amendments which have been detailed in the report.

Given the outcome of this review process, positive results achieved through establishment of a PCG, community and officers' feedback indicating support for the revised processes, officers seek Council endorsement of the final draft documents.

7. Attachments

1. Public Gardening Policy - Final Draft [📄](#)
2. Verge Garden Guidelines - Final Draft [📄](#)
3. EOI Form - Gardening in Public Spaces - Final Draft [📄](#) .



WAVERLEY
COUNCIL

Public Gardening Policy

Public Gardening Policy

Policy owner	
Approved by	
Date approved	
Commencement date	
TRIM Reference	
Next revision date	
Relevant legislation/codes	
Related policies/procedures/guidelines	
Related forms	

DRAFT

Public Gardening Policy

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1. Background

Community interest in all types of gardening in the public domain, including individual resident activities as well as group or neighbourhood projects is steadily increasing. The COVID-19 Pandemic, concerns about climate change and food security, and an increasing appreciation for streetscape aesthetics, neighbourhood amenity and social cohesion have combined to drive a resurgence of community gardens and interests in 'home grown' foods.

Community consultation across the LGA on 'Our Liveable Places' has also demonstrated strong support for increased planting and improved greenery such as planter boxes, community gardens, pocket parks, roof gardens, green walls and verge gardens.

Council supports public gardening as a valuable activity that contributes to health and well-being, positive social interaction, community development, and environmental education, protection and enhancement. Specific environmental benefits include increased urban biodiversity, reduced heat, improved air quality and reduced stormwater runoff. Council is committed to ensuring that public place gardening contributes to and enhances sustainable and connected public spaces.

2. Purpose

This policy replaces Council's 2013 Public Place Gardening policy and aims to

- enable the community to continue to engage in public domain gardening activities in the Waverley Local Government Area (LGA)
- ensure the public domain is safe and accessible for all
- balance the competing interests and activities taking place in the public domain (pedestrian movements, landscaping, recreation and vehicle access and parking)
- facilitate public gardening activities in accordance with key strategies and plans

Implementation of this broader policy framework will be supported by a range of specific and more detailed strategies, plans, guidelines, and checklists to ensure the diversity of public place gardens conforms to agreed objectives and outcomes.

3. Scope

This Policy will apply to planting activities in the public domain of Waverley Local Government Area (LGA). State roads, median strips and roundabouts are excluded from this policy, as are Village Centres. To identify where these 'Centres' are in Waverley, refer to the map on Discover:

<https://maps.waverley.nsw.gov.au/connect/analyst/mobile/#/main>

4. Policy Content

4.1. Council Responsibilities

The public domain is a dynamic and fast changing environment. Individual or group gardening activities in public spaces require careful management of often conflicting stakeholder interests and expectations. This Policy commits Council to:

- Support streamlined and efficient public gardening application, assessment, and approval processes - where projects fall outside guidelines or are of a complex nature,

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an internal panel representing relevant technical expertise will assist decision making and approval.

- Help residents identify appropriate sites for gardening activities.
- Assist interested individuals and groups to join existing sites or establish new sites.
- Promote and raise awareness through council's website, newsletters, publications, workshops, and events.
- Provide information about potential grant funding opportunities for eligible groups.
- Host presentations and workshops to develop skills and capacity.
- Provide information about appropriate native plant species for Waverley.
- Provide information to the public about the operation of groups and activities.
- Connect local gardens and gardeners to each other to help build relationships and encourage the sharing of information, resources, and experiences.
- Prioritise resourcing to projects with greatest community benefit.
- Periodically review guidelines or checklists in consultation with key stakeholders where gaps have been identified.
- Assist with site risk assessments, site safety briefings, inductions, and garden audits.

4.2 Policy Implementation and Guidelines

Public gardening can potentially take place across a range of settings and locations (verges, reserves, disused allotments, 'pocket parks', laneways), with some more suitable than others. Council's Public Gardening Policy is supplemented by various guidelines detailing requirements for different types of public gardening activities, including specific criteria, application forms and checklists on establishment and ongoing use of public place garden types. These guidelines form the basis of public garden implementation and management in the Waverley LGA.

In relation to approvals for public gardening:

- Individual verge garden applications that comply with Council's guidelines with evidence provided as part of a completed induction checklist do not require an on-site assessment process.
- Applications for other types of gardens with higher levels of complexity will be assessed and approved based on a set of criteria relating to the location, project viability, risk, suitability, and degree of community support provided.
- The complexity of the approval process will depend on the nature of the request, type, and scope of project (individual or group) and expertise/resources needed to respond to the specifics of public gardening requests. This involves input from officers across Council departments, with approvals informed by key strategies, policies, and plans (e.g., Open Space and Recreation Strategy; Our Liveable Spaces Strategy; Street Design Manual).

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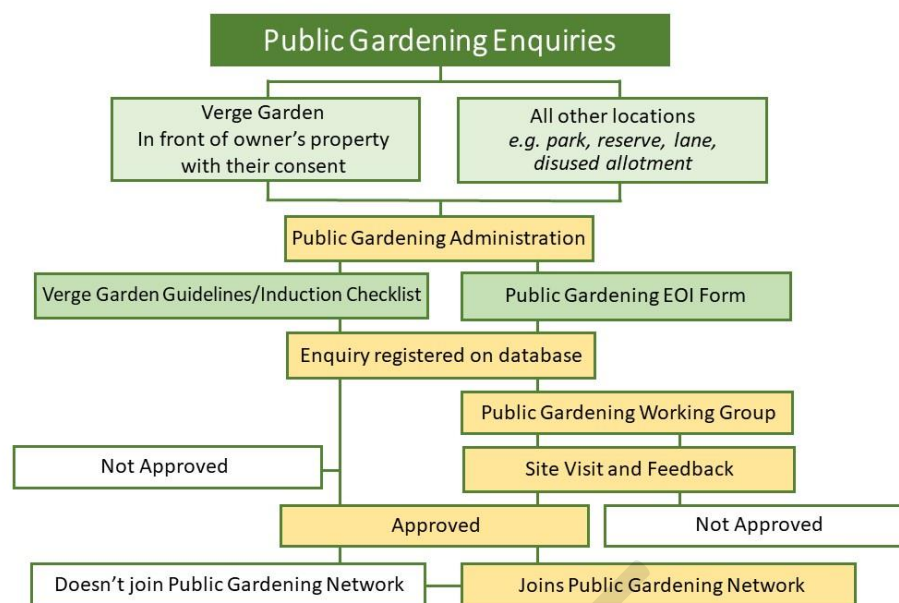


Figure 1. Public Gardening Approvals Process

4.3 WHS, Risk and Insurance

Safety is a high priority of Council. Depending on the type of gardening activity, Council's induction, site risk assessment and risk management processes seek to ensure the safety of gardeners and their potential impact on other public domain users are well managed. Additional information relating to specific garden types, including any insurance requirements and implications, are included in the applicable guidelines. Any business or commercial enterprise that is granted approval under the Public Gardening Policy must take out and keep current applicable public liability insurance of not less than \$20,000,000.

4.4 Compliance

Waverley Council may revoke an approval and reserves the right to remove a garden where the public gardener or group or activity is not meeting the terms of this policy, related guidelines, and conditions of approval. An example of this is no longer being able to keep up maintenance on the garden. Compliance will be assessed on a case-by-case basis. Gardeners will be advised in writing of the non-compliance and given an opportunity to reinstate the garden to the approved standards.

4.5 Public Gardening Controls

All public gardening activities covered by this Policy must satisfy the following requirements to allow establishment and ongoing use.

a) Access

Public gardening sites must ensure community safety. Access to existing footpaths and walkways must be maintained. Refer to relevant guidelines for information about specific requirements for plants and planter boxes.

b) Consultation

Gardening in public spaces preserves, enhances, and creates green spaces that will benefit the greater community and requires community support to succeed in the long term. This policy requires consultation with and endorsement from neighbours or nearby property owners for new activities. The type of consultation required is outlined in relevant guidelines.

c) Biodiversity Protection

Waverley's pockets of remnant vegetation are protected under the Waverley Land Environment Plan 2012. Areas containing remnant vegetation or bushland are devoted entirely to conservation and habitat enhancement activities. The only public gardening type permissible in these areas is Bushcare. See Waverley LEP 2012 Terrestrial Biodiversity Maps. These maps show the location of all remnant vegetation or bushland within the Waverley LGA. Land adjacent to remnant vegetation is protected through the Waverley Development Control Plan 2012 - Part B3 - Biodiversity.

d) Habitat Corridors

Linkages between our remnant vegetation, and identified habitat are known as habitat corridors. Habitat can be created by vegetation in all types of public gardening activities, but any new public gardening plantings within the Waverley identified habitat corridors must include a minimum of 50% local native species. This is a requirement of the Waverley Development Control Plan 2012 - Part B3 - Biodiversity which shows the locations of Waverley's habitat corridors.

e) Tree Management

The management of our urban trees must always be taken into consideration as the provision of shade for cooling our city is an important environmental benefit. Trees are vulnerable to root and soil disturbance. When tree roots are cut, and soil hydrology is altered the impact on the health and appearance of a tree may not be visible for many months afterwards. All trees in Waverley including those in streets, parks and reserves are protected under the provisions of the Development Control Plan 2012, Part B5 - Vegetation Preservation.

f) Plans of Management

Council has Plans of Management (POM) for many parks and open space areas in the area. Public Gardening activities that occur in an area with an existing POM must be consistent with this Plan.

g) Public Land Management

Council manages public land located in the Waverley Local Government Area in accordance with relevant legislation and guidelines. Use of public land for 'gardening activities' is subject to Council approval. Council reserves the right to withdraw approval to individuals or groups to participate if terms of agreed use are breached. Use of public land for gardening activities does not assign or imply rights to individuals or organisations for use of the land other than the terms set out in user agreements or Site Action Plans, and specific operational guidelines.

h) Public Garden Compost Facilities

On-site composting facilities may be permissible in limited circumstances when connected to an approved public garden, where the size, and type of compost facility, location and ongoing maintenance have been approved by Council. Any facilities that are not maintained to the required standards may be removed or relocated at Council's discretion.

i) Soil Contamination

A range of chemicals occur in urban soils, including trace elements and heavy metals. Their distribution and concentrations are largely unknown. Lead could occur in high levels alongside major roads due to our past use of lead-based fuels. Other contaminants may also be present depending

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on past uses. Lead does not readily move from soil through to the edible parts of the plant such as leaves and fruits.

- Non-edible and low maintenance plants are generally preferred such as local native species.
- If residents are concerned about lead and other contaminants, they should carry out soil testing to confirm levels or only garden with non-edible plants.
- Personal protective equipment should always be used when gardening in public places.

j) Weed Management

All public gardens must manage and control environmental weeds. See Waverley Council Weed Management Policy 2012.

5. Related Documents

- Verge Garden Guidelines 2021
- Public Gardening Expression of Interest Form 2021
- Environmental Action Plan 2018-2030
- Weed Management Policy 2012
- Tree Management Policy 2019
- Our Liveable Places Centres Strategy 2020
- Street Design Guidelines 2020
- Public Domain Technical Manual 2020
- Local Strategic Planning Statement
- Sustainable Communities Strategy 2021
- Volunteering Policy 2010
- Volunteer Handbook 2012

6. Review of Policy

This Policy will be updated every three years.

7. Definitions

Public Place Gardening Types

Public Place Gardening in the Waverley Local Government Area (LGA) includes a range of 'gardening' activities carried out on public land. Public Gardening may be an individual activity, such as a single resident wanting to plant out the verge or request a street tree in front of their home. Public Gardening may also be carried out as a group activity working to an agreed plan. Examples of group Public Gardening include Waverley's Bushcare groups, working to conserve and rehabilitate remnant bushland, a shared garden where members come together to care for a small designate verge or pocket park, or a community garden dedicated to growing food plants.

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Term	Definition
Community Garden	Community gardens are non-profit, community-based gardens primarily growing food for members. They are usually multi-functional garden spaces that can provide demonstration sites for education of sustainable practices for gardening, food production and resource and waste efficiency, as well as other environmental, social, and economic benefits.
Shared Garden	Shared gardens are groups formed within small 'pockets' of parkland or green spaces. Council supports local neighbourhood groups with resources, educational workshops, access to funding, working bees, linking to the network of shared and community gardeners.
Verge Garden	Verge gardens are gardens on council land, generally on publicly visible areas of green within the streetscape. They are planted and maintained for native habitat, ornamental, food, or other green infrastructure purposes. Verge Gardens are small in size and mostly located on verges next to footpaths. In-ground gardens and planter boxes may be installed in some areas as long as they meet the requirements of specific guidelines including induction checklists and approval processes.
Laneway Garden	Laneways are a versatile street typology that offer access, articulation and adaptability. Balancing the functional requirements of all users, laneways can offer a safe, inviting, and inclusive environment for pedestrians and attractive public spaces through the inclusion of street furniture, temporary uses, verge planting, raised beds or wine barrels, public art, and adequate lighting.
Cemetery Garden	Volunteer gardeners maintain commemoration sites increasing biodiversity corridors.
Bushcare	Bushcare groups maintain areas of remnant vegetation or bushland and create and maintain habitat. Volunteers work alongside trained bush regeneration supervisors and meet regularly.

Verge Garden

Guidelines and Induction Checklist



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DEPARTMENT Community Programs
DATE CREATED July 2021
DATE ADOPTED BY EXECUTIVE TEAM October 2021
DATE ADOPTED BY COUNCIL
NEXT REVIEW DATE October 2022

1. Introduction and Definition

Waverley Council supports public place gardening as a valuable activity that contributes to the health and well-being of community members, cools the streets, beautifies the neighbourhood, and increases biodiversity and habitat in Waverley.

Verge Gardens are plantings on Council land between the private property boundary and the road kerb. This area is usually turfed and contains street trees, footpaths, driveways and other above and below ground infrastructure. While verges are public land, residents are expected to contribute to their upkeep, through mowing or maintenance of a planted garden.

The Verge Garden Guidelines detail requirements for gardening on the verge directly in front of a property. To create a new verge garden, complete the Induction Checklist at the end of the guidelines and email it to publicgardening@waverley.nsw.gov.au for feedback and assessment. Gardening projects in parks, laneways, or reserves are not included in the scope of this document and will be considered individually by Council Officers.

2. Location and Access

The verge garden guidelines are intended to help residents establish a garden directly in front of their property. A site's suitability for verge gardening and the location of any planting depends on factors such as existing trees and other structures above and below the ground.

The location of a garden within the verge will depend on the verge width, other structures and plants present and how the verge is used. The most important consideration will be that a clear pedestrian travel path is provided or maintained. The best place for a verge garden, whether in-ground or in a planter box, will usually be closest to the property boundary, as most public utilities run along the kerb-side of the verge. For safety reasons, it is also important to maintain clear lines of sight.

There are exclusion zones such as main roads, median strips, and Village Centres where verge gardens will not be permitted. The location of 'Centres' can be identified on Discover: <https://maps.waverley.nsw.gov.au/connect/analyst/mobile/#/main> Council also maintains a register identifying the location of approved verge gardens.

2.1 Site Assessment

When assessing your verge for its suitability for a garden, consider the following:

- Access to sunlight in both summer and winter and how this will influence the garden location and plant species selected.
- How the movement of surface water will affect the verge garden.
- Waverley's street trees are owned and managed by Council and must not be damaged by any gardening (or other) activity.
- Contact Council if in doubt about the proximity of a proposed garden to street trees.
- Corners are to be unplanted for a 45degree splay from the property (see Figure 3).
- Pedestrians, cyclists, and vehicular traffic share our public spaces. Consider how many people use or walk by the proposed verge garden location and how potential impacts may be reduced.
- As verges are often used to place bins for Council garbage collection, ensure access for this service is maintained.
- The stormwater drains of some properties may be at shallower depths, therefore planting must be limited in depth to avoid infrastructure damage.

- Permanent fixtures or structures are not permitted on verge gardens; however, garden edging is allowed so long as it doesn't create a trip hazard.
- Retaining walls, paving, and seating are not permitted.
- Gardens must be neat, well maintained and without trip hazards.

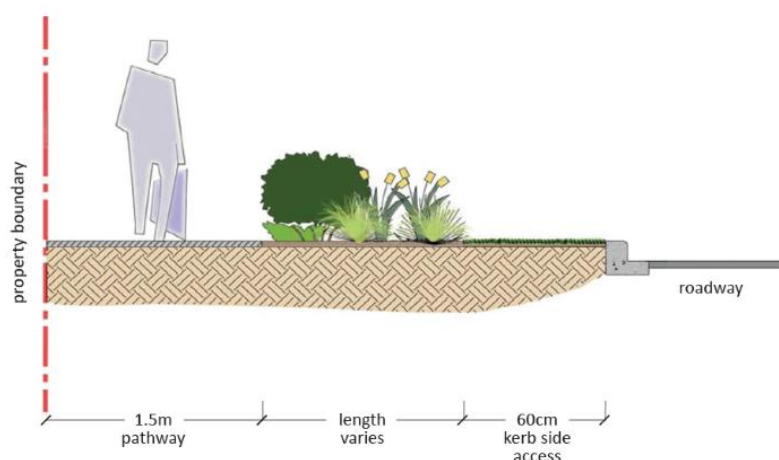


Figure 1: A 60cm access area must be maintained between the kerb and in ground planting.

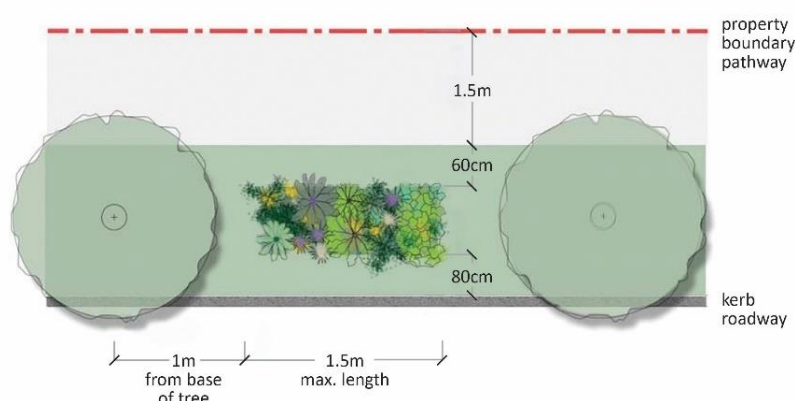


Figure 2: An 80cm access area must be maintained between the kerb and planter boxes. A 60cm access area must be maintained between raised beds and the footpath. A diameter of 1m around a tree must remain unplanted and free of planter boxes so as not to damage roots. Planter boxes must not exceed than 1.5m om length.

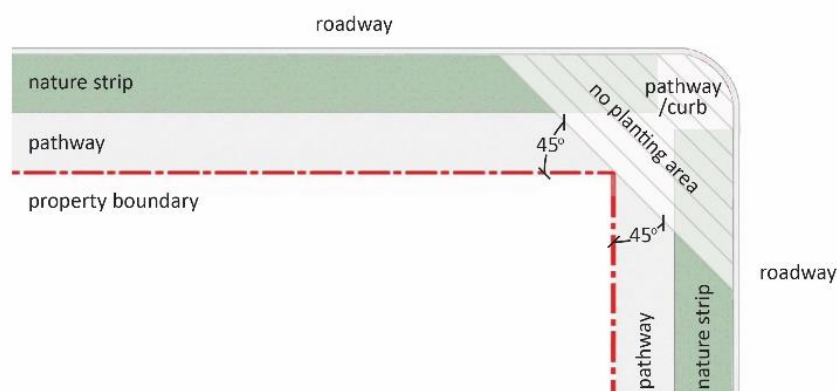


Figure 3: To maintain visibility, street corners are not to be planted for a 45degree splay from the property.

3. Design and Materials

Gardens that use existing site soil are preferred by Council, rather than those needing new materials. Plants should be selected that are suited to local soil conditions so that soil additives, such as fertilisers, are not needed. Sustainable gardening is encouraged therefore, the use of synthetic fertilisers, herbicides and pesticides are not permitted.

The soil or growing medium next to the footpath should be level with, or slightly below the top surface of the footpath. This will ensure that surface water can flow into the garden bed, and that soil, mulch or other garden materials do not spill over.

It is important to select the right plants for the location and consider how they will grow over time. Research is recommended before choosing the species, see local plant list included for guidance and Council's 'Living Connections' program for further information. Ensure there is enough space for the future growth of plants. Plants that are spiky and have sharp edges or points, such as cacti are not suitable for verge gardens.

Waverley encourages residents to compost and utilise the rich soil and liquid fertiliser it provides while reducing landfill. Compost should be established and maintained within a resident's property, however if there is no outdoor space available within the property, composting may be approved on public land in limited circumstances when connected to a verge garden. Composting in Waverley is supported by the 'Compost Revolution' program.

3.1 Garden design elements

When thinking about designing your verge garden, consider the following:

- Keep plants and soil clear of utility covers such as fire hydrants, phone, and stormwater pits.
- Monitor the sun, shade, damp, dry conditions of the site before selecting plants.
- Native plants are encouraged. Choose drought-tolerant plants and those suited to coastal conditions. Planting native plants encourages native birds and wildlife.
- Choose perennial plants over those that last for one growing season to minimise garden maintenance (see recommended species list in Plant List).
- Consider mulching around plants to suppress the growth of weeds and reduce watering.
- Make sure plants do not overhang the pathway or roads, or into gutters.
- Avoid planting weeds or allowing them to grow.
- Trees are not allowed. This includes frangipani.
- Edible plants that require soil cultivation and regular replacement are not recommended.
- Eating produce grown on the verge is at your own risk.
- Plant low growing plants at corners to ensure visibility to traffic.
- Materials used must be low risk e.g., no bamboo or hardwood stakes, steel pickets or guide wires that might injure a pedestrian or cause irritation or toxicity.
- The garden must remain free of physical structures that cause a trip hazard and pedestrian pathways must remain clear.
- Gardening work must be undertaken by hand. Mechanised equipment is not permitted.
- All digging should be limited to shallow depths to avoid interference with underground utilities. Contact Dial Before You Dig at www.1100.com.au to identify underground services.

3.2 Planter box considerations

When deciding on the type and location of a planter box, consider the following:

- Planter boxes are permitted in verge gardens and recommended in areas with hard, level surfaces.

- Planter boxes should be constructed from sustainably sourced wood. Recycled wood can be used if it meets the requirements below. If you are growing food in your planter box, do not use treated pine. Alternatively, corrugated iron can be used providing there are no sharp edges. Wine barrels are also acceptable.
- Planter boxes should be square or rectangular in shape, with four sides and a fixed bottom if positioned on hard surfaces.
- Planter boxes must be durable enough to survive outdoors, stable after planting out, resistant to toppling, waterproof and UV resistant.
- Planter boxes must be free of sharp edges, protrusions, or features, which may damage the footpath or injure passing pedestrians.
- Planter boxes must be regularly maintained to ensure they are safe, tidy, and visually appealing.

4. Safety when working on a verge garden

4.1 Working safely on verge gardens

Residents are responsible for their own safety while working on a verge garden. This means taking basic safety precautions such as wearing appropriate clothing and protective equipment, sun safety and utilising and taking care when using tools and materials.

Always consider the following when working on a verge garden:

- How the garden and related activities will affect others.
- Always work from the footpath or verge, never from a position on the road.
- Watch out for passing cars and keep clear of cyclists and pedestrians.
- Wearing high visibility clothing is recommended.
- Wear gloves and any other personal protective equipment.
- Use tools safely and do not store tools or materials on the footpath as they may cause a trip hazard.

4.2 Insurance

Council will take out and keep current public liability insurance to cover private individuals in relation to approved verge gardens which are subsequently maintained in accordance with the Public Gardening Policy and applicable Guidelines. However, this does not prevent a third party from making a claim against the applicant relating to gardens.

4.3 Compliance

Applicants must complete the Induction Checklist for their verge garden to be approved. Council will undertake regular inspections of approved verge gardens to monitor compliance. If Council receives complaints about a verge garden, a staff member will contact the applicant.

Council will acknowledge receipt of a submitted induction checklist and provide feedback where required prior to approval. Council can advise if there are any potential or immediate development plans for the intended site.

Verge gardens that are not well maintained, have been abandoned, are unsafe or untidy will be considered non-compliant with these guidelines. Council may issue instructions to restore the garden to a satisfactory standard within 28 days or reinstate the site to turf. If Council does not receive a response within this timeframe, the verge garden will be removed by Council and associated costs will be transferred to the resident.

5. Plant List

Local Native and Bushtucker Plants and Herbs

SHRUBS BOTANICAL NAME	SHRUBS COMMON NAME	CLIMBERS, GROUNDCOVERS BOTANICAL NAME	CLIMBERS, GROUNDCOVERS COMMON NAME
<i>Acacia myrtifolia</i>	Myrtle Wattle	<i>Billardiera scandens</i>	Apple Berry
<i>Acacia suaveolens</i>	Sweet Wattle	<i>Carpobrotus glaucescens</i>	Pigface
<i>Atriplex semibaccata</i>	Berry Saltbush	<i>Centella asiatica</i>	Gotu Cola
<i>Austromyrtus dulcis</i>	Midjim Berry	<i>Clematis aristata</i>	Old Man's Beard
<i>Baeckea imbricata</i>	Heath Myrtle	<i>Commersonia scandens</i>	Wrinkled Kerrawang
<i>Banksia spinulosa</i>	Hairpin Banksia	<i>Dichondra repens</i>	Kidney Weed
<i>Banksia robur</i>	Swamp Banksia	<i>Eustrephus latifolius</i>	Wombat Berry
<i>Bauera rubioides</i>	River Dog Rose	<i>Geranium homeanum</i>	Cranesbill
<i>Boronia ledifolia</i>	Sydney Boronia	<i>Gonocarpus teucrioides</i>	Germander Raspwort
<i>Bossiaea heterophylla</i>	Variable Bossiaea	<i>Goodenia hederacea</i>	Ivy Goodenia
<i>Brachyloma daphnoides</i>	Daphne Heath	<i>Hardenbergia violacea</i>	False Sarsaparilla
<i>Correa alba</i>	White Correa	<i>Hibbertia dentata</i>	Toothed Guinea Flower
<i>Correa reflexa</i>	Native Fushsia	<i>Hibbertia scandens</i>	Golden Guinea Flower
<i>Crocea saligna</i>	Crocea	<i>Mirbelia rubiifolia</i>	Heathy Mirbelia
<i>Darwinia fascicularis</i>	Darwinia	<i>Myoporum parvifolium</i>	Creeping Boobialla
<i>Dillwynia retorta</i>	Heathy Parrot Pea	<i>Oplismenus species</i>	Basket Grass
<i>Einadia hastata</i>	Berry Saltbush	<i>Pandorea pandorana</i>	Wonga Wonga Vine
<i>Grevillea speciosa</i>	Red Spider Grevillea	<i>Pelargonium australe</i>	Native Storksbill
<i>Leucopogon ericoides</i>	Pink Beard-heath	<i>Persicaria decipiens</i>	Slender Knotweed
<i>Lomatia silaifolia</i>	Crinkle Bush	<i>Plectranthus parviflorus</i>	Cockspur flower
<i>Melaleuca thymifolia</i>	Thyme Honey-Myrtle	<i>Scaevola aemula</i>	Fairy Fan-flower
<i>Micromyrtus ciliata</i>	Fringed Heath-myrtle	<i>Scaevola calendulacea</i>	Dune Fan-flower
<i>Olearia tomentosa</i>	Toothed Daisy -Bush	<i>Tetragonia tetragonioides</i>	Warrigal Greens
<i>Phebalium squamulosum</i>	Scaly Phebalium	<i>Viola hederacea</i>	Native Violet
<i>Philotheca buxifolia</i>	Box-leaf wasflower	FERNS	FERNS
<i>Philotheca myoporoides</i>	Long leaf wax flower	BOTANICAL NAME	COMMON NAME
<i>Pimelea linifolia</i>	Slender Rice flower	<i>Doodia aspera</i>	Rasp Fern
<i>Platysace lanceolata</i>	Native Parsnip	<i>Histiopteris incisa</i>	Bat's-wing Fern
<i>Plectanthis parviflorus</i>	Little Spurfleur	<i>Hypolepis muelleri</i>	Harsh Ground Fern
<i>Pultenaea linophylla</i>	Halo Bush Pea	<i>Pellaea falcata</i>	Sickle Fern
<i>Rhagodia spinescens</i>	Creeping Saltbush	<i>Pteridium esculentum</i>	Common Bracken
<i>Westringia fruticosa</i>	Coastal Rosemary	<i>Sticherus flabellatus</i>	Umbrella Fern
PERENNIAL HERBS	PERENNIAL HERBS	GRASSES, LILLIES, SEDGES	GRASSES, LILLIES, SEDGES
BOTANICAL NAME	COMMON NAME	BOTANICAL NAME	COMMON NAME
<i>Beta vulgaris</i>	Perpetual spinach	<i>Austrodanthona var racemosa</i>	Wallaby Grass
<i>Borago officinalis</i>	Borage	<i>Carex appressa</i>	Tussock Sedge
<i>Capsicum species</i>	Chilli	<i>Carex pumila</i>	Strand Sedge
<i>Chamaemelum nobile</i>	Roman Chamomile	<i>Cissus antarctica</i>	Kanagaroo Grape
<i>Cymbopogon citratus</i>	Lemongrass	<i>Crinum pedunculatum</i>	Swamp Lily
<i>Echinacea sp.</i>	Coneflower	<i>Cymbopogon refractus</i>	Barbed Wire Grass
<i>Lactuca sativa</i>	Perpetual lettuce	<i>Danthonia linkii</i>	Wallaby Grass
<i>Melissa officinalis</i>	Lemon Balm	<i>Dianella caerulea</i>	Blue Flax Lily
<i>Origanum majorana</i>	Marjoram	<i>Dianella congesta</i>	Coastal Flax Lily
<i>Origanum vulgare</i>	Oregano	<i>Dianella revoluta</i>	Black-anther Flax Lily
<i>Persicaria odorata</i>	Vietnamese Mint	<i>Dichelachne crinita</i>	Long Hair Plume Grass
<i>Petroselinum crispum</i>	Parsley	<i>Echinopogon caespitosus</i>	Tufted Hedgehog Grass
<i>Rumex acetosa</i>	Sorrel	<i>Ficinia nodosa</i>	Knobby Club Rush
<i>Salvia elegans</i>	Pineapple Sage	<i>Imperata cylindrica</i>	Blady Grass
<i>Salvia officinalis</i>	Common Sage	<i>Juncus pallidus</i>	Pale Rush
<i>Salvia rosmarinus</i>	Rosemary	<i>Juncus usitatus</i>	Common Rush
<i>Sanguisorba minor</i>	Salad Burnet	<i>Lomandra longifolia</i>	Spiny-headed Mat Rush
<i>Tanacetum parthenium</i>	Feverfew	<i>Microleana stipoides</i>	Weeping Grass
<i>Thymus vulgaris</i>	Common Thyme	<i>Poa labillardieri</i>	Tussock Grass
<i>Zingiber officinale</i>	Ginger	<i>Themeda australis</i>	Kangaroo Grass

VERGE GARDEN INDUCTION CHECKLIST



Date ____ / ____ / ____

First Name Surname

Phone Email

Address

Applicants need to complete this induction checklist and submit a sketch of the proposed garden design indicating measurements of the footpath and kerb side zones, any access ways, as well as the type and dimension of any planter boxes and proposed list of selected plants. Induction checklists will be stored on the Waverley Council register for insurance and compliance purposes.

Please return this induction checklist and submit any enquiries to publicgardening@waverley.nsw.gov.au

REQUIREMENTS	PLANTER BOXES	INGROUND GARDENS	TICK IF MET
1. Maximum depth of mulch around tree roots		10cm	
2. Maximum depth for digging into verge		30cm	
3. Maximum height of plants along driveways and pathway edges		50cm	
4. Maximum height of plants at maturity		2m	
5. Maximum length of a planter box	1.5m		
6. Minimum height of planter box or edging	15cm		
7. Maximum height of plants in planter box	60cm		
8. Minimum access between garden beds or planter boxes	80cm	80cm	
9. Minimum clearance from street furniture, power poles and signs	1.5cm	1.5cm	
10. Minimum length along kerb to remain unplanted	80cm	60cm	
11. Minimum length between footpath and planter box to remain unplanted	60cm		
12. Minimum distance from driveways	1.5m	1.5m	
13. Minimum width of pedestrian footpath	1.5m	1.5m	
14. Maximum distance for garden beds or planters without access break	2.5m	2.5m	
15. Minimum clearance from the trunk of street trees	1m	1m	
16. Set back from edge of property at street corners and junctions	2m	2m	
17. Minimum clearance from a pedestrian crossing	10m	10m	

OTHER PROVISIONS	TICK IF AGREE
18. The verge is located directly in front of my property	
19. I have attached a letter of support from the property owner if this is not the applicant	
20. Neighbours on both sides of my property have been consulted and support the garden design	
21. The site is located outside exclusion zones	
22. A sketch of the verge garden is included indicating planting area, any planter boxes and plant species	
23. A photo of the verge garden will be provided to Council once complete	
24. The top level of soil in the garden will be level with or below the top of the kerb and pathway	
25. The garden will remain free of spiky plants and weeds	
26. Materials used will be low risk to reduce injury or cause irritation and toxicity	
27. The garden and pathways will remain free of physical structures that could cause a trip hazard	
28. The garden will be regularly maintained to keep it tidy, safe and in an attractive condition	
29. Planter boxes are positioned away from access points e.g., taxi stands, bus stops, accessible parking	



Expression of Interest – Gardening in Public Spaces

Contact Details	
Date	
Name	
Phone	
Email	
Address	

Garden Site Information	
Garden address	
Garden location (circle)	Park Reserve Laneway Verge Cul-de-sac Disused Allotment Other <i>(please add details)</i>
Garden type (circle all relevant)	Inground Raised beds Native plants Edible plants Other <i>(please add details)</i>
Is the site suitable for gardening?	<i>E.g. access to water, sunlight.</i>
Do you envisage any site safety issues?	<i>E.g. proximity and visibility to passing traffic, working on a steep incline, high pedestrian traffic.</i>
Neighbours consulted?	Yes No <i>Note: If the garden impacts neighbours, they need to be consulted and agree to plans in advance of the garden construction.</i>
What plants are being considered?	<i>Note: Waverley Council has a recommended plant list of native and edible species to use in public spaces.</i>
What infrastructure (if any) is planned?	<i>E.g. raised beds, tool shed, tap, signage, compost bin.</i>
Photos of site included	Yes <i>Note: Sketches must be presented on 1 – 2 A4 pages with captions.</i>
Sketch of plans included	Yes <i>Note: Photos must be presented on 1 – 2 A4 pages with captions.</i>

Community Interest, Access & Engagement	
What is your motivation to start a public garden?	
Who is involved?	
Name of the garden/group	
What skills and experience does the group have to manage the garden?	
How will the garden be funded and maintained?	
Is the garden accessible to a range of users?	<i>E.g. consider ease of access for prams, wheelchairs etc.</i>
Do you want to join our existing community garden network?	

Email completed form to the Coordinator Local Connections at publicgardening@waverley.nsw.gov.au
 All attachments must include your name as the file identification e.g. 'John Smith – photos of site' and the combined file size must not exceed 10mb. Links to saved online documents also accepted.

**REPORT
CM/7.12/21.10**

Subject: Community Tenants Accommodation Review - Findings and Recommendations

TRIM No: SF19/3947

Author: Andrew Best, Executive Manager, Property and Facilities

Director: Sharon Cassidy, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Treats Attachment 3 to the report as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2)(c) of the Local Government Act 1993. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Adopts the Community Tenancy Policy attached to the report (Attachment 1).
3. Notes the findings of the Community Tenants Accommodation Review attached to the report (Attachment 2).
4. Approves the recommendations in relation to new leasing arrangements for community tenants, including lease term and commencement rents, summarised in Table 2 of confidential Attachment 3 of the report.
5. Authorises the General Manager to do all things necessary to finalise negotiations with tenants and execute the leases, including approval of a shorter lease term should this be requested by tenants.

1. Executive Summary

Council acknowledges and supports the valuable contribution made by community groups operating in the local government area, through provision of accommodation within Council's property portfolio at subsidised rents. Council endorsed the Community Tenancy Policy in 2014 and awarded leases to community organisations operating from Council buildings as part of that process. The Policy includes the methodology and formula by which the subsidised rent is calculated.

As these leases approached their expiry dates, it provided an opportunity to carry out a holistic review of the community tenancy accommodation and services and to update the Community Tenancy Policy. The project was identified as a priority action of Council's Property Strategy (2020-2024), which was endorsed by Council in September 2020.

The review project has been completed and this report provides an overview of the findings of the review, presents an update to the Community Tenancy Policy, and recommends new lease arrangements for community organisations operating from Council-owned buildings.

2. Introduction/Background

Council endorsed the Community Tenancy Policy in 2014. The Policy sets out the means by which not-for-profit community groups can access subsidised rental for the use of facilities on Council managed land. As part of the adoption of the Policy community tenants were awarded new leases predominantly for a 5-year term, with a small number of exceptions.

The key intent of the Community Tenancy Policy is to support the activities of community organisations by providing; a rental subsidy to operate from Council buildings, to ensure that Council assets are responsibly managed, to ensure that access is granted in a transparent manner, and also to provide an equitable method for calculating rent.

In addition to providing subsidised rental to operating from Council-owned properties Council also provides support to many of its community tenants through the provision of annual community services grants, further demonstrating its commitment to supporting these local organisations in the delivery of their services to the Waverley community.

Council currently has 20 community organisations operating from 17 Council-owned buildings. Some of the services are intrinsically linked to the building from which they operate, e.g. the community swimming clubs operating from the Bronte Community Centre building located adjacent to Bronte pool.

Many of the leases awarded following the adoption of the Community Tenancy Policy in 2014 have expired; the Policy stipulates a review is to be carried out prior to the award of a new lease.

An internal working group comprising of officers from the Property and Facilities and Community Programs departments was established to oversee the delivery of the project, with consultants Asset Technologies Pacific being engaged to carry out the review project. Initial findings of the review were presented to Councillors at a workshop on 27 April 2021.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 22 April 2014	CRD.24/14	<p>That:</p> <ol style="list-style-type: none"> 1. Council considers the feedback received during the exhibition of the Draft Waverley Tenancy Policy and summarised in this report. 2. Council endorses the draft Community Tenancy Policy, subject to the proposed amendments in Table 1 contained in this report. 3. Business Services and Property (BSP) commences a staged implementation program to enter into new lease agreements, prioritising community tenants expecting a reduction of the community rental. 4. 'Table 1 – Recommended Amendments' in the report, at page 147 of the agenda, under the heading titled 'Proposed changes – Transition Period' is changed to read from 'over a certain period' to 'over a reasonable period defined by Council'.

Council 19 November 2013	1311.12.9	That Council 1. Receive and note the report. 2. Endorse the draft policy for public exhibition.
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4. Discussion

For ease of analysis, this report is structured with three sections as set out below.

- An update of the Community Tenancy Policy. The key components of the policy are summarised in the body of this report, with the final updated policy provided as Attachment 1 to this report.
- Consultant's review of current accommodation and services. This section provides an explanation of the scope of the review undertaken by consultants Asset Technologies Pacific and a summary of findings. The final review report is provided as Attachment 2 to the report.
- Recommendations for renewal of new leases for community tenants. Officers have undertaken an analysis of each of the community tenants in the context of the consultant's findings and in adherence to the Community Tenancy Policy and have made recommendations in relation to new lease arrangements for each tenant organisation. This information, including a summary of the proposed new lease arrangements, is set out in Attachment 3

An update of the Community Tenancy Policy

The Community Tenancy Policy was endorsed in 2014 and the opportunity has been taken to update the Policy as part of the holistic review project. The working group has updated the Policy which is provided as Attachment 2 to this report. The Policy sets out the means by which not-for-profit community groups can access subsidised rental for the use of Council-owned Facilities.

The policy aims to:

- Recognise the value of community-based services in sustaining a healthy, diverse, cohesive and resilient community and to support these activities by providing a rental subsidy to eligible groups.
- Maximise community benefit arising from the use of its assets.
- Ensure that Council assets are responsibly managed, and access is granted in a transparent manner.
- Establish an equitable method of calculating rent. The rental subsidy equates to the difference between the market rent of the property and the rent payable by the tenant.

The methodology for calculating the level of rental subsidy has remained unchanged to ensure consistency of approach.

Table 1. Formula for calculating level of rental subsidy.

CATEGORY A	SUBSIDY
Organisations that are receiving Federal / State funding and charge a market-based fee for service.	40%
CATEGORY B	
Organisations that receive Federal / State funding covering at least 50% of costs.	60%
CATEGORY C	
Organisations that receive no ongoing State or Federal funding, that charge a highly subsidised fee and are largely dependent on volunteers.	80%

CATEGORY D	
Organisations that receive no ongoing State or Federal funding, essentially function as volunteer agencies. Usually, small donations or low fees cover essential equipment costs.	Nominal Charge

Where tenants are assessed as being in category A, B or C the commencement rent is calculated by subtracting the % of rental subsidy from the market evaluation.

As part of the project an independent external valuer was engaged to provide market valuations for all properties where the formula was to be applied, i.e. those tenants in categories A, B and C.

Consultant's review of community tenant's current accommodation arrangements

The expiry of many of the community tenancy leases provided the opportunity to engage with each of the tenants to assess the suitability of their current accommodation and to undertake a holistic review of the program with the information gathered to be used to inform decisions on the issuing of new leases.

Consultants Asset Technologies Pacific were engaged to carry out the review, which included interviewing representatives of each of the community organisations operating from Council buildings.

The assessment of the tenant's accommodation was made against the following four criteria:

- Location and amenity – This information was determined from an interview process with the respective tenants. The tenant provided feedback on whether the tenancy location is suitable for the services being provided e.g. proximity to public transport and whether the property provides adequate amenity to effectively deliver the service.
- Degree to which the building is fit for purpose – This information was gained from engineering assessments and a review of property and independent technical reports including the 2017/18 building condition and compliance assessments but also took into consideration the nature and contemporary needs of the service.
- Tenancy utilisation efficiency – This was calculated by comparing the actual usage profile provided by the tenant with the property's maximum capacity to support the services delivered to the community.
- Option to relocate – An assessment was made as to the feasibility of relocating each tenant's service. In some instances, the service is intrinsically linked to the property, and it is not feasible for the services to be relocated, however it may be beneficial for some tenants to relocate to more suitable accommodation where the Fit for Purpose assessment is low.

The consultant's final report which is provided as Attachment 2 to this report provides analysis of how each of the tenants measured against the above criteria and details of outcomes of interviews with representatives of each of the community organisations.

Whilst the majority of tenants indicated that they were happy with their current tenancy arrangement and lease conditions, there were a number who commented that due to changing demand profiles or competition for clients, there may be advantages in relocating to alternate accommodation. It is proposed that officers enter discussions with these tenants around options for relocating services to more suitable location.

Recommendations for renewal of new leases for community tenants including commencement rents.

Attachment 3 to this report provides detail of the proposed new lease arrangements for a number of Council tenants. It is recommended that Council approves the award of new leases at the commencement rents as set out in Table 2 of the attachment.

Lease terms and conditions

Following the award of the community tenancy leases in 2014 a specific lease template was developed which was used as a basis for all the current tenant's leases. Officers have undertaken a review of the template and propose to include the following additional clauses prior to the issue of new leases. These additional clauses will assist in monitoring the financial stability of the organisation as well as ensuring there are good governance practices in place.

- The lessee must within 60 days of the end of each financial year provide a report to the lessor on all grants, income and fees it has received.
- The lessee must provide a Profit and Loss statement and confirm its not-for-profit status remains valid.
- The lessee must provide a report on the business operations for the last financial year and a business plan for the next financial year.
- Unless it has already done so through another Council Program, the Lessee must provide a brief report on the services provided over the last financial year to benefit the Waverley community.

If the lessee does not comply with the terms of the lease, they will receive breach notices and continued breaches may ultimately lead to their lease being revoked.

5. Financial impact statement/Time frame/Consultation

The award of new leases at the commencement rents summarised in Table 2 of Attachment 3 will provide a small increase in the annual rental revenue.

All of Council's existing community tenants were consulted as part of the community tenancy review project and have provided feedback in relation to their current accommodation arrangements through interviews held at the premises.

Should Council approve the award of new leases for each community tenant as summarised in Attachment 3, officers will then arrange to meet with the tenants to inform them of the outcome of the review and to negotiate and execute new leases.

It should be noted that some tenants may not wish to accept the full lease term proposed in this report. A tenant may request a shorter lease term for example that aligns with their current secured funding. Should this be the case then it is proposed that the General Manager agree to the shorter lease term as part of the negotiation process under delegation.

6. Conclusion

It is recommended that Council endorses the updated Community Tenancy Policy (2021) provided as Attachment 1 to this report.

It is recommended that Council endorse the award of new lease arrangements for the community tenants as set out in this report and as summarised in Table 2 of Attachment 3 of this report.

Council has a long history of supporting local organisations through a variety of means to deliver their services to the Waverley Community. Through awarding these new leases and providing accommodation

from which these organisations can continue to operate at subsidised rents, Council is further demonstrating this commitment.

7. Attachments

1. Community Tenancy Policy 2021 [↓](#)
2. ATP Community Tenants Accommodation Review Report [↓](#)
3. Lease arrangements for community tenants - recommendations (confidential) .



WAVERLEY
COUNCIL

Community Tenancy Policy (2021)

Policy owner	
Prepared by	
Approved by	
Date approved	
Commencement date	
Version	
Category	
Keywords	
Revision date	
Amendments	
Relevant strategic direction	
Relevant legislation/codes	
Related policies/documents	
Related forms	

VERSION CONTROL

This Community Tenancy Policy is effective upon its approval by Council and is due for review in 2025.

Version	Description of Change	Author	Reviewed By	Approved By	Date Approved
Draft 1	Initial draft	ATP	AB	-	-
Draft 2	Second Draft	ATP	PSN	-	-
Draft 3	Final Draft	AB	ELT		

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DRAFT

1. Background

Waverley Council (Council) has established a strategic framework for managing its land and built asset property portfolio. The framework comprises the following elements:

- 1) **Property Strategy** – Highest level planning document that sets Council's overarching property management strategy objectives, strategic actions required to achieve the objectives and key Principles relating to governance and the delivery of the actions.
- 2) **Property Policies** – Processes for making decisions and planning actions in accordance with the *Property Strategy*. Council's Property Policies include;
 - (i) Property Acquisitions and Disposal Policy;
 - (ii) Leasing and Licensing Property Policy;
 - (iii) Community Tenancy Policy (This Policy);
 - (iv) Commercial Property Policy

This Policy forms part of a suite of policies that have been adopted by Council and is designed to enable Council to make informed, strategic and transparent decisions in relation to managing its community property portfolio.

2. Purpose

Council acknowledges the valuable contribution made by the various community groups operating in the LGA through, amongst other things, subsidising accommodation costs for the respective groups. The rent subsidy equates to the difference between the market rent of the property and the rent payable by the tenant.

The Community Tenancy Policy sets out the means by which not for profit community groups can access subsidised rental for the use of Council owned Facilities. The policy aims to;

- Recognise the value of community-based services in sustaining a healthy, diverse, cohesive and resilient community and to support these activities by providing a rental subsidy to eligible groups.
- Maximize community benefit arising from the use of its assets.
- Ensure that Council assets are responsibly managed, and access is granted in a transparent manner.
- Establish an equitable method of calculating rent.

3. Scope

This policy relates only to facilities fully owned by Council and located on Council owned or managed land including Crown Land. The policy applies to not-for-profit organizations who meet the eligibility criteria set out in the policy. It applies to existing community tenants and new community groups wishing to operate from Council facilities. Where leases have expired, or occupation of Council facilities has been established in a way which does not demonstrate the principles of this policy then Council will proceed to ensure that the policy is implemented.

The policy does not apply to Surf Clubs or to the use of sports fields by sporting organizations or clubs. These organisations will be subject to separate leasing arrangements for their use of Council facilities.

4. Policy Content

Organisation must meet the following essential criteria in order to be eligible for a community tenancy lease.

4.1 Eligibility Criteria

To qualify for subsidy community groups must meet the following eligibility criteria. They must;

- be Non-profit organisations as per the Australian Tax Office definition;
- have an ABN;
- be an incorporated body;
- provide service predominantly for local communities;
- be financially viable demonstrated through provision of audited accounts;
- hold relevant licenses and be compliant with legislation and able to demonstrate this as required;
- be aligned to Council's social and strategic priorities;
- meet identified community needs;
- not duplicate other services;
- provide non-discriminatory services, open to all residents within certain criteria and
- provide a service that is suitable for the site and facility.

4.2 Criteria used to determine level of rental subsidy.

When assessing the level of subsidy, the following criteria will be considered.

The groups will be assessed against the extent to which they:

- can raise market-based fees and are able to operate in a fee for service environment;
- rely on current Federal and/or state Government financial support for core services;
- operate primarily on a volunteer basis;
- offer discounted fees where need is identified;
- have capacity to generate revenue;
- provide access to people or organizations that are experiencing disadvantage and;
- provide services to target groups identified in Council's Community Plans.

Table 1 - Formula to be applied to calculate level of subsidy

CATEGORY	SUBSIDY
CATEGORY A	
Organisations that are receiving Federal / State funding and charge a market-based fee for service.	40%
CATEGORY B	
Organisations that receive Federal / State funding covering at least 50% of costs.	60%
CATEGORY C	
Organisations that receive no ongoing State or Federal funding, that charge a highly subsidised fee and are largely dependent on volunteers.	80%
CATEGORY D	
Organisations that receive no ongoing State or Federal funding, essentially function as volunteer agencies. Usually small donations or low fees cover essential equipment costs.	Nominal Charge

4.3 Setting the rental level

To calculate the rental value the following steps will be followed;

- The *market rental value* of the facility will be determined by a certified valuer from Council's Valuer panel. If organisations share use of a property, a square metre rate will be applied to the portion of the building subject to the lease.
- The level of subsidy arrived at through applying the formula outlined in this Policy will be deducted from the Market value to determine the amount of annual rent to be paid.
- Council reserves the right to amend rental calculations if a subsidised tenant gains access to other commercial means of income (excluding fundraising) which was not accounted for in the original rental assessment and determination (for example additional income received from subletting, sponsorship for advertising on the premises and new or increased commercial ventures conducted on the premises, or as evidenced in financial statements provided).

4.5 Access to Community Tenancy leases

Where a vacancy arises an expression of interest process will be undertaken to seek submissions from eligible prospective groups. Exceptions may occur where Council requires the property to fulfil other agreements. Where shared and multi-use arrangements are possible these will be encouraged.

4.6 Lease template

A community tenancy lease template has been developed in consultation with Council's solicitors and will be used as the basis of all agreements, with lease terms to be agreed with individual tenants having regard to the specific property being the subject of the agreement.

The template will be applied to ensure consistency of terms and conditions over leasing arrangements. Sub lease templates will be used where Council is not the head lessor.

4.7 Consideration for hardship

Where an eligible organisation can demonstrate that it is suffering hardship and the rent impacts on its ability to deliver a priority service, Council may use its discretion to obviate the impact of the formula by providing an additional accommodation grant to offset the impact. The award of any additional grant will be reported in Council's Annual Report.

4.8 Term of lease

Typically, the leases will be for a 5-year term. Alternative lease terms may be approved through resolution of Council.

4.9 Annual rent review

The annual rental will be subject to Consumer Price index increases. The rental amount shall be increased by no less than 1% and no more than 3.5% per annum.

4.10 Lease approval

All proposed community tenancy leases will go to Council for approval.

4.11 Reporting

The lease requires that all organisations receiving subsidy under the CTP provide a brief annual report which confirms adherence to the essential criteria and provide a copy of the financial statements (audited where required) and a copy of the Annual Report where applicable.

Rent subsidies are in essence Council's contribution to the tenant organisation to the value of the difference between the market rent for the property and the subsidised rent collected. The value of imputed rent payments forgone through rental subsidies will be reported to Finance for inclusion in annual budget reports.

4.12 Dispute resolution

Where a dispute occurs over the issue of rent the community organisation may document this in writing to the General Manager and the issue will be resolved according to Council's dispute resolution procedures.

4.13 Additional Council Funding

Council may at its discretion choose to provide additional support to community tenants through accommodation grants, community grants, venue grants, or small grants programs by resolution.

4.14 End of lease process

When a lease comes to an end officers will arrange for an interview with the tenants to assess the status of the service and to determine whether the service meets community and Council expectations. The outcome of the assessment will be provided to Council as part of any recommendation for lease renewal.

5. Review of Policy

This policy will be reviewed every 4 years or as required in the event of legislative changes or requirements. The policy may also be changed as a result of other amendments. Any amendments relating to policies impacting on community service provision must be by way of a Council resolution. Any amendments to internal/organisational policies must be approved by the General Manager.

Council staff and members of the public may provide feedback about this document by emailing DL_Property_and_Facilities@waverley.nsw.gov.au

6. Definitions

Following are the key definitions relevant to this Policy. For further technical details, refer to the Property Guidelines.

Building	Includes part of a building and any structure or part of a structure, but does not include: a moveable dwelling or associated structure; or part of a moveable dwelling or associated structure, as defined in the Local Government Act 1993.
Crown	Assets owned and managed by the Crown (State or Federal Government).
Crown Land	Crown land as defined in the Crown Lands Act 1989 before its repeal, land that becomes Crown land because of the Crown Land Management Act 2016 or a declaration made under the Crown Land Management Act 2016, and land vested, on and from the repeal of the Crown Lands Act 1989, in the Crown (including when it is vested in the name of the State).
Income	When used with reference to property, includes rents and profits.
Market Rental Value	The amount of annual rent achieved if the accommodation had been let in a competitive market considering the type of use (such as childcare centre) and the level of demand for the specific type of use.
Land	Public land that is vested in or under Council's control.
Open Market	An unrestricted market with free access by and competition of buyers and sellers.
Property	Includes Land and Assets that have value from an accounting and/or service delivery perspective.

Property Purpose

Council's designated convention for the purpose of each property in terms of one of the following:

Council Community Services Property from which Council provides services to the community.

Community Services Property from which community tenants provide services to the community;

Council Operational Services Property, which accommodates Council staff who oversee, manage and deliver Council's administrative and support service functions; or

Commercial Property, which are for the generation of revenue.



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

Community Tenants Accommodation Review



QUALITY SYSTEM

Client:	Waverley Council
Document:	Community Tenants Accommodation Review
Version:	Version 1 – 1 June 2020
Reason for Issue:	Client Issue

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1. EXECUTIVE SUMMARY

Waverley Council (Council) is in the process of developing a Property Strategy to identify a series of strategic actions to be carried out to provide Council with information on which to base long term strategic decisions in relation to its property portfolio. One of the priority strategic actions identified in the draft strategy is to carry out a review of its community tenancy buildings to determine whether the buildings are fit for purpose and whether they meet the requirements of the contemporary services being provided by the community tenants operating from the buildings.

The outcomes from the review of community tenancy buildings will support Council's decision-making processes regarding community use of the buildings over the medium to long term.

As part of the assessment, consideration has been given to location, size, amenity, space conditions, building condition and compliance status and other relevant factors such as proximity to public transport and other community assets. In addition, the study also provides information relating to current tenure and some contextual information that supports the report's recommendations.

Each of the tenancies were assessed against the following four criteria to determine to what extent the accommodation met the requirement of the current service or whether the tenant could be considered for and potentially benefit from relocation to alternative accommodation.

1. **Location and Amenity** – This information was determined from an interview process with the respective tenant. The views on whether the location is suitable for the services provided and whether the property provides adequate amenity are the views of the tenant.
2. **Fitness for Purpose of the building** – This information was gained from engineering assessments carried out following the tenant interviews and a review of property and independent technical reports including the 2017 building condition and compliance assessments.
3. **Tenancy Utilisation Efficiency** – This was calculated by comparing the actual usage profile provided by the tenant with the property's maximum capacity to support the services delivered to the community.
4. **Option to Relocate** – An assessment was made on the feasibility of relocating each tenants service. In some instances, the service is intrinsically linked to the property and it is not feasible for the services to be relocated.



Table 1 below summarises the outcome when each tenant was measured against the four assessment criteria.

Community Tenancy Building	Qualitative Outcome			
	Location and Amenity	Fitness for Purpose	Tenancy Utilisation Efficiency	Option to Relocate
Computer Pals for Seniors	Fair	Fair	Low	Yes
Kindamindi Co-Operative Limited	Good	Good	High	Yes
Randwick Waverley Community Transport	Non-Dependent	Fair/Good	Non-Dependent	Yes
Bondi Beach Cottage	Good	Good	High	Yes
Bondi Toy Library	Non-Dependent	Fair	High	Yes
Bronte Beach Community Centre Group	Good	Fair	High	No
Eastern Area Tenants Service	Non-Dependent	Low	High	Yes
Francis St Playgroup	Fair	Fair	Non-Dependent	Yes
Jewish House	Good	Good	Medium	Yes
North Bondi Playgroup	Good	Fair	Medium	Yes
The Girl Guides NSW	Good	Fair	Low	Yes
The Grace Child Care Centre Inc	Good	Good	High	Yes
The Junction Neighbourhood Centre	Good	Good	Medium	Yes
Sydney Children's Hospital (Bondi ECHC)	Fair	Low	High	Yes
Sydney Children's Hospital (Mill Hill EEC)	Fair	Low	High	Yes
Uniting Church of Australia	Good	Good	Medium	No
Vaucluse Playgroup (Kimberley Reserve)	Good	Good	Medium	Yes
Waverley Drug & Alcohol Centre	Good	Fair	Medium	Yes
Waverley Woollahra School of Arts	Good	Good	Medium	No
WAYS (63A Wairoa Avenue, Bondi Beach)	Good	Fair	Good	No
WAYS (422 Oxford Street, Bondi Junction)	Good	Good	Good	Yes

Table 1 – Assessment Outcomes

All tenants have been operating from their current premises for a number of years and are able to effectively deliver their services from their current location. However, on completion of the assessments, the following seven tenant services were identified as ones that could be considered for, and potentially benefit from, relocation at some time in the future.

Computer Pals for Seniors: Demand for services is currently in decline and there are accessibility issues with the property. The tenant may also benefit from co-locating with another organisation that offers services to senior citizens.



Randwick Waverley Community Transport: The transport vehicles are based at various locations within the Local Government Area and as such, are independent of the office location. Administrative services could be provided from any suitable and accessible office location.

Bondi Toy Library: The tenant provides toy storage and loan services which can be provided from any location that possesses sufficient storage space and can be readily accessible by potential users, such as families and playgroups.

Eastern Area Tenants Services: The service delivery model has transitioned to primarily over-the-phone services (90% of demand) which can be provided from any suitable office location. Demand for face-to-face outreach services can be met through by either designating another tenancy location or adopting a shared-use arrangement for easily accessible and comfortable meeting spaces.

Sydney Children's Hospital (Bondi ECHC): The requirement for meeting spaces fluctuates depending on demand for parent groups and there is insufficient space to accommodate the service requirement. Service delivery could be better supported from a location that is more accessible to parents and with sufficient space for clinical and storage (particularly prams) purposes.

Sydney Children's Hospital (Mill Hill EEC): Functional limitations are evident in terms of accessibility (parking, stairway and lift), security (common entrance) and insufficient space for service delivery. Service delivery could be better supported from a location that provides greater accommodation and is more accessible to parents.

Should Council elect to relocate Sydney Children's Hospital from both the Bondi ECHC and the Mill Hill EEC location, then it is recommended that the new locations be separated so that access from across the Local Government Area is as equitable as possible.

Waverley Drug and Alcohol Centre: Demand for the tenants' services is reaching the maximum capacity and additional space is required. Service delivery is being constrained by the limited number of counselling rooms and would be better served by a more appropriate tenancy. A suitable location would need to be accessible by public transport and discreet for clients to access.





2. INTRODUCTION

Waverley Council provides subsidised accommodation to a range of community tenants to assist in the delivery of non-direct services. The Community Tenancy (Policy 2014) sets out the means by which subsidies are awarded to tenants. It is noted that the Policy is currently being updated as a strategic action identified in the Draft Property strategy 2020-24.

A number of the leases awarded as part of the adoption of the policy in 2014 are at, or approaching expiry. Council has commissioned the review to inform decisions on the issuing of new leases and to identify if tenants may benefit from a possible relocation of the service to more suitable premises, including options for co locating with other services.

The community tenancy building review project has been undertaken with the co-operation of each of the community tenants currently operating from a Council owned building. Formal interviews were conducted with representatives from each service. The interview process covered service delivery, changes in demand, building limitations, accessibility and options for relocation and/or shared services. The interview questions are included as Appendix A.

Asset Technologies Pacific met with community tenant representatives at the respective tenancy and inspected the building following the interviews. The purpose of the inspection was to identify whether the building systems, services and structures were of an appropriate standard and whether the tenancy fit out meets the specific needs of the service.

Information obtained from building condition and compliance audits undertaken on Council's building asset portfolio in 2017 was also reviewed and subsequent capital building improvements undertaken by Council and/ or the tenant were also noted. Issues relating to statutory compliance were also identified. Where aspects of the respective buildings did not meet current standards, the management practice established to mitigate the risk of the non-compliance was reviewed.

Whilst the majority of tenants indicated that they were happy with their current tenancy arrangement and lease conditions, there were a number who commented that due to changing demand profiles or competition for clients, there may be advantages in relocating to alternate accommodation.

The overwhelming percentage of tenants appeared to be appreciative of the subsidised accommodation provided by Council. However, there were several tenants who advised that the accommodation was not of an appropriate standard and inhibited service delivery.





The report is based on a range of information sources.

- Interviews with each of the community tenants. The interviews determine the tenant's views on a manner of issues relating to suitability of premises.
- Condition and compliance assessments carried out by Asset Technologies Pacific in 2017 that may impact on the building fitness for purpose for the specific service.
- Background and contextual information provided by officers in the Property and Facilities Department of Council relating to such matters as building ownership, length of tenure etc.

This information has been assessed holistically and a recommendation made for each tenancy service, in relation to the future use of the building.



3. COMMUNITY TENANTS

3.1 Computer Pals for Seniors

Computer Pals for Seniors Eastern Suburbs is an incorporated association and is located on the ground floor of 30 Ebley Street, Bondi Junction. The building was constructed as a residential terrace and has been converted for office accommodation.



Computer Pals for Seniors provides basic technology familiarisation classes covering the use of computers, common software applications and mobile devices. Computer Pals for Seniors also arranges general meetings for visitors to discuss challenges associated with technology and share ideas on overcoming operational problems.

Classes of one hour per week are offered and depending on the complexity of the topic, the classes can run for periods of one to eight weeks. From time to time, speciality classes are also offered depending on demand.

Asset Technologies Pacific conducted the tenant interview with the Director of Computer Pals for Seniors Eastern Suburbs. Feedback was received that Council is co-operative and that maintenance issues are addressed in an efficient manner. Council is also very approachable and endeavours to assist wherever possible.

3.1.1 Location and Amenity

The Director advised that the location at 30 Ebley Street, Bondi Junction is convenient for visitors and staff. Approximately 85% of visitors and 100% of staff travel by public transport to the site. The tenancy is located around 350m from Bondi Junction.

Access from the street requires visitors and staff to negotiate three stairs to gain access to the front door. It was stated that the stairs are an inconvenience as many of the visitors are elderly and have difficulty climbing the stairs. The stairs would also prevent a person who is restricted to a wheelchair from gaining access to the tenancy.

Visitors and staff must use an external bathroom, however the travel distance from the rear door to the bathroom is less than two metres. During periods of heavy rain, minor flooding does occur at the rear of the property which is inconvenient for people when accessing the bathroom.



The ideal location for location for Computer Pals for Seniors would be a tenancy in close proximity to public transport with level street access or access via a compliant ramp or accessible lift.

A more accessible tenancy which is near other community services for seniors would provide Computer Pals for Seniors with an opportunity to attract more visitors.

It was identified that an advantage of smaller class sizes is that visitors receive a more personalised service that is sympathetic of specific difficulties that the visitors may be experiencing.

It was further advised that co-location with another organisation that provides health and wellbeing services or life skills to seniors would be a good fit for Computer Pals for Seniors. It would also provide opportunities for other organisations which may be encouraging seniors to take up an interest or become more involved with other people of similar age.

3.1.2 Fitness for Purpose

The floor area of the tenancy is approximately 110m² and the building systems, services and structures are generally in fair condition and provide an acceptable level of accommodation.

It is noted that the storm water system does not evacuate runoff efficiently during periods of heavy rain. Minor flooding does occur to the rear hardstand area. This has led to water ingress into the ground floor of the building. Recent works have been undertaken to replace flooring and address the water ingress. It is likely that Council will be required to continue to invest capital into the building to assist in the building elements reaching their maximum effective life under normal operating conditions,

In terms of comfort, the split air-conditioning systems maintain space conditions and light levels to appropriate levels which are suitable for computer classes. Overall, the tenancy is considered fit for purpose and all systems and services are functional and provide appropriate space conditions.

The overall condition index rating for the building was 3.00 (Fair) as identified in the Waverley Council Childcare Facilities, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

3.1.3 Tenancy Utilisation Efficiency

The demand for computer classes from senior members of the community is in decline. The reasons for this appear to be that people are generally becoming more familiar with the use of technology and there are more convenient methods for learning such as online and manufacturer tutorials which do not require travel to a service provider's premises.



The advertised hours of operation are 9:00AM to 4:00PM Monday to Friday. Demand is not consistent, and classes may be delayed until sufficient numbers are available.

Computer Pals for Seniors has configured its tenancy for eight people to attend the computer classes and for four people to attend the software classes. However, at present only four people attend the computer classes and two people attend the software classes at most times.

3.1.4 Background and Context

Computer Pals for Seniors were offered a lease under Council's Community Tenancy Policy in 2014. They were assessed as being Category C and receive an 80% rental subsidy. The tenant occupies the ground floor of 28 Ebley St, Bondi Junction on a five (5) year lease commencing 1st January 2015 and expiring on 31st December 2019. Computer Pals for Seniors tenancy currently operates on a month to month holdover basis.

3.1.5 Recommendation

It is recommended that Council give consideration to entering into discussions with Computer Pals for Seniors on relocating to a more appropriate location with improved accessibility and which may be in close proximity of other providers that offer services to senior citizens.

3.2 Kindamindi Co-Operative

Kindamindi is a long day care centre which is located at 1 Illawong Avenue Tamarama. The centre is an independent, not-for-profit, community based centre. The centre has been in operation for over thirty years and is run as a co-operative, by a voluntary parent management committee.



The paid members of staff include the Centre Director and a team of experienced childcare staff. All parents who enrol into the centre, automatically become members of the co-operative and are encouraged to become involved in running the centre.

Kindamindi cares for children aged from 6 weeks to 5 years old. This service is provided between the hours of 8AM and 6PM, Monday to Friday. The number of children attending the centre is limited to 33 by its licence agreement.

Kindamindi Co-Operative Limited provides information to Waverley Council on the services that it provides and statistical information regarding the number and frequency of children. Kindamindi Co-Operative Limited is obliged to provide other statutory reporting in relation to its service delivery.

Asset Technologies Pacific conducted the tenant interview with a Director and Board Member of the Kindamindi Co-Operative, who advised that the responsibilities for the upkeep of the centre are shared between Council and the Kindamindi Co-Operative.

Council is responsible for any major structural and service requirements whilst the Kindamindi Co-Operative renews the finishes and maintains the fitout and surrounding grounds. The Director confirmed that there is a good relationship between Council and the Kindamindi Co-Operative.

3.2.1 Location and Amenity

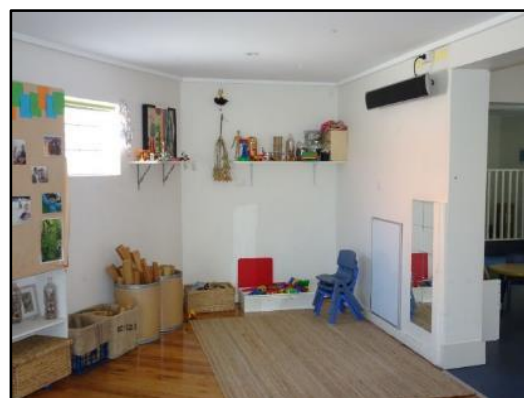
The Director advised that the location 1 Illawong Avenue Tamarama is convenient for parents and staff as the centre is central to the catchment area. 60% of parents and staff travel by public transport to the site and approximately 30% travel by private vehicle. The remaining 10% are in walking distance. Accessibility to the property and to internal and external areas is appropriate and compliant. The upper level of the building is accessible by internal stairs which is only accessed by staff. The management of Kundalini Co-Operative is very happy with the level of amenity including space conditions, natural ventilation and kitchen and bathroom facilities.

3.2.2 Fitness for Purpose

The floor area of the tenancy is approximately 380m² and the building is generally in good condition and complies with relevant legislation for a child care centre. During the inspection, Asset Technologies Pacific confirmed that the Kindamindi Co-Operative had recently repainted internal and external finishes and repaired external garden walls.

The building is air-conditioned by split systems and light levels appear to be appropriate. Perimeter gates have been fitted with child proof closures and approved securing devices. Bathroom and kitchen areas are well appointed, and have sufficient capacity to manage the 33 child limit.

The tenancy is considered fit for purpose and does not have any evident operational or technical limitations.



3.2.3 Tenancy Utilisation Efficiency

As Kindamindi Day Care Centre is limited to 33 by its Child care centre accreditation. Kindamindi Co-operative Limited is not permitted to accommodate additional children.

The Director did indicate that there is a waiting list and that when an opening arises it is filled almost immediately. Therefore, the Kindamindi Day Care Centre generally operates at maximum efficiency.

3.2.4 Background and Context

The property at 1 Illawong Avenue was sold by Commonwealth of Australia to Waverley Council in 1980, with the caveat that Council operate a Child Care Centre and not otherwise dispose of it within 21 years. The tenant was granted a permissive occupancy on a peppercorn rent on 8 June 1982.

Kindimindi was not included in the list of tenants to be provided a community lease as part of the adoption of the Community Tenancy Policy in 2014. The tenant is currently on monthly holdover.

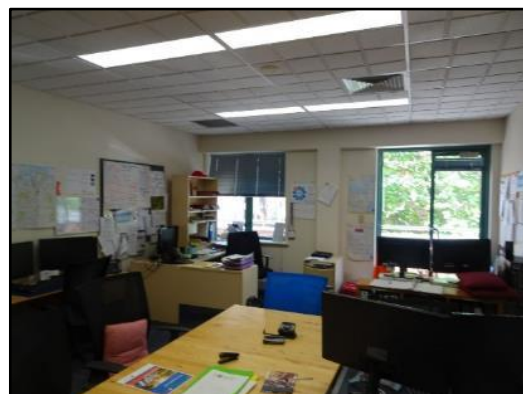
3.2.5 Recommendation

Based on its suitable location, demand for services and the condition and configuration of the property, it is recommended that Council offer the tenant a Community Tenancy lease in accordance with Community Tenancy Policy.

3.3 Randwick Waverley Community Transport

Randwick Waverley Community Transport Ltd is a public company that occupies an office space on level 2 of the Mill Hill Community Centre at 31-33 Spring Street Bondi Junction.

Randwick Waverley Community Transport provides transportation services for persons who have difficulty arranging their own transport, predominantly the frail, elderly, persons with disabilities and persons for whom cost, service availability and accessibility are issues. Randwick Waverley Community Transport is the sole transport service provider in the eastern suburbs that is covered under the National Disability Insurance Scheme (NDIS).



Transportation services are provided for clients either by mini bus or station wagon and may relate to one or more of the following areas:

- Individual Transport: Transport to hospital, medical, dental and social visits to family and friends.
- Shopping Transport: A door to door weekly shopping bus service with help to carry your shopping.
- Social Transport: Group social trips to clubs, sightseeing and the movies.

The transportation services are provided between 7:30 AM to 5:00 PM, Monday to Friday, with demand being relatively consistent throughout the day. After-hours services are offered via a remote service between 8:00 AM to 1:00 PM on Saturdays and occasionally Sundays. If clients cannot attend site for face-to-face interviews, then Randwick Waverley Community Transport offers a taxi voucher.

Randwick Waverley Community Transport prepares an annual report which details its financial and operating information as well as sponsorships received over the preceding financial year. As Randwick Waverley Community Transport operates in a regulated environment, it is also obligated to provide statutory reporting to the NDIS and other relevant authorities.

Asset Technologies Pacific conducted the tenant interview with the General Manager of Randwick Waverley Community Transport.

3.3.1 Location and Amenity

The General Manager advised that the location of the office at 31-33 Spring Street Bondi Junction is convenient for staff and clients that live in the immediate area or use public transport to travel to Bondi Junction.



The General Manager also commented that approximately 50% of staff and clients who attend the office travel by public transport. Approximately 40% of staff travel by private vehicle and 40% of clients use Randwick Waverley Community Transport services.

Unfortunately, 31-33 Spring Street Bondi Junction does not have provisions for vehicular parking. This can be an inconvenience when clients request transportation to or from the Mill Hill Community Centre.

The General Manager considered that the level of amenity including lift access, acceptable space conditions and easy access to bathroom facilities supports the service delivery provided from the office, and in conjunction with its location is an ideal tenancy.

The General Manager advised that Randwick Waverley Community Transport collaborates with approximately ten organisations which provide services to the elderly including Jewish House and ECSC. Therefore, co-location with another organisation that provides services to seniors may be an option for consideration.

3.3.2 Fitness for Purpose

The floor area of the tenancy is approximately 105m² and the building systems, services and structures are in good condition. The Mill Hill Community Centre provides an acceptable level of comfort and amenity.

The tenancy is air-conditioned and light levels are appropriate for office accommodation. The vertical transport from the ground floor to level 2 is reliable and wait times are not excessive. The essential services ensure a safe environment and generally meet statutory requirements.

Council's current maintenance regime is appropriate and building, and the individual building elements will reach maximum effective life under normal operating conditions.



3.3.3 Tenancy Utilisation Efficiency

Randwick Waverley Community Transport staff occupy the office during business hours, Monday to Friday. The office provides adequate space for administrative and consultation with clients who attend the office to seek information or register for services.

The General Manager advised that the office has the capacity (in terms of size and amenity) to meet the current and future service demand.

Whilst the location of the office at 31-33 Spring Street Bondi Junction is convenient for office staff, the transport vehicles are based at other locations. As such, the location of the office is not a major factor in terms of the on-road services provided to the community.

3.3.4 Background and Context

Randwick Waverley Community Transport Group Inc. was offered a 5 year lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category B and receives a 60% rental subsidy. The lease commenced 1 November 2014 and expired on 30 October 2019. Randwick Waverley Community Transport Group Inc lease continues on a monthly holdover basis.

Council has recently submitted a Development Application for the restoration of the Boot Factory building. The DA also includes a redesign of the Mill Hill Centre and proposes to link the two buildings through the project with services such as toilets and lift being shared. Full implementation may impact on the current tenancy.

3.3.5 Recommendation

It is recommended that Council give consideration to entering into discussions with Randwick Waverley Community Transport in relation to relocating to an alternate location, possibly one where vehicular parking is available.



3.4 Bondi Beach Cottage

Bondi Beach Cottage is a not-for-profit community organisation that is incorporated as a registered charity. The tenancy is located at 42 Brighton Boulevard, North Bondi. The building was constructed as a residence and has been converted for office accommodation.



Bondi Beach Cottage provides occasional casual and permanent day child care services for newborns to children up to 4 years of age, family support and counselling services.

The childcare service component of the Bondi Beach Cottage involves the provision of care for up to 20 children per day. This is limited by the available space of the building as well as the required staff to child ratio, where the Bondi Beach Cottage operates at 1 educator per 4 children.

Asset Technologies Pacific conducted the tenant interview with a Board Member for the Bondi Beach Cottage. From the interview process, it was clear that Council is co-operative and that maintenance issues are addressed in an efficient and timely manner. Council is also very approachable and endeavours to assist wherever possible.

3.4.1 Location and Amenity

The location at 42 Brighton Boulevard, North Bondi is convenient for visitors and staff. Staff travel to site by private vehicle whilst visitors travel by public transport (70%), private vehicle (20%) or by walking (10%).

The close proximity to the Bondi Primary School (approximately 450m west of the tenancy) and Bondi Beach (approximately 250m south of the tenancy), as well as the availability of 2-hour street parking near the tenancy were stated as being major benefits of the location.

The space at the Bondi Beach Cottage is a limiting factor, and demand for service is such that if additional space and staff were to be made available, then the Bondi Beach Cottage could service up to 40 children per day.

The location and design of the building are major factors in the suitability and attractiveness of the site for clients. The location of the site is easily accessible to visitors and within close proximity to public transport and Bondi Beach, whilst also being suburban to the extent that there is limited pedestrian and vehicular traffic.

The suburban location, combined with the residential design of the building, provide a discreet and safe space for vulnerable persons to access. The design of the building also facilitates a relaxed and informal atmosphere.

A point was made during the interview process that the nature of a combined childcare and support service is unique, such that only a purpose-built facility would likely be more suitable. The facility is suitable for the Bondi Beach Cottage's services.

Co-location with another organisation was not viewed by the tenant as being viable due to the tenant's special requirements in terms of location and building design. Shared governance would not be reasonable due to the strict requirements of childcare legislation.

3.4.2 Fitness for Purpose

The floor area of the tenancy is approximately 147m² and the building systems, services and structures are generally in fair condition and provide an acceptable level of accommodation. Council's current maintenance regime is appropriate and building elements have been well maintained.

In terms of comfort, the split air-conditioning systems maintain space conditions and light levels to appropriate levels which are suitable for the provision of childcare, family support and counselling services.

Sound isolation was identified as being a minor functional limitation in terms of providing adequate levels of privacy between counselling clients and the children in the adjoining areas. Provision of adequate sound isolation is a Health and Amenity compliance matter under the National Construction Code and should be improved.



Overall, the tenancy is considered fit for purpose and all systems and services are functional and provide appropriate space conditions.

The overall condition index for the building was 2.77 (Fair) as identified in the Waverley Council Community Tenancies, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.



3.4.3 Tenancy Utilisation Efficiency

Bondi Beach Cottage is open 50 weeks of the year. Childcare services are provided between 8:30 AM to 5:30 PM, Monday to Friday. Family support and counselling services are provided between 9:00 AM to 5:30 PM, Monday to Friday, however is flexible depending on the visitors' needs. Parenting group sessions are held between 6:00 PM to 8:00 PM on Wednesdays. Demand is relatively stable at maximum capacity.

The demand has been steadily increasing over the past twelve months for each of the services offered by Bondi Beach Cottage, including occasional casual care, permanent day childcare age, family support and counselling services.

Occasional care is limited to a maximum of 20 children at a time due to child-care licensing constraints and is regularly at capacity. High demand for occasional care appears to be due to local workers who require flexibility for care arrangements, and either cannot or choose not to commit to permanent day care. Growth in the demand for counselling and support services are primarily driven by increased public awareness of domestic violence and availability of support services.

The tenancy has been configured to accommodate 20 children at a time under the childcare license. There are two dedicated counselling rooms, designated "Lily" and "Rose", for which counselling is provided three days per week. The Bondi Beach Cottage services are only provided from 42 Brighton Boulevard. Ms Price advised that the Bondi Beach Cottage has considered the potential for satellite sites however deemed such an arrangement as being unsuitable.

3.4.4 Background and Context

Bondi Beach Cottage Incorporated were offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category B and receive a 60% rental subsidy. The five year lease commenced 22 October 2014 and expired on 21 October 2019. Bondi Beach Cottage Incorporated lease continues on a month to month holdover basis.

3.4.5 Recommendation

It is recommended that Council give consideration to continuing / extending the lease agreement with Bondi Beach Cottage. The current location and design of the building suits the tenant's requirements and relocation would be expected to adversely affect service provision and the attractiveness and accessibility of the service for the community.

Reuse of the property for the provision of another service is considered to have a low likelihood of yielding a tenancy utilisation efficiency to a similarly high level as under the current arrangement.



3.5 Bondi Toy Library

Bondi Toy Library is a not-for-profit community organisation located within the Bondi Early Childhood Centre, at the corner of Wairoa Avenue and Brighton Boulevard, Bondi Beach.



Bondi Toy Library provides a toy lending service where members can hire toys for up to two weeks (per loan). Asset Technologies Pacific conducted the tenant interview with the Manager of Bondi Toy Library. The Manager commented that Council is co-operative and that maintenance issues are addressed in an efficient and timely manner. Council is also very approachable and endeavours to assist wherever possible.

3.5.1 Location and Amenity

The Bondi Toy Library is one of three tenants located at the Bondi Early Childhood Centre, at the corner of Wairoa Avenue and Brighton Boulevard, Bondi Beach. As such, the Bondi Toy Library is co-located with complementary services, including the Sydney Children's Hospital and the North Bondi Playgroup. The nearest landmark to the tenancy is Bondi Beach, which is approximately 350m to the south.

The tenant advised that the location of the tenancy is good and convenient for visitors and staff. Due to the need for visitors to transport toys from the Bondi Toy Library, visitors access the site primarily by private vehicle (80%) followed by pedestrian access (15%) and public transport (5%). Staff also primarily access the site by private vehicle (80%) followed by pedestrian access (15%) and public transport (5%).

The ideal location for the Bondi Beach Toy Library would be a site that has sufficient storage space whilst also being accessible for parents and carers. The Manager advised that the Bondi Toy Library would consider co-location with another organisation that provides similar services for parents and carers.

3.5.2 Fitness for Purpose

The primary functional requirements for the Bondi Toy Library involve storage space for the toys and an office for administration. A secondary functional requirement is for a safe and comfortable space to be made available for children who seek to play with the toys.

The Bondi Early Childhood Centre building has a total floor area of approximately 221m², of which approximately 50m² is occupied by the Bondi Toy Library. The floor area is adequate for current storage and office use needs, however is near physical capacity.

Internal lighting and ventilation are adequate. However, the lack of reverse cycle air-conditioning results in space conditions being poorly maintained during cold and hot periods.

In order for members to effectively transport toys from the Bondi Toy Library, car parking must be available. There is limited street parking available on Brighton Boulevard and Wairoa Avenue and there are not any specially designated parking spaces for staff or visitors.

The structures, systems and services are in fair condition. The overall condition index for the building was 3.70 (Poor) as identified in the Waverley Council Childcare Facilities, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018. Since the last inspection, Council has performed major repairs to the structure which will improve the overall condition to "Fair".

3.5.3 Tenancy Utilisation Efficiency

The advertised hours of operation are 9:30AM to 12 Noon on Tuesdays, Thursdays and Saturdays. During school holiday periods, the operating hours are limited to 9:30AM to 12 Noon on Saturdays.

The Bondi Toy Library currently holds approximately 1000 toys in the library which is near maximum physical capacity (thus indicating high utilisation despite operating utilisation being relatively low). The tenant reported that current demand has been relatively stable and that there are typically 100 members at a time.



Based on an average of four (4) toys per loan, approximately 400 toys are loaned per month. Peak demand typically occurs during Saturdays due to parent and carer availability to access the Bondi Toy Library.



3.5.4 Background and Context

Bondi Toy Library were offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category D and pay a nominal fee by way of rental. The premises are part of Wairoa Community Centre Reserve Trust R71808 (Crown Lands) with Council appointed as Reserve Trust managers on 28 July 2017.

The premises historically used a baby clinic and day nursery (gazetted 18 January 1946). Bondi Toy Library Incorporated's five year lease commenced 1st July 2015 and expires on 30th June 2020.

3.5.5 Recommendation

It is recommended that Council give consideration to entering into discussions with the Bondi Toy Library on relocating to a more appropriate location that has more space and where there are opportunities for parents and young children to access the services whilst conducting other activities. A contributing factor to the potential for relocation is that demand for the Bondi Toy Library's services is relatively independent of the physical location.

Should the tenancy relocate, there is an opportunity to co-locate with a service provider that has a complementary service and for which its users can either access the Bondi Toy Library or receive additional visitation from the Bondi Toy Library.



3.6 Bronte Beach Community Centre Group

The Bronte Beach Community Centre Group (BBCCG) is a not for profit comprises five swimming clubs including the Bronte Splashers, Bronte Swimming Club, Bronte Summer Swimming Club, Bronte Breakers and Dr Bronte Club.

The BBCCG occupies the Bronte Beach Community Centre located at the southern side of Bronte Beach. The Bronte Beach Community Centre is adjacent to the Bronte Baths and Bronte Beach Park.



The BBCCG uses the Bronte Beach Community Centre to hold club meetings, functions and to serve as a change room.

The Bronte Beach Community Centre Group members use the Bronte Baths in accordance with the following schedule:

Club	Operating Hours	Occupancy
Bronte Splashers	9:00 AM – 12 Noon Sundays (May to October)	Both rooms during operating hours Room 1 as needed as a social/change room. Primarily male users.
Bronte Swimming Club	9:00 AM – 11:30 AM Saturdays (Summer)	Both rooms during operating hours
Bronte Summer Swimming Club	9:00 AM – 11:30 AM Sundays (Summer)	Both rooms during operating hours
Bronte Breakers	5:00 AM – 4:00 PM 7 days / week	Both rooms when required Room 2 from 4:30 AM onwards as a social/change room. Primarily female users.
Dr Bronte Club	5:00 AM – 4:00 PM 7 days / week	Outside seating Both rooms when required Room 1 as needed as a social/change room. Primarily male users.

Asset Technologies Pacific conducted the tenant interview with the BBCCG Club President. BBCCG stated that it maintains the Bronte Beach Community Centre. Council is also very approachable and responsive to requests for service.

3.6.1 Location and Amenity

BBCCG advised that the location at the southern side of Bronte Beach and adjacent to the Bronte Baths is ideal due to the close proximity to the pool and beach precinct. The site is ideal for visitors and staff. Members primarily access the site by private vehicle (70%), walking (25%) or by public transport (5%).

BBCCG advised that the Bondi Beach Community Centre does not meet its accommodation needs and that there are issues relating to limited available space, lack of accessible bathroom, unreliable external lighting (particularly before sunrise), deteriorated finishes and lack of waterproof floor.

Notwithstanding the current limitations with the facility, BBCCG also advised that the organisation's management and users are happy with the facility in its current state. BBCCG also noted that it is aware of Council's proposed plan for the upgrade the Bronte Beach Community Centre as part of the Bronte Park and Beach Plan of Management 2017 (POM) and that it is supportive of the conceptual plan for refurbishing the facility.

BBCCG advised that co-location with another organisation would not be viable due to the BBCCG needing to maintain independence as a separate entity.

3.6.2 Fitness for Purpose

The floor area of the tenancy is approximately 205m² and comprises change rooms and meeting rooms. The structures, systems and services are in fair condition with moderate levels of deterioration. Council's current maintenance regime is appropriate for the functional use of the building.



Minor accessibility limitations were identified in terms of disparate floor levels to the meeting room and the lack of unisex accessible bathroom facilities. The deteriorated floor finishes, particularly in the meeting room, have resulted in deficient waterproofing provisions for wet areas.

Based on the reported membership of the BBCCG being approximately 300 persons, the Bronte Beach Community Centre does not provide sufficient space to accommodate users if simultaneously occupying the facility. However, provided that meetings are kept to approximately 50 persons which is expected under normal conditions then the building has sufficient space to accommodate demand. An operable wall is installed to enable separation or combination of the meeting rooms according to demand.



Overall, the tenancy is considered fit for purpose with limitations (see above). The overall condition index for the building was 2.64 (Fair) as identified in the Waverley Council Amenities Buildings, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

3.6.3 Tenancy Utilisation Efficiency

The BBCCG has approximately 300 members, the level of which has remained relatively static over time. Overall utilisation is high in terms of the number of users relative to the available space and use of the available amenities for their intended functions.

3.6.4 Background and Context

Bronte Beach Community Centre Group Incorporated were offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category D with a nominal fee (minimum Crown Lands fee). The premises are part of Bronte Park (P50024, R58879, D500025, R84785) Reserve Trust (Crown Lands). The five year lease commenced 1 July 2016 and expires on 30 June 2021.

It is noted that Council has plans to upgrade the building with a Development Application expected to be submitted in 2020.

3.6.5 Recommendation

It is recommended that Council give consideration to continuing / extending the lease agreement with the Bronte Beach Community Centre Group. In terms of the location of the building, the ideal type of tenant to occupy the Bronte Beach Community Centre is a swimming club or similar (e.g. BBCCG) due to the synergy with the adjacent Bronte Baths and close proximity to Bronte Beach. As such, if BBCCG were to be relocated then it is expected to be unlikely that more suitable tenant will be identified.



3.7 Eastern Area Tenants Service

Eastern Area Tenants Service (EATS) is a not-for-profit community organisation that is incorporated as a registered charity. The tenancy occupies level 1 at 74 Newland Street, Bondi Junction. The building was constructed as a residence and has been converted for office accommodation.

EATS provides advice, information and advocacy services for tenants across the Waverley, Woollahra and Randwick Local Government Areas. EATS assists approximately 2000 clients per year through a combination of face-to-face outreach and over-the-phone services. The services are provided by three FTE staff members.



Asset Technologies Pacific conducted the tenant interview with the Executive Officer for EATS who commented that Council is co-operative and that maintenance issues are addressed in an efficient and timely manner. Council is also very approachable and endeavours to assist wherever possible.

3.7.1 Location and Amenity

EATS is one of two tenants located at 74 Newland Street, Bondi Junction. The tenant advised that the location of the tenancy (74 Newland Street, Bondi Junction) is good and convenient for clients due to the close proximity to other facilities such as the Council Customer Service Centre (approximately 200m to the north) and Bondi Junction (approximately 350m to the north-east).

In terms of property related factors, the tenant advised that there are significant limitations that affect face-to-face outreach services such as the lack of a reception area which has resulted in staff using the meeting / lunch room for this purpose, as well as the shared entry with the other tenant located at site resulting in disruptions between clients.

Clients visit the 74 Newland Street property primarily by public transport (10%) or private vehicle (10%). Travel to other outreach locations such as Waverley Library, Bondi Beach Cottage or the Junction Neighbourhood Centre, which may be used from time to time, is predominantly by private vehicle (90%) followed by public transport (10%).

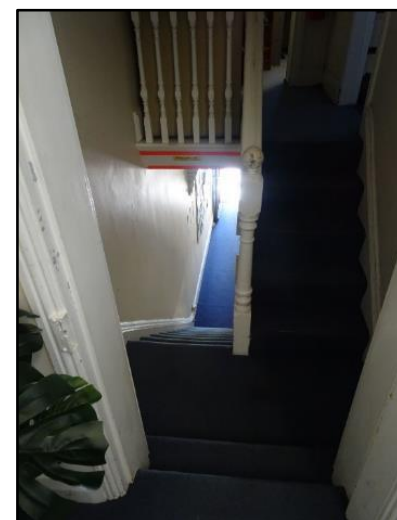
The tenant advised that the tenancy has insufficient space to accommodate face-to-face outreach services. The delivery model has transitioned to approximately 90% over-the-phone services for basic assistance (whilst remaining relatively stable in demand), however demand for outreach is growing slowly.

The reason for the increasing demand for outreach was stated as being due to vulnerable clients having a preference for face-to-face services. The tenant advised that the limitations have contributed to staff working from home from time to time during periods of low demand.

EATS is open to discussions regarding co-location and/or shared governance with another organisation that provides complementary services, particularly if EATS can direct its clients to relevant service providers.

3.7.2 Fitness for Purpose

The level 1 floor area of the tenancy is approximately 35m². In terms of design occupancy under the BCA for office spaces, the available floor area is sufficient to accommodate three FTE staff by a small margin but cannot effectively accommodate additional persons, such is the case when clients attend site for the outreach services.



Compliance defects were identified such as inadequate weatherproofing (resulting in water ingress and damaged internal construction elements), insufficient electrical socket outlets, pest infestations, narrow stairway (for egress purposes) and a lack of ventilation (i.e. air-conditioning). In the context of the building's age and the statutory design requirements at the time of original construction, as well as the constraints arising from the property being within a Conservation Area under the Waverley Local Environmental Plan 2012 Heritage Map, the building is in fair condition.

The over-the-phone advisory services can be delivered from any location and are relatively independent of any attributes of the property itself. Similarly, the office administration and management activities can be performed from any suitable office space and do not necessarily need to be situated within the Bondi Junction area.

The outreach services require comfortable meeting spaces that are easily accessible to persons via public transport and within comfortable walking distance to major landmarks. The property satisfies the locational requirement however has insufficient space, physical separation of rooms, noise isolation (for privacy) and air-conditioning to be effective serve as meeting spaces or waiting areas.





Overall, the tenancy is considered fit for purpose for the office accommodation component of EATS' service provision but not fit for purpose for the outreach component of EATS' service provision.

The overall condition index for the building was 2.96 (Fair) as identified in the Waverley Council Community Tenancies, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

3.7.3 Tenancy Utilisation Efficiency

EATS' operating hours are 9:00 AM to 5:00 PM, Monday to Thursday. Daily demand is relatively consistent between morning and afternoon periods. Yearly demand has been slowly increasing over time for both the over-the-phone and face to face services offered by EATS.

The tenancy is at maximum physical capacity under normal circumstances and the tenant must access other Council facilities when providing outreach services due to the lack of space and the functional deficiencies set out above.

3.7.4 Background and Context

Eastern Area Tenants Service Incorporated was offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category B and receives a 60% rental subsidy.

The five year lease commenced 1st January 2015 and expired on 31 December 2019. The tenancy continues on a monthly holdover basis. The property is co-tenanted with Waverley Drug and Alcohol on the ground floor.

3.7.5 Recommendation

It is recommended that Council give consideration to entering into discussions with Eastern Area Tenants Services on relocating to a more appropriate location for the administrative, management and over-the-phone component of the service.

In relation to outreach services, consideration should be given to making arrangements for the services to be provided at a more suitable location that is within walking distance (e.g. 500m) from the Council Customer Service Centre and within a building that has a design conducive to being inclusive for vulnerable persons.

There are opportunities for the outreach services to be co-located with similar service providers or make use of other spaces as part of a shared-use arrangements.



3.8 Francis Street Playgroup

Playgroup NSW is a registered charity that delivers a children's playgroup programs at community centres and halls across NSW. The tenant subject of this review relates to the Francis Street Playgroup which conducts its business at the Thomas Hogan Reserve.



Figure 3.8.1 – View from Thomas Hogan Reserve

The children's playgroup program is managed by local mothers and is intended for children aged up to five (5) years of age. The nature of the play activities is designed to facilitate basic life skills. The playgroup is also intended to provide parents with opportunities to interact with other parents.

The Francis Street Playgroup has exclusive use of a portion of the building which is primarily used for storage. Under the current lease agreement, the tenant also has access to the community hall within the building between set hours. The Francis Street Playgroup also access the Thomas Hogan Reserve Hall located within the Reserve.

Asset Technologies Pacific conducted the tenant interview with the Francis Street Playgroup Representative who is an Organiser for the North Bondi Playgroup and Councillor at Waverley Council. The Representative commented that Council is responsive, approachable and performs well with respect to addressing tenancy related matters.

3.8.1 Location and Amenity

The Thomas Hogan Reserve Hall is situated within Thomas Hogan Reserve and is accessible from Francis Street, approximately 85m to the south of the Reserve entry. The hall is approximately 650m to the north-east of Waverley Park and approximately 1km to the west of Bondi Beach.

The location of the Thomas Hogan Reserve is considered to be good, but that an ideal location would be closer to Bondi Beach and have a designated tenancy with a garden environment. Volunteer coordinators travel to site approximately 50% of the time by private vehicle and cycle the remaining 50% of the time. Visitors primarily walk to site (80%) or travel by private vehicle (20%).

Limitations were identified that need to be addressed in order to properly meet the Francis Street Playgroup's needs. These limitations include the poor standard of bathroom cleaning performed such that visitors will not use the facility, lack of enclosed fencing for child safety and security, limited access (particularly to the Thomas Hogan Reserve Hall) and flooding of the outdoor play areas due to the lack of stormwater drainage.



Whilst the Thomas Hogan Reserve Hall was noted as being beneficial during periods of inclement weather, it is not an ideal environment for families. The Representative advised that co-location and/or shared governance is not appropriate for the services currently being provided would not be considered. In relation to shared use options, the Representative advised that the North Bondi Playgroup facility is used from time to time as needed.

3.8.2 Fitness for Purpose

The Francis Street Playgroup primarily uses the Thomas Hogan Reserve grounds to deliver the playgroup programs. Whilst the Francis Street Playgroup does not have exclusive use of the Thomas Hogan Reserve grounds, use of the outdoor areas is the primary means of providing the playgroup service. The grounds are spacious and can physically accommodate visitors, however there are not any means for the safe and secure containment of children. Amenities and break facilities are unavailable.

Under their lease agreement the Playgroup also has access to the Thomas Hogan Community Hall between set hours. In terms of the Thomas Hogan Reserve Hall, the overall condition index for the building was 3.65 (Poor) as identified in the Waverley Council Community Centres and Halls, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018. Since the last inspection, remedial works have been undertaken which will improve the overall condition to "Fair".

3.8.3 Tenancy Utilisation Efficiency

The Francis Street Playgroup delivers playgroup programs from the Thomas Hogan Reserve between 9:30 AM and 11:30 AM, Monday and Friday. The Thomas Hogan Reserve is a green space that is publicly available and the Francis Street Playgroup does not have exclusive use of the grounds. The Playgroup shares access to the Thomas Hogan Community Hall, with fellow tenants the Girl Guides and other community venue hirers of the building.

3.8.4 Background and Context

Francis Street Playgroup was offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category D and pay a nominal fee by way of rent. The five year lease commenced 1st July 2015 and expires on 30th June 2020. Thomas Hogan Community Hall is a shared with other and hirers.

3.8.5 Recommendation

It is recommended that Council give consideration to entering into discussions with the Francis Street Playgroup on relocating to a more appropriate location with a designated tenancy that has sufficient space, amenity and access to outdoor play areas.



3.9 Jewish House

Jewish House is a not-for-profit community organisation that is incorporated as a registered charity. Jewish House provides a combination of services including 24/7 crisis line services, counselling services, crisis accommodation and support services for primary school aged children. The support services for primary school children aged 4 to 12 years are provided under the JH Kids program.



The JH Kids program is delivered from the property located at 3 Bondi Road, Bondi Junction. The building was constructed as a residence and has been adapted for office accommodation and the provision of support services.

Asset Technologies Pacific conducted the tenant interview with the Chief Operating Officer (COO) of Jewish House. The COO commented that Council is co-operative and that maintenance is performed both by Council and Jewish House. Council's performance and responsiveness to addressing issues was rated as being good.

3.9.1 *Location and Amenity*

The COO for Jewish House advised that the location at 3 Bondi Road, Bondi Junction is convenient for visitors and staff and is also within walking distance of emergency accommodation and support services that are provided from other locations. This enable clients with limited capacity to travel to visit Jewish House when necessary.

The nearest landmarks to the tenancy are Bondi Junction (approximately 300m to the west) and the Council Chambers (approximately 350m to the south-east).

Staff travel to site by public transport (80%), private vehicle (10%) or by walking (10%). Clients travel to site by public transport (60%), private vehicle (20%) or by walking (20%).

The COO of Jewish House advised that they expect the tenancy will meet Jewish House's future needs and that if demand increases, then administrative functions could be relocated to accommodate the additional counselling areas at site. There were not any serious limitations raised by the tenant.

Jewish House is open to discussions regarding co-location and/or shared use options with another organisation that provides complementary services. Examples of organisations that Jewish House currently refers clients to include Bondi Beach Cottage, Uniting Church of Australia (Wayside Chapel) and Eastern Area Tenancy Services. Shared governance would not be considered appropriate.

3.9.2 Fitness for Purpose

The floor area of the tenancy is approximately 141m² and the building systems, services and structures are in fair to good condition. The property configuration and fitout provide a good level of accommodation suitable for the intended function.



Jewish House maintains the fitout and external structures whilst Council provides building services maintenance. This maintenance regime is appropriate and has resulted in the building elements being maintained to acceptable levels.

The tenancy provides adequate space. Lighting, ventilation and air-conditioning are functional and maintain comfortable space conditions. The tenancy is considered fit for purpose and all systems and services are functional and provide appropriate space conditions.

The overall condition index for the building was 2.54 (Fair) as identified in the Waverley Council Community Tenancies, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018. Since the last inspection, repairs to internal construction elements and finishes have been undertaken which will improve the overall condition to “Good”.

3.9.3 Tenancy Utilisation Efficiency

JH Kids operates between 8:30 AM to 5:00 PM, Monday to Friday and also provides group sessions after 5:00 PM as needed. Daily demand is relatively consistent between morning and afternoon periods. Yearly demand has been slowly increasing over time as Jewish House has been endeavouring to expand its community service scope.

The spaces used to provide services at the tenancy include private counselling rooms, indoor activity room and external play area. Based on data from the latest Jewish House annual report (dated 2017), there were 110 families and children accessing the JH Kids program.



The current tenancy has space capacity to accommodate current demand as well as projected future growth. The tenancy will meet future needs and if demand required more counselling areas that administration could be relocated.

3.9.4 Background and Context

Jewish House Limited was offered a three year plus two year lease via an Expression of Interest (EOI) campaign in 2016, and offered an 80% subsidy in accordance with the Community Tenancy Policy. The lease at 3 Bondi Road, Bondi Junction commenced 1st December 2016 with an option for a further two year lease (option exercised) and expires on 30th November 2021.

3.9.5 Recommendation

It is recommended that Council give consideration to continuing / extending the lease agreement with Jewish House because the residential design and modern fitout of the property are beneficial to Jewish House's service provision. However, it is considered that there is potential for relocation as the nature of the tenant's services does not have any major property-specific requirements that cannot be provided by other similar properties

Should discussions regarding relocation be undertaken, then a suitable alternative location would need to be within close proximity to other Council and community services (particularly those to which clients are referred), have sufficient space for counselling and children's activities, and offer a comfortable and inclusive atmosphere.



3.10 North Bondi Playgroup

Playgroup NSW is a registered charity that delivers a children's playgroup programs at community centres and halls across NSW. The tenant subject of this review relates to the North Bondi Playgroup located within the Bondi Early Childhood Centre, at the corner of Wairoa Avenue and Brighton Boulevard, Bondi Beach.



The children's playgroup program is managed by local mothers and is intended for children aged up to five (5) years of age. The nature of the play activities is designed to facilitate basic life skills. The playgroup is also intended to provide parents with opportunities to interact with other parents.

Asset Technologies Pacific conducted the tenant interview with the Waverley Council Councillor for the Lawson Ward and Organiser for the North Bondi Playgroup. The North Bondi Playgroup Representative commented that Council is responsive, approachable and performs well with respect to addressing tenancy matters.

3.10.1 Location and Amenity

The Playgroup NSW is one of three tenants located at the Wairoa Community Centre building, at the corner of Wairoa Avenue and Brighton Boulevard, Bondi Beach. The nearest landmark to the tenancy is Bondi Beach, which is approximately 350m to the south.

The Representative advised that the location of the tenancy is ideal and that the relatively flat terrain is a beneficial feature of the site. Volunteer coordinators travel to site approximately 50% of the time by private vehicle and cycle the remaining 50% of the time. Visitors primarily walk to site (95%) or take public transport / private vehicle.

Property issues were identified that could be addressed to improve service delivery in terms of upgrading the access gate to prevent unauthorised entry, reconfiguring the outdoor area to increase visibility, replace seating for user comfort, installation of a second sink for clean-up (particularly following art / craft activities), installation of an external nappy bin, upgraded ventilation and refurbishment of the finishes. Notwithstanding these comments, the Representative advised that overall, the tenancy meets the needs of the North Bondi Playgroup.



Co-location and/or shared governance was not considered appropriate for the services currently being provided would not be considered. In relation to shared use options, the Representative advised that there is an agreement with the Australian Breast Feeding Association.

3.10.2 Fitness for Purpose

The Wairoa Community Centre building has a total floor area of approximately 221m², of which approximately 98m² is used specifically by the North Bondi Playgroup. The common foyer and waiting area are shared amongst the tenants at site. The floor area is adequate for play activities.

The lack of mechanical ventilation and reverse cycle air-conditioning results in inadequate ventilation and space conditions being poorly maintained. This is a functional defect in terms of ensuring parent comfort, and in the case of young children, a compliance defect in terms of maintaining temperatures necessary for safety and wellbeing. Installation of external shade covers will also be required to address the compliance requirement for protecting children from overexposure to ultraviolet radiation from the sun.

An external ramp is available which connects the internal and external play areas. The outdoor playground is functional and in good condition. The Kimberley Reserve is spacious, easily accessible and fully enclosed by fencing for child safety and security purposes.

Overall, the tenancy is considered fit for purpose with limitations that will need to be addressed during the short term if the tenancy is to continue to be used for the current service.

The structures, systems and services are in fair condition. The overall condition index for the building was 3.70 (Poor) as identified in the Waverley Council Childcare Facilities, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018. Since the last inspection, Council has performed major repairs to the building structure which will improve the overall condition to "Fair".

3.10.3 Tenancy Utilisation Efficiency

The North Bondi Playgroup is open between 9:30AM and 11:30AM on Mondays, Tuesdays and Wednesdays and 4:30PM to 5:30PM on Wednesdays.

The design of the space can physically accommodate up to 24 persons at a time (based on occupancy accommodation per the Building Code of Australia). With an estimated average occupancy of 15 persons per session, utilisation is moderate when compared with the physical capacity of the tenancy.





3.10.4 Background and Context

North Bondi Playgroup was offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category D with a nominal fee (Crown lands minimum fee). The premises are part of Wairoa Community Centre Reserve Trust R71808 (Crown Lands) with Council appointed as Reserve Trust managers on 28 July 2017.

The premises historically accommodated a baby clinic and day nursery (gazetted 18 January 1946). North Bondi Playgroup's five year lease commenced 1st July 2015 and expires on 30th June 2020.

3.10.5 Recommendation

It is recommended that Council give consideration to continuing / extending the lease agreement with Playgroups NSW for the North Bondi Playgroup because the tenancy is in the ideal location for the playgroup service and is such that parents will be within close proximity of Bondi Beach (approximately 350m south of the tenancy) and Bondi Markets (approximately 220m south-east).



3.11 The Girl Guides NSW

Girl Guides NSW is a registered charity that delivers programs for girls aged 5 to 17 years. Girl Guides NSW delivers its programs from the Thomas Hogan Reserve Hall located at 140 Francis Street, Bondi within the Thomas Hogan Reserve.

The Girl Guide programs encourage and support girls to discover, plan and connect with their community whilst also empowering them in the areas of general wellbeing, adventure, personal development, leadership, self-esteem, violence against women, financial literacy and the like.



The tenant has exclusive use of a portion of the building primarily used for storage. The lease agreement provides the tenant with access to the community hall between specific times each week to run its programs.

Asset Technologies Pacific conducted the tenant interview with a Representative of Girl Guides NSW who is the Chairperson of the Funding Committee of Girl Guides NSW. The Representative commented that Council is co-operative and that Council's performance and responsiveness to addressing issues are good.

3.11.1 Location and Amenity

The Thomas Hogan Reserve Hall is situated within Thomas Hogan Reserve and is accessible from Francis Street, approximately 85m to the south of the Reserve entry. The hall is approximately 650m to the north-east of Waverley Park and approximately 1km to the west of Bondi Beach.

Volunteer coordinators travel to site by private vehicle (85%), walking (10%) or by public transport (5%). Girl guides travel to site by private vehicle (70%), walking (15%) or by public transport (15%).

The Representative advised that the location of the property is ideal due to the hall providing direct access to the adjacent park which can be used for physical and educational activities.

The Representative advised that there are not any serious building limitations, however identified that there are safety concerns with respect to the lack of park lighting which has necessitated girls to be accompanied to and from the hall.

When queried in relation to opportunities for co-location, the Representative raised concerns due to such an arrangement placing Girl Guides NSW in a position where it would need to compete for members.

3.11.2 Fitness for Purpose

The Thomas Hogan Reserve Hall has a floor area of approximately 312m² and includes hall, kitchen, storage and bathroom areas. The location of the hall within the Thomas Hogan Reserve is especially suited to the provision of outdoor and group activities such as those covered under the programs provided by the Girl Guides NSW.



Internal space is adequate, light levels are appropriate and amenities are available as required. Limitations were identified in terms of the lack of access to the hall for persons with a disability and lack of air-conditioning to maintain comfortable space conditions. Flooding also occurs during periods of heavy rainfall due to the topography of the surrounding land and lack of stormwater drainage.

Building upgrades that would improve service provision and safety include upgrade of the stormwater drainage, expansion of park lighting coverage, and installation of an access ramp to the hall. Overall, the tenancy is considered fit for purpose with minor limitations that can be managed by the tenant.

The overall condition index for the building was 3.65 (Poor) as identified in the Waverley Council Community Centres and Halls, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018. Since the last inspection, remedial works have been undertaken which will improve the overall condition to "Fair".

3.11.3 Tenancy Utilisation Efficiency

The advertised hours of operation are 5:00PM to 8:30PM on Wednesdays, with after-hours programs held 4:00 PM to 6:00 PM on Sundays. Quarterly meetings are held on Saturdays. Demand and membership levels have remained relatively stable over time however recently have been increasing. Currently, Girl Guides NSW delivers programs for three groups of girls and one group of adults at the hall.

In terms of the tenant's availability, utilisation is high as the groups are nearing maximum capacity (approximately 25 girls per group).



3.11.4 Background and Context

The Girl Guides Association was offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category D and pay a nominal annual fee by way of rent.

The five year lease commenced 1st June 2015 and expires on 31st May 2020.

Thomas Hogan Community Hall is a shared with another tenant Francis Street Playgroup and a range of community venue hire groups.

3.11.5 Recommendation

It is recommended that Council give consideration to continuing and/or extending the lease agreement with the Girl Guides NSW because the nature of the tenant's service provision is ideally suited to take advantage of the Thomas Hogan Reserve Hall and the surrounding environment (i.e. the Reserve itself).

There is an opportunity to co-locate another organisation at the Thomas Hogan Reserve Hall which provides similar services but does not compete with the Girl Guides (e.g. Boy Scouts). Such an arrangement would need to ensure clearly defined access terms and would ideally facilitate cooperation amongst the girls and boys.

If the tenant were to be relocated and the hall reused or adapted for another purpose, then it is considered to have a low likelihood of yielding a tenancy utilisation efficiency to a similarly high level as under the current arrangement.



3.12 The Grace Child Care Centre

The Grace Child Care Centre is a registered charity that provides long day care services for children aged 0 to 5 years of age. The services are provided at the child care centre located at Clementson Park, at the corner of Newland Street and Ebley Street, Bondi Junction.



Asset Technologies Pacific conducted the tenant interview with the Director of the Grace Child Care Centre. The Director commented that Council is co-operative and that maintenance is performed both by Council and that Council's performance and responsiveness to addressing issues are good.

3.12.1 Location and Amenity

The Director advised that the location of the child care centre was ideal in terms of being a purpose-built facility and being within close proximity to public transport and Bondi Junction.

Staff travel to site by public transport (95%) and by private vehicle (5%). Clients travel to site by private vehicle (40%), walking (30%) or by public transport (30%). The nearest landmark to the tenancy is Bondi Junction, which is approximately 250m in the north-eastern direction from the tenancy.

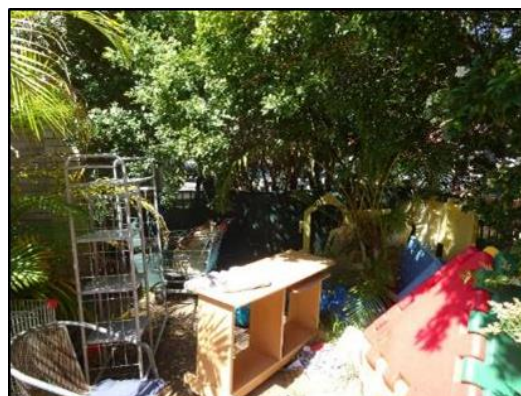
The Director advised that the property is very good and that it accommodates current demand and is expected to accommodate the tenant's long-term needs. The property is also within close proximity of other Council facilities which are used to supplement the childcare services, including the Mill Hill Centre (staff meetings), Junction Neighbourhood Centre, Community Garden and Waverley Library (book borrowing).

A minor limitation was identified by the tenant in terms of tree root growth in the playground area which poses trip hazards.

The Director advised that co-location and shared use options (regarding the internal area) would not be viable due to the need to ensure child safety, security and sufficient space for activities. Shared use with respect to the car park may be viable depending on the terms of the agreement. Shared governance would not be reasonable due to the strict requirements of childcare legislation.

3.12.2 Fitness for Purpose

The floor area of the tenancy is approximately 311m² and the building systems, services and structures are generally in fair condition and provide an acceptable level of accommodation. Council's current maintenance regime is appropriate and building elements will reach maximum effective life under normal operating conditions.



Air-conditioning systems have recently been installed and have sufficient capacity to maintain space conditions at comfortable levels. Lighting, noise insulation and ventilation are good and appropriate for the intended use.

A functional limitation was identified in terms of the available car parking spaces during morning and afternoon drop-off and pick-up periods, respectively. During peak periods, there are insufficient parking spaces however outside peak periods there are generally available spaces.

Overall, the tenancy is considered fit for purpose and all systems and services are functional and provide appropriate space conditions.

The overall condition index for the building was 3.07 (Fair) as identified in the Waverley Council Community Tenancies, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

Following the tenant interview, an inspection was conducted during which a compliance issue was identified in relation to an enclosed external area was identified between the Grace Child Care Centre and the Junction Neighbourhood Centre.

Representatives from both tenancies were unclear with respect to which party was responsible for maintaining and cleaning the area. An issue was identified in terms of an exit being designated through which the path of travel is towards the external area which is enclosed, and from which persons cannot escape.

3.12.3 Tenancy Utilisation Efficiency

The nature of the child care service is directed by legislative requirements and has not significantly changed over time. Demand has remained relatively stable at or around maximum capacity and is constrained by the occupancy limit under the child-care license (maximum of 39 children at a time).



The property can physically accommodate more children (subject to upgrade of the license limit for the number of children). However, an increase in the number of children will reduce the available space per child which is one of the major attractive features of the property and service being provided.

The advertised hours of operation are 7:30AM to 6:00PM Monday to Friday. Peak periods consistently relate to the drop-off and pick-up times, generally 7:30 AM to 9:00 AM and 4:30 PM to 6:00 PM. During peak periods, utilisation is at capacity and cannot accommodate demand.

3.12.4 Background and Context

The Grace Child Care Centre Incorporated was offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category A and receives a 40% rental subsidy. The 5 year lease commenced 1 January 2016 and expires on 31 December 2020.

Clementson Park is owned by the Department of Education and leased to Waverley Council on a forty-year lease expiring 31 December 2030. Any sublease requires the written consent of Dept of Education. The permitted use under the head lease is for community purposes and other matters associated therewith. Future sub-leases will require Dept. of Education written approval (Head Lessor's written consent).

3.12.5 Recommendation

It is recommended that Council give consideration to continuing / extending the lease agreement with the Grace Child Care Centre because the property is a purpose built child care centre that is ideally suited to the provision of child care services such as those delivered by the current tenant. If the tenant were to be relocated and the property reused or adapted for another purpose, then it is considered unlikely another service provider would be able to achieve a similarly high tenancy utilisation efficiency.

There is an opportunity to establish arrangements for shared use of the car park spaces adjacent to the property to take advantage of the regular peak and off-peak periods of use.

Clarifications should also be provided to the Grace Child Care Centre and the Junction Neighbourhood Centre tenants with respect to the enclosed area between the properties. The path of travel and exit signage at the Grace Child Care Centre should also be updated to ensure safe and unobstructed means of egress are available.



3.13 The Junction Neighbourhood Centre

The Junction Neighbourhood Centre is a not-for-profit community organisation that is incorporated as a registered charity. The tenancy is located at 59 Newland Street, Bondi Junction.

The Junction Neighbourhood Centre provides aged support, information and referral services, social engagement, family programs and domestic violence support.



Asset Technologies Pacific conducted the tenant interview with the General Manager and Operations Manager. The General Manager commented that Council is co-operative and that Council's performance and responsiveness to addressing issues are very good.

3.13.1 Location and Amenity

The General Manager advised that the location at 59 Newland Street, Bondi Junction is convenient for visitors and staff, particularly seniors and persons with physical disabilities. Accessibility provisions include an accessible ramp to the main entry and accessible bathroom.

The General Manager also advised that the close proximity of the property to the Council Customer Service Centre (approximately 200m to the north) and Bondi Junction (approximately 350m to the north-east) is very important to ensuring ease of access for clients. The dedicated reception and waiting areas were also reported as being benefits offered by the property.

Staff travel to site by public transport (80%), walking (10%) and by private vehicle (10%). Visitors travel to site by walking (50%), public transport (45%) or by private vehicle (5%).

The multipurpose kitchen / meeting room was raised as being a major benefit for the Junction Neighbourhood Centre as well as other organisations that make use of the facility, for example Eastern Area Tenancy Services.

Minor limitations were raised in terms of the lack of dedicated car parking spaces, the main entry doors are fitted with steel bars that do not appear welcoming and window glazing not being safety rated glass. There is an opportunity to modify the lawn covered area adjacent to the main entry for outdoor-activities or complement the main entry.

The General Manager advised that the Junction Neighbourhood Centre is open to discussions regarding co-location, shared use and/or shared governance with another organisation that provides complementary services.

3.13.2 Fitness for Purpose

The floor area of the tenancy is approximately 128m² and the internal spaces include a waiting area, reception, office, accessible bathroom, meeting room and a multipurpose kitchen / meeting room.



The building elements are in fair condition and an appropriate level of amenity is available. The tenancy possesses sufficient space and modularity (particularly the kitchen / meeting room and reception area) for the tenant's service.

Council's current maintenance regime is appropriate and building elements will reach maximum effective life under normal operating conditions. The overall condition index for the building was 3.08 (Fair) as identified in the Waverley Council Community Tenancies, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

The structural defects that were identified from the last inspection, involving separation of the stairs from the building structure and internal cracking across the walls, were reviewed in 2019 as part of the community tenancy review. Whilst further deterioration was not identified, it is recommended that the defects continue to be monitored until rectified.

Following the tenant interview, an inspection was conducted during which a compliance issue was identified in relation to an enclosed external area was identified between the Junction Neighbourhood Centre and the Grace Child Care Centre. Representatives from both tenancies were unclear with respect to which party was responsible for maintaining and cleaning the area.

3.13.3 Tenancy Utilisation Efficiency

The advertised hours of operation are 10:00AM to 4:00PM Monday to Thursday. Peak periods consistently relate to late morning periods and demand throughout over the year fluctuates depending on the services and programs available.

The property can accommodate approximately 50 persons at a time. Tenancy utilisation is moderate due to the facility having sufficient spare capacity to accommodate current demand as well as being regularly booked by other service providers (particularly the meeting rooms).



There are opportunities to increase utilisation during Fridays, Saturdays and Sundays for either venue hire or co-location of a similar service provider. The tenant expressed interest in offering after-hours parent classes and venue hire on weekends, however cited funding limitations and its safety policy for requiring not less than 2 persons on-site at a time as being reasons for not proceeding.

Complementary organisations with which co-location may be viable include service providers that cater to seniors (e.g. Randwick Waverley Community Transport), childcare centres (e.g. Grace Child Care Centre) and community health providers (e.g. Waverley Drug and Alcohol Centre).

3.13.4 Background and Context

The Junction Neighbourhood Incorporated was offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category B and receives a 60% rental subsidy. The five year sub-lease commenced 1st August 2015 and expires on 31st July 2020.

Clementson Park is owned by the Department of Education and leased to Waverley Council on a forty year lease expiring 31 December 2030. Any sublease requires the written consent of Dept of Education. The permitted use under the head lease is for community purposes and other matters associated therewith. Future leases will be subject to Dept of Education (Head Lessor's written consent).

3.13.5 Recommendation

It is recommended that Council give consideration to continuing / extending the lease agreement with the Junction Neighbourhood Centre because the property is in the ideal location for the tenant and other community organisations that use the facilities at site.

There is an opportunity to establish arrangements for shared use of the car park spaces adjacent to the property to take advantage of the regular peak and off-peak periods of use.

Clarifications should also be provided to the Junction Neighbourhood Centre and the Grace Child Care Centre tenants with respect to the enclosed area between the properties.



3.14 Sydney Children's Hospital (Bondi ECHC)

The Sydney Children's Hospitals Randwick is a State Government Entity that operates two clinics within the Waverley Council Local Government Area. The tenant subject of this review relates to the tenancy located at the Bondi Early Childhood Centre, at the corner of Wairoa Avenue and Brighton Boulevard, Bondi Beach.



The Sydney Children's Hospitals Randwick provides free-of-charge child and family health services to assist parents and carers with the growth and development of children from birth to 5 years of age. Regular health checks, classes, advice and support services are also made available.

Asset Technologies Pacific conducted the tenant interview with the Nursing Unit Manager for the Sydney Children's Hospital. The Nursing Unit Manager commented that Council is co-operative, approachable and responsive to requests for service and that services are provided in a timely and efficient manner.

3.14.1 Location and Amenity

The Sydney Children's Hospitals Randwick is one of three tenants located at the Bondi Early Childhood Centre, at the corner of Wairoa Avenue and Brighton Boulevard, Bondi Beach. As such, the Sydney Children's Hospitals Randwick is co-located with the Bondi Toy Library and North Bondi Playgroup. The nearest landmark to the tenancy is Bondi Beach, which is approximately 350m to the south.

The Nursing Unit Manager identified an issue with co-locating with the Bondi Toy Library when both tenancies operate during the same periods. When toys are picked up from the Bondi Toy Library, the quiet atmosphere needed by nurses to attend to young children may be disrupted. The ease of access to the North Bondi Playgroup was identified as being convenient.

The location of the tenancy was identified as good and convenient for visitors and staff. As the majority of visitors are parents with small children who cannot yet walk on their own, visitors travel to site either by walking with a pram (80%) or by private vehicle (20%). Staff attend site by private vehicle 100% of the time however identified the lack of on-site or street parking as a major limitation.

The ideal location for the Sydney Children's Hospitals Randwick would be a site that is easily accessible to parents with young children and which has adequate space and noise isolation and appropriate layout to enable clinical assessments to be conducted in a private and secure manner.



The Nursing Unit Manager advised that shared governance would not be viable due to the policy requirements of NSW Department of Health which governs the Sydney Children's Hospital Randwick.

In terms of co-location and shared use possibilities, the Nursing Unit Manager indicated that Sydney Children's Hospital Randwick would be open to discussions.

3.14.2 Fitness for Purpose

The primary functional requirements for the Sydney Children's Hospital involve having secure access for parents and young children and enclosed rooms that enable health checks to be performed in a safe, comfortable and private manner.

The Bondi Early Childhood Centre building has a total floor area of approximately 221m², of which approximately 30m² is occupied by the Sydney Children's Hospital across two clinic rooms.

The tenancy has sufficient space for the clinical services to be provided however the Sydney Children's Hospital needs to access the Anglican Church St Andrews for meeting rooms to accommodate parent groups.

Light levels average 300 lux which is insufficient for the type of clinical and delicate tasks performed by the nurses, as AS1680 identifies a minimum of 400 lux for moderately difficult tasks.

The lack of reverse cycle air-conditioning results in space conditions being poorly maintained during cold and hot periods. This is a functional defect in terms of ensuring staff comfort, and in the case of young children, a compliance defect in terms of maintaining temperatures necessary for safety and wellbeing.

There is limited street parking available on Brighton Boulevard and Wairoa Avenue and there are not any specially designated parking spaces for staff or visitors.

The structures, systems and services are in fair condition. The overall condition index for the building was 3.70 (Poor) as identified in the Waverley Council Childcare Facilities, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018. Since the last inspection, Council has performed major repairs to the structure which will improve the overall condition to "Fair".

3.14.3 Tenancy Utilisation Efficiency

The advertised hours of operation are 9:00AM to 12 Noon and 2:00 PM to 4:00 PM, Monday to Thursday. The tenancy has a high level of utilisation by virtue of the clinical services being regularly booked to capacity. The tenant reported that current demand has been relatively stable over time.



3.14.4 Background and Context

The Sydney Children's Hospitals Randwick was offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category D and pays a nominal fee by way of rent.

The premises are part of Wairoa Community Centre Reserve Trust R71808 (Crown Lands) with Council appointed as Reserve Trust managers on 28 July 2017. The premises historically accommodated

The Sydney Children's Hospitals Network's five year lease commenced 1 July 2015 and expires on 30 June 2020.

3.14.5 Recommendation

It is recommended that Council give consideration to entering into discussions with the Sydney Children's Hospital on relocating to a more appropriate location that has more space and where there are flexible opportunities (particularly in terms of shared-use) in relation to access to meeting rooms to accommodate fluctuations in demand.



The potential for relocation is due to the functional deficiencies and the variable requirement for meeting spaces necessary for accommodating parent groups.

The ideal location would need to be accessible to parents and carers in terms of pedestrian and vehicular access, parking facilities, provision for pram parking and a secure means for segregating young children from the site entry and any other tenants which may be co-located at site.

Should one or both of the Sydney Children's Hospital tenancies relocate, then consideration should be given to ensuring that full coverage of the Waverley Council Local Government Area is provided. Ideally, coverage would be in a west and east manner between Bondi Junction and North Bondi, respectively.

3.15 Sydney Children's Hospital (Mill Hill EEC)

The Sydney Children's Hospitals is a State Government Entity that operates two clinics within the Waverley Council Local Government Area. The tenant subject of this review relates to the tenancy located on level 2 of the Mill Hill Early Education Centre, 25 Ebley Street Bondi Junction.



The Sydney Children's Hospitals provides free-of-charge child and family health services to assist parents and carers with the growth and development of children from birth to 5 years of age. Regular health checks, classes, advice and support services are also made available.

Asset Technologies Pacific conducted the tenant interview with the Nursing Unit Manager for the Sydney Children's Hospital. The Nursing Unit Manager commented that Council is co-operative, approachable and responsive to requests for service and that services are provided in a timely and efficient manner.

3.15.1 Location and Amenity

The Sydney Children's Hospitals is located at the Mill Hill Early Education Centre building. The tenant occupies the top floor of the building with the rest of the centre being occupied by Council's Mill Hill Early Education Service. The nearest landmark to the tenancy is Bondi Junction, which is approximately 400m in the north-eastern direction from the tenancy.

The Nursing Unit Manager identified security and operational issues with co-locating with the Mill Hill Early Education Centre due to the tenancies sharing a common entrance.

The location of the tenancy was identified as good and convenient for visitors. Visitors travel to site private vehicle (50%) or walking with a pram (25%). Visitors may also travel by public transport (25%) but have expressed difficulty with this mode of transport due to the inconvenience of traveling with a pram. Staff attend site by private vehicle (70%), public transport (25%) or by walking (5%) and identified the lack of on-site or street parking as a major limitation.

The ideal location for the Sydney Children's Hospital would be a site that is easily accessible to parents with young children and which has adequate space and noise isolation and appropriate layout to enable clinical assessment to be conducted in a private and secure manner.

The Nursing Unit Manager advised that shared governance would not be viable due to the policy requirements of NSW Department of Health which governs the Sydney Children's Hospital.

In terms of co-location and shared use possibilities, the Nursing Unit Manager indicated that Sydney Children's Hospital would be open to discussions.

3.15.2 Fitness for Purpose

The primary functional requirements for the Sydney Children's Hospital involve having secure access for parents and young children and enclosed rooms that enable health checks to be performed in a safe, comfortable and private manner.

The Mill Hill EEC building has a total floor area of approximately 1109m², of which approximately 100m² is occupied by the Sydney Children's Hospital across two clinic rooms and waiting area.



Access to the tenancy is either via the central staircase or the lifts. For parents with children in prams, the stairs are difficult to navigate, and the lift is too small to accommodate families.

The tenancy has sufficient space for the clinical services to be provided for up to 20 families. The Sydney Children's Hospital refers clients to a range of other service providers, for example Waverley Library for meeting rooms or play groups services.

Lighting, ventilation and air-conditioning are good and space conditions are maintained within comfortable levels.

There is limited street parking available on Ebley Street and Lawson Street and there are not any specially designated parking spaces for staff or visitors.

The building structures, systems and services are in very good condition. The overall condition index rating for the building as identified in the Waverley Council Childcare Facilities, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018 was 1.80 (Excellent).



3.15.3 Tenancy Utilisation Efficiency

The advertised hours of operation are 9:00AM to 12 Noon and 2:00 PM to 4:00 PM, Monday to Thursday. The tenancy has a high level of utilisation by virtue of the clinical services being regularly booked to capacity. The tenant reported that current demand has been relatively stable over time.

3.15.4 Background and Context

Sydney Children's Hospital Network was offered a licence under Council's Community Tenancy Policy 2014. The tenant was assessed as Category B and receives a 60% rental subsidy.

The five year licence commenced 18 August 2014 and expired on 17 August 2019. The Licence continues on a monthly holdover basis.

3.15.5 Recommendation

It is recommended that Council give consideration to entering into discussions with the Sydney Children's Hospital on relocating to a more appropriate location that has more space and where there are flexible opportunities (particularly in terms of shared-use) in relation to access to meeting rooms to accommodate fluctuations in demand. The potential for relocation is due to the functional deficiencies and the variable requirement for meeting spaces necessary for accommodating parent groups.

The ideal location would need to be accessible to parents and carers in terms of pedestrian and vehicular access, parking facilities, provision for pram parking and a secure means for segregating young children from the site entry and any other tenants which may be co-located at site.

Should one or both of the Sydney Children's Hospital tenancies relocate, then consideration should be given to ensuring that full coverage of the Waverley Council Local Government Area is provided. Ideally, coverage would be in a west and east manner between Bondi Junction and North Bondi, respectively.



3.16 Uniting Church of Australia

The Uniting Church of Australia Property Trust (Wayside Chapel) is a registered charity located at Norman Andrews House, 77 Roscoe Street, Bondi Beach. The building was constructed as a residence and has been adapted for use as a safe space for the homeless and disadvantaged where they can relax and access basic amenities and discounted services.

The Wayside Chapel provides referrals for short and long-term crisis accommodation and housing, weekly onsite clinics (legal, health, and counselling), referral services, advocacy and care-coordination, and meeting spaces for self-help and community groups.



Asset Technologies Pacific conducted the tenant interview with the Operations Manager of Wayside Chapel. The Operations Manager commented that Wayside Chapel performs maintenance and that there has not been a need for Council to perform maintenance works. The Operations Manager advised that Council has been approachable and responsive.

3.16.1 Location and Amenity

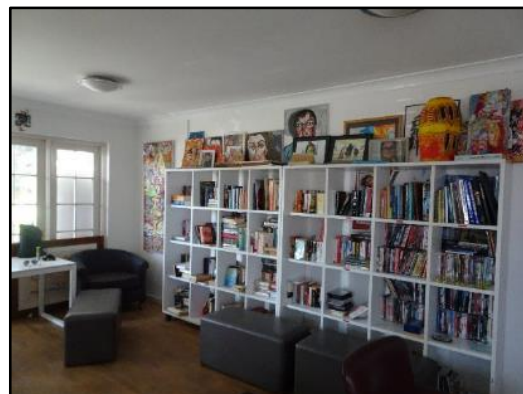
The Operations Manager advised that the location at 77 Roscoe Street, Bondi Beach is good and easily accessible by users. Staff travel to site by public transport (80%), walking (15%) and by private vehicle (5%). Visitors travel to site by walking (50%) or public transport (50%). The nearest landmark to the tenancy is Bondi Beach, which is approximately 320m in the south-eastern direction from the tenancy.

The property provides the required level of amenity and there were not any significant building limitations reported. However, the Operations Manager anticipates that the tenancy will be unable to accommodate future demand within five years due to expected growth in user demand.

The Operations Manager advised that the Wayside Chapel is open to discussions regarding co-location with organisations that provide complementary services, for example counselling services, mental health support or living skills program providers. Shared use and/or shared governance were not considered to be viable.

3.16.2 Fitness for Purpose

The floor area of the tenancy is approximately 432m² and the internal spaces include a reception, office, kitchen, bathroom, meeting rooms, breakout rooms, storage space and a multipurpose kitchen / meeting room. The outdoor area is used for meal preparation and group activities.



The building has sufficient space to accommodate current demand and the types of spaces are appropriate for the users. Lighting and ventilation are good. Air-conditioning is installed at site and space conditions are maintained at comfortable levels.

Access to level 2 is unavailable for persons with a disability. Provision of a lift or other vertical transport would be beneficial for improving access and space usage.

The overall condition index for the building was 2.79 (Fair) as identified in the Waverley Council Community Tenancies, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

3.16.3 Tenancy Utilisation Efficiency

The operating hours are 8:30AM to 3:00PM Monday to Friday. Demand has been relatively stable over time and occupancy during operating hours averages 30 persons at a time.

There is a gap in service provision with respect to making the space available on the weekends. Due to the user demographics being predominantly disadvantaged and homeless persons, there is a need for continuous access to amenities, low-cost meals and referral services beyond the standard opening hours. Provision of additional amenities, particularly those which are available outside normal operating hours, will improve community access to the amenities.

3.16.4 Background and Context

Waverley Council and the Uniting Church made a joint purchase of the building at 77 Roscoe St in 1992, creating the Norman Andrews House. The agreement was formalised through a deed for a ten year term in 1992 and again in 2003.



Council's ownership share of the building was originally 41% however following Council's substantial contribution paid towards the cost of an extension to the building in 2004 the parties agreed an uplift in Council's share to 52%. Whilst this has been acknowledged in writing by the tenant it has not been formalised in a deed, nor the change registered on the land title.

3.16.5 Recommendation

It is recommended that Council enter into a new deed of agreement and lease with the existing tenants that formalises the agreed share of ownership. The agreement should clearly set out obligations for both parties in terms of operational and regular maintenance costs, as well as lifecycle capital costs for the term of the agreement.

Following the execution of the deed the land title for the property should be updated to reflect the change in ownership shares.



3.17 Vaucluse Playgroup (Kimberley Reserve)

Playgroup NSW is a registered charity that delivers a children's playgroup programs at community centres and halls across NSW. The tenant subject of this review relates to the Vaucluse Playgroup located at 1A Isabel Avenue, Vaucluse within the Kimberley Reserve.



The children's playgroup program is managed by local mothers and is intended for children aged up to five (5) years of age. The nature of the play activities is designed to facilitate basic life skills. The playgroup is also intended to provide parents with opportunities to interact with other parents.

Asset Technologies Pacific conducted the tenant interview with a Playgroup NSW Representative who is the Organiser for the playgroup. The Representative commented that Council is approachable and responsive to requests for service.

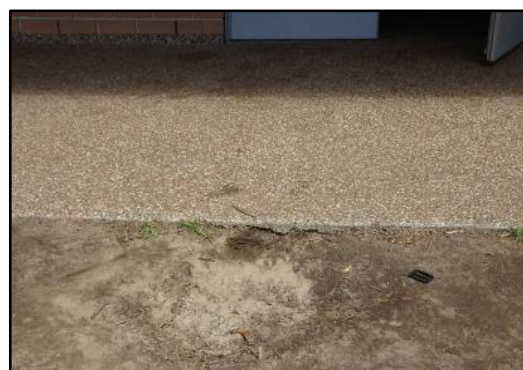
3.17.1 Location and Amenity

The Kimberley Reserve Hall is situated within Kimberley Reserve and is accessible from Military Road, approximately 15m to the south of the Reserve entry. The nearest landmark to the hall is the Macquarie Lighthouse, which is approximately 1km in the north-eastern direction.

As the majority of facility users are parents with small children who cannot comfortably walk on their own, the parents travel to site predominantly by walking with a pram (60%) or by private vehicle (30%). Approximately 10% of parents travel to site by public transport.

The Representative advised that the location of the hall is ideal due to the hall providing direct access to the park and playground which can be used for physical and educational activities. This is particularly important because approximately 50% of play activities are conducted outdoors.

The Representative advised that there are not any serious building limitations other than the lack of covered walkways from Military Road to the hall, lack of a sealed pathway to the playground, minor trip hazards at the main entry and damaged guttering.



The Representative advised that limited parking is available, however that the magnitude of the issue is relatively minor due to the small number of parents attending at the time. The lack of time restrictions on nearby parking was identified as a positive feature.

When queried in relation to opportunities for co-location, the Representative advised that it would not be attractive due to the current location being ideal for playgrounds. However, the Representative advised that co-location of another organisation that offers complementary services, for example nursing clinics or mothers group providers, would be beneficial to Playgroup.

3.17.2 Fitness for Purpose

The Vaucluse Playgroup utilises the Kimberley Reserve Hall (the tenanted premises) as well as the playground and outdoor space of the Kimberley Reserve. Whilst the Vaucluse Playgroup does not have exclusive use of the Kimberley Reserve grounds, access to the outdoor areas is imperative for the effective delivery of the playgroup service.



The playground is functional and in good condition. The Kimberley Reserve is spacious, easily accessible and the bounds are relatively well defined for child safety and security purposes. The Kimberley Reserve Hall building is utilised primarily as an indoor play area and toy storage space. The floor area of the tenancy is approximately 95m² and has sufficient space for playgroup activities and toy storage. A bathroom and kitchen are available for use and provide an adequate level of amenity.

The lack of reverse cycle air-conditioning results in space conditions being poorly maintained during cold and hot periods. This is a functional defect in terms of ensuring parent comfort, and in the case of young children, a compliance defect in terms of maintaining temperatures necessary for safety and wellbeing.



The building elements are generally in fair condition. Littering across the Reserve and vandalism of the building elements were identified and are reported to be regular occurrences.

Overall, the tenancy is considered fit for purpose and all systems and services are functional and provide appropriate space conditions.

The overall condition index for the building was 2.60 (Fair) as identified in the Waverley Council Community Centres and Halls, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

3.17.3 Tenancy Utilisation Efficiency

Playgroups are held between 9:30 AM to 11:30 PM on Mondays, Wednesdays and Fridays. Extended hours and weekend programs have been areas of interest from parents. However, demand cannot be met due to the playgroups being organised and managed by unpaid volunteers. During the year, utilisation fluctuates according to the school calendar and peaks during school holidays.

3.17.4 Background and Context

Vaucluse Playground was offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category D and pays a nominal fee by way of rent. A five-year lease commenced 1 July 2015 and expires on 30 June 2020.

3.17.5 Recommendation

It is recommended that Council consider entering into a new lease agreement with Playgroups NSW for the Vaucluse Playgroup. The tenant's service provision is ideally suited to take advantage of the hall and the surrounding reserve. There is an opportunity to co-locate another organisation at the Kimberley Reserve Hall during periods outside Playgroups NSW's permitted use.



3.18 Waverley Drug & Alcohol Centre

Waverley Drug and Alcohol Centre is a not-for-profit community organisation that is incorporated as a registered charity. The tenancy occupies the ground floor at 74 Newland Street, Bondi Junction. The building was constructed as a residence and has been converted for office accommodation.

Waverley Drug and Alcohol Centre provides assessment, counselling and referral services for members of the local community on matters relating to drugs, alcohol, gambling and addiction.

Waverley Drug and Alcohol Centre assists approximately 120 individual clients and 80 group clients per month. The services are provided by 1.5 FTE staff members.



Asset Technologies Pacific conducted the tenant interview with a Coordinator of the Waverley Drug and Alcohol Centre. The Coordinator commented that Council is co-operative, responsive, approachable and endeavours to assist wherever possible.

3.18.1 Location and Amenity

Waverley Drug and Alcohol Centre is one of two tenants located at 74 Newland Street, Bondi Junction and occupies the first floor of the building. The Coordinator advised that the location of the tenancy (74 Newland Street, Bondi Junction) is good because it is convenient for clients and with close proximity to Bondi Station and other facilities such as the Council Customer Service Centre (approximately 200m to the north) and Bondi Junction (approximately 350m to the north-east).

The Coordinator also advised that the design of the property and the lack of prominent signage are major positive factors for clients because clients may be self-conscious of being seen entering a rehabilitation facility and that discretion is important to minimise drawing attention to clients' issues.

The Coordinator identified limitations with respect to access and maintenance defects. The main entry steps are difficult for persons with physical limitations and can be improved by upgrading with a ramp. Water penetrations in the office have occurred during periods of heavy rain.

Staff travel to site by private vehicle however parking is limited. Whilst six car parking spaces are designated adjacent to the property, these spaces are typically used by members of the public. Signage and markings have been unsuccessful in deterring unauthorised use. Clients travel to site by private vehicle (30%) and public transport (70%).



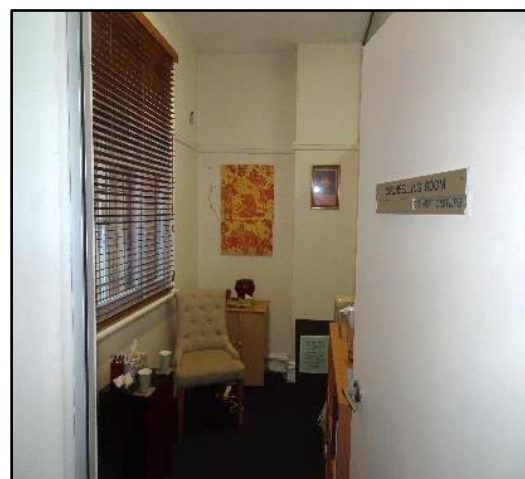
The Coordinator indicated that there are not any major building problems other than there being insufficient space to accommodate face-to-face counselling services according to demand and that refurbishment of the internal finishes would improve the atmosphere.

The Coordinator advised that Waverley Drug and Alcohol would be open to discussions regarding co-location with another organisation that provides complimentary services, contingent on the facility being discreet and having sufficient space, amenity, parking and privacy. Waverley Library was identified as a site that may be suitable. The Junction Neighbourhood Centre was identified as a site that would not be suitable due to the access being too exposed. Shared governance would not be viable due to regulatory constraints and that the Waverley Drug and Alcohol Centre is a relatively small organisation and that do share governance would be onerous.

3.18.2 Fitness for Purpose

The office and counselling rooms have a floor area of approximately 35m². The bathroom and kitchen facilities are also available on the ground floor and shared with the other tenant within the building, being Eastern Area Tenants Services, which occupies level 1, 74 Newland Street.

The fitout is appropriate for the functional requirement. Lighting is adequate. Internal elements are in fair to poor condition. Defects that were identified from the last inspection, for example the drummy wall in the first counselling room and water damaged elements, have not been rectified.





Compliance defects were identified such as inadequate weatherproofing (resulting in water ingress and damaged internal construction elements) and a lack of ventilation (i.e. air-conditioning). In the context of the building's age and the statutory design requirements at the time of original construction, as well as the constraints arising from the property being within a Conservation Area under the Waverley Local Environmental Plan 2012 Heritage Map, the building is in fair condition. It is noted that invasive works needed to improve the building systems and services must not be undertaken.

The overall condition index for the building was 2.96 (Fair) as identified in the Waverley Council Community Tenancies, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

3.18.3 Tenancy Utilisation Efficiency

The nature of the services has remained stable over time, albeit incorporating new processes to accommodate for the evolution of drugs over time.

The advertised hours of operation are 8:00AM to 4:00PM Tuesday to Friday. Demand is relatively consistent throughout the day and based on current client numbers, utilisation is approaching maximum operating capacity with respect to the Waverley Drug and Alcohol Centre's operating hours and availability.

In terms of the property availability, utilisation is moderate and there are opportunities to increase utilisation during after-hour and weekend periods. The Coordinator advised that service delivery during these periods is offered for regular clients on a case-by-case basis, but cannot be provided on a regular basis as needed to meet demand because of funding limitations.

3.18.4 Background and Context

Waverley Drug & Alcohol Centre Incorporated was offered a lease under Council's Community Tenancy Policy 2014. The tenant was assessed as Category B and receives a 60% rental subsidy. A five year lease commenced 1 January 2015 and expired on 31 December 2019. The lease continues on a monthly holdover basis.

3.18.5 Recommendation

It is recommended that Council give consideration to entering into discussions with the Waverley Drug and Alcohol Centre on relocating to a more appropriate tenancy within the Bondi Junction area. The tenancy should be accessible by public transport, close to relevant Council services and discreet for clients to access. The tenancy should also have sufficient space to accommodate face-to-face counselling in a comfortable, safe and private manner.



3.19 Waverley Woollahra School of Arts

The Waverley Woollahra School of Arts is a registered charity located at 138 Bondi Road, Bondi. The building was constructed in 1890 as a purpose-built arts school in the Victorian Classical style and extended between 1913 and 1915 to meet the needs of the art school.



The Waverley Woollahra School of Arts offers classes for painting, drawing, sculpture, ceramics, mixed media and printmaking. The key demographics served by the Waverley Woollahra School of Arts are school aged children and seniors, followed by adults over 35 years of age.

Asset Technologies Pacific conducted the tenant interview with the Administrator of the Waverley Woollahra School of Arts. The Administrator advised that Council has not been responsive to requests for maintenance and other tenancy matters requiring Council involvement or approval, however that over the past year Council's performance has improved.

3.19.1 Location and Amenity

The Administrator advised that the location at 138 Bondi Road, Bondi is convenient for visitors and staff and that the design of the property is good for the nature of services provided. Particular focus was given to the historic nature of the rooms and high ceilings. The Administrator identified extensive issues with the building in terms of poor amenity, inadequate power, inadequate lighting, insufficient kilns, insufficient parking spaces, lack of air-conditioning, and lack of circulation space for persons with disability. Notwithstanding these comments, the Administrator expressed that the tenancy meets the needs of the School of Arts.

The lack of a formal reception area was also identified as a limitation which requires parents and children to wait in the main corridor before and after classes. The lack of a hot water supply to the kitchen sink (other than the instant hot water boiler), studios and bathrooms was also stated as being a limitation. Staff and students travel to site by private vehicle (70%), public transport (20%) and by walking to site. The nearest landmarks to the tenancy are Waverley Oval (120m to the south-west) and the Council Chambers (320m to the west)

The Administrator advised that co-location and shared governance would not be appropriate because the Waverley Woollahra School of Arts prepares professional level work that must have full access to a purpose-built facility for artwork and that there are not any other services that would be sufficiently complement the Waverley Woollahra School of Arts' service.

3.19.2 Fitness for Purpose

The floor area of the tenancy is approximately 1,260m² and the building design is well suited to conducting art classes. The structures, systems and services are in fair condition and provide an acceptable level of amenity. Defects were identified which have been included in a remedial works program subject of discussion between the School of Arts and Council.



Should the tenancy be used to host art exhibitions, then improvements will be required in terms of increasing the coverage, illuminance and directional control of the interior lighting. Depending on the type of art being exhibited, the lighting may also need to be specially graded and have a particular colour temperature. The overall condition index for the building was 3.12 (Fair) as identified in the Waverley Council Community Centres and Halls, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

3.19.3 Tenancy Utilisation Efficiency

The advertised hours of operation are 9:00AM to 9:00PM Monday to Saturday, with variations depending on the specific classes on during the evening. Peak periods are typically during the mornings. Classes may have up to 15 persons per group. School holiday programs are held four times per year. There are opportunities to increase utilisation by remediating the unused room on the southern side of the building (opposite to the office) for use as an additional classroom or exhibit area.

3.19.4 Background and Context

138 Bondi Rd was not included in Council's Community Tenancy Policy 2014. In 1981 the Trustees of the School of Arts resolved to transfer the building and property to Waverley Council. The Centre entered into a ten-year lease with Council in 1982. A lease was renewed for a five-year term in 1992 and continued to operate under this lease agreement until a new lease was signed on 1 April 2019 for a five-year lease with an option for a further term of five years.

3.19.5 Recommendation

It is noted that in 2019 Council awarded a new lease to the Waverley Woollahra School of Arts at the premises. It is felt that this was a justifiable decision given that the property is in the ideal location for the tenant, the design of the building is well suited to accommodating art classes and also considering the tenants long standing historic connection to the building.

3.20 WAYS Youth and Family Centre (63A Wairoa Avenue, Bondi Beach)

The WAYS Youth and Family organisation (WAYS) provides professional services and a safe space for young people and their families. The services provided by WAYS include counselling, health, education, recreational and after school care.



WAYS provides its service from two locations. One location being 63A Wairoa Avenue Bondi Beach (outlined in this section of the report) and the other location being 422 Oxford Street, Bondi Junction. The primary services provided from 63A Wairoa Avenue Bondi Beach are education, health and recreation.

The services are provided from 9:00AM to 7:00PM Monday to Friday and 1:00PM to 6:00PM on Saturday. There are also occasions when special services are provided on a Sunday.

WAYS provides information to Waverley Council on the services that it provides and statistical information regarding the number of students and other clients who are assisted by the organisation. WAYS also provides information to the NSW State Government Education and Health Departments.

Asset Technologies Pacific conducted the tenant interview with the Director of WAYS Youth and Family Centre who emphasised that WAYS has a very good relationship with Waverley Council.

3.20.1 Location and Amenity

The Director advised that the location at 63A Wairoa Avenue, Bondi Beach is very convenient for staff and clients. Approximately 75% of staff and 10% of clients travel to the centre by private vehicle and 15% of Staff use public transport. The majority of clients attending the centre (75%) use the school bus.

The Director advised that demand for services has been steadily increasing over the past five years. Whilst the current building space and amenity can cater for current demand, it is anticipated that additional bathrooms and educational spaces will be required in the short to medium terms.

The Director also commented that the space conditions, lighting levels and base building services were adequate and that Council has been extremely helpful and understanding in relation to its property needs and the provision of maintenance services.

The Director advised that co-location with another organisation had not been considered and that if it were to be feasible, the other organisation would need to complement the services provided by WAYS. The other organisation would also need to commit to providing the services on a continuous basis, as the WAYS' service model is very much based on the premise that its clients can depend on the availability of its services.

3.20.2 Fitness for Purpose

The building systems, services and structures are generally in fair condition and provide an acceptable level of accommodation. Council's current maintenance regime is appropriate and building elements will reach maximum effective life under normal operating conditions.

Access from the street requires staff and clients use an internal stair to levels 1 and 2. The stairs would mean that a person who is restricted to a wheelchair would require assistance in gaining access to and from the service areas on levels 1 and 2. The floor area of the tenancy is approximately 426m² which is sufficient for demand.

The overall condition index for the building was 2.66 (Fair) as identified in the Waverley Council Community Tenancies Facilities, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

3.20.3 Tenancy Utilisation Efficiency

The demand for services (particularly education and counselling) is increasing and WAYS appears to strategically monitor and schedule its service provisions to take best advantage of its available accommodation spaces.

During periods of peak demand, WAYS will provide different services from within the same area (which may be better delivered from dedicated spaces). Overall, the tenancy utilisation is well managed and the use of space is efficient.

3.20.4 Background and Context

WAYS have a long history of delivering Youth Services in the Waverley area. The current Youth Centre building has accommodated the service for many decades. WAYS were offered a new 5-year lease with a 5-year option, under Council's Community Tenancy Policy 2014.

The tenant was assessed Category B and receives a 60% rental subsidy. WAYS is also in receipt of an annual accommodation grant from Council for both its premises.



The premises are located on Crown Land with Council acting as Crown Land Manager. A five-year lease commenced 1st June 2015 and expires on 31st May 2020. The tenant has indicated to Council that they will be exercising their lease option taking the lease expiry to 31 May 2025.

3.20.5 Recommendation

WAYS is very focused on its ability to service its clients and meet the needs of the community. The range of services and the increasing demand would mean that relocation (if considered) would be preferably be to a larger facility that provided improved accessibility and amenity.

The tenants have a long connection to the building and a long history of collaboration with Waverley Council. Significant capital investment has been made to the building to meet the contemporary need of the service. The tenant has sufficient surety tenure through the further five-year lease term, as such it is recommended that Council continue to support the service in its current location.



3.21 WAYS (422 Oxford Street, Bondi Junction)

The WAYS Youth and Family (WAYS) provides professional services and a safe space for young people and their families. The services provided by WAYS include counselling, health, education, recreational, support and after school care.

WAYS provide service from two locations. One location being 422 Oxford Street, Bondi Junction (outlined in this section of the report) and the other location being 63A Wairoa Avenue Bondi Beach. The primary services provided from 422 Oxford Street, Bondi Junction are counselling, training and support services.



The services are provided from 9:00AM to 6:00PM Monday to Friday and occasional afterhours and weekend services. WAYS provides information to Waverley Council on the services that it provides and statistical information regarding the number of students and other clients who are assisted by the organisation. WAYS also provides information to the NSW State Government Education and Health Departments. Asset Technologies Pacific conducted the tenant interview with the Director of WAYS Youth and Family Centre

3.21.1 Location and Amenity

The Director advised that the location at 422 Oxford Street, Bondi Junction is very convenient for staff and particularly clients. Many of WAYS' clients assess other support, recreational and retail facilities in close proximity to the WAYS centre and clients will subsequently attend counselling prior to, or after meeting other commitments.

Approximately 75% of staff and 50% of clients travel to the centre by public transport and others by private vehicle, pedestrian access and the school bus. The Director advised that demand for services is generally stable and the tenancy meets current demands and will accommodate projected future requirements.

The space conditions, lighting levels and base building services within the tenancy are good and the level of amenity is appropriate. The Director also commented that Council has been very responsive in relation to the provision of maintenance services.

The Director advised that co-location with another organisation had not been considered and that if it were to be feasible, the other organisation would need to complement the services provided by WAYS.



The other organisation would also need to commit to providing the services on a continuous basis, as the WAYS' service model is very much based on the premise that its clients can depend on the availability of its services.

3.21.2 Fitness for Purpose

The building systems, services and structures are generally in fair to good condition and provide an appropriate level of accommodation. Council's current maintenance regime is appropriate and building elements will reach maximum effective life under normal operating conditions.

WAYS maintains the fit out and the finishes and fittings are also in fair to good condition. The configuration is also appropriate for the services being delivered. The floor area of the tenancy is approximately 180m² which is sufficient for demand.

The overall condition index for the building was 2.74 (Fair) as identified in the Waverley Council Community Tenancies Facilities, Property Condition Assessments and Ten Year Program of Expenditure Report dated 24 April 2018.

3.21.3 Tenancy Utilisation Efficiency

As the demand for services is stable, WAYS schedule its service provisions to maximise the use of its accommodation space. The tenancy utilisation is well managed and the use of space is efficient.

3.21.4 Background and Context

The tenant was offered a five- year lease with a five-year option under Council's Community Tenancy Policy 2014. The tenant was assessed as Category B and receives a 60% rental subsidy.

A five-year lease commenced 1 June 2015 and expires on 31 May 2020. The Tenant has recently exercised the option lease which takes the lease expiry to 31 May 2025. WAYS is also in receipt of an annual accommodation grant from Council for both its premises.

3.21.5 Recommendation

The current location of the centre is appropriate as WAYS' service delivery benefits from the location the centre at Bondi Junction.

Given that the tenant has a further five years remaining on their lease, it is recommended that council continue to support the Tenants operations from the current site.



**APPENDIX A – PRIMARY TENANT REPRESENTATIVE**

No.	Tenant Name	Primary Contact
1	Computer Pals	Harold Berman, Director
2	Kindamindi Co-op Ltd	Charles Thackwell, Director
3	Randwick Waverley Community Transport	Ben Whitehorn, General Manager
4	Bondi Beach Cottage	Susan Price, Board Member
5	Bondi Toy Library	Doreen Teo, Manager
6	Bronte Beach Community Centre Group Incorporated	Warren Whillier, BBCCG Club President
7	EATS – Eastern Area Tenants Service	Hayley Stone, Executive Officer
8	Francis Street Playgroup	Angela Burrill, Manager
9	Jewish House	Helen Krig, Chief Operating Officer
10	North Bondi Playgroup Wairoa Community Centre	Angela Burrill, Manager
11	Girl Guides, Thomas Hogan Reserve Hall	Hilary Cairns, Chairperson Funding Committee
12	Grace Child Care Centre	Carla Heik, Director
13	Junction Neighbourhood Centre	Janet Green, General Manager
14	Sydney Children's Network Hospital, Wairoa Community Centre	Carol Sutton, Nursing Unit Manager
15	Sydney Children's Network Hospital, Mill Hill EEC	Carol Sutton, Nursing Unit Manager
16	Uniting Church of Australia Property Trust (Wayside Chapel)	Dan Frauenfelder, Operations Manager
17	Vaucluse Playgroup	Nicole Winder, Organiser
18	Waverley Drug and Alcohol	Eithne Cornish, Coordinator
19	Waverley Woollahra Arts Centre Co-operative,	Ann Fisher, Administrator
20	WAYS, Bondi Beach	Dr Terri Said, Director
21	WAYS, Bondi Junction	Dr Terri Said, Director





Community Tenants Accommodation and Services Review

APPENDIX B – COMMUNITY TENANCY LEASE REGISTER

No.	Tenant Name and Address	Entity Association	Hours of Operation	Land Classification	Lease details	Lease Expiry	Level Subsidy	Building Condition Rating	Zoning
1	Computer Pals 30 Ebley St, Bondi Junction	Incorporation as an Association (not registered as charity)	Mon – Fri 9am to 4pm	Operational	5 years	31/12/19	C – 80%	3 - Fair	B4
2	Kindamindi Co-op Ltd 1 Illawong Ave, Bondi	Co-operative (not registered as a charity)	Mon - Fri 8am to 6pm	Operational	Permissive Occupancy	Monthly holdover	Not applicable due to expired deed (nil rent)	2.9 - Fair	R3
3	Randwick Waverley Community Transport Level 1 Mill Centre, Spring St, Bondi Junction	Incorporated Entity (Registered as a Charity)	Mon – Fri 8am to 6.30pm	Operational	5 years	31/10/19	B – 60%	2.4 - Good	B4
4	Bondi Beach Cottage 42 Brighton Blvd, Bondi Beach	Incorporated Entity (Registered as a Charity)	Mon – Fri 8.30am to 5.30pm	Operational	5 years	21/10/19	B – 60%	2.8 - Fair	R2
5	Bondi Toy Library Wairoa Community Centre, Wairoa Ave, Bondi Beach	Incorporated Entity (not registered as a charity)	Tues – 9.30am to 12pm Thurs – 9.30am to 12pm Fri – 9.30am to 12pm Sat – 9.30am to 12pm	Crown (Community)	5 years	30/06/20	D – Nominal Fee	3.7 - Poor	RE1





Community Tenants Accommodation and Services Review

No.	Tenant Name and Address	Entity Association	Hours of Operation	Land Classification	Lease details	Lease Expiry	Level Subsidy	Building Condition Rating	Zoning
6	Bronte Beach Community Centre Group Incorporated Bronte Community Centre, Bronte	Incorporation (not registered as a charity)	Mon – Sun 6am to 8pm	Crown (Community)	5 years	30/06/21	D – Nominal Fee	2.6 - Fair	RE1
7	EATS – Eastern Area Tenants Service 74, Newland St, Bondi Junction	Incorporated Entity (Registered as a Charity)	Mon – Fri 9am to 5pm	Operational	5 years	31/12/19	B – 60%	2.9 - Fair	R3
8	Francis Street Playgroup Thomas Hogan Reserve Hall, Francis St, Bondi	Incorporated Entity (Registered as a Charity)	Mon: 9.00 am to 11.00 am Fri: 10.00 am to 12.00 pm	Community	5 years	30/06/20	D – Nominal Fee	3.65 - Poor	RE1
9	Jewish House 3 Bondi Rd, Bondi Junction	Company (Registered as a Charity)	Mon – Fri 8am to 6pm	Operational	2 years	30/11/21	N/A Rent set by separate resolution of Council	3 - Fair	RE1
10	North Bondi Playgroup Wairoa Community Centre, Wairoa Ave, Bondi Beach	Incorporated Entity (Registered as a Charity)	Mon to Fri 9am to 5pm	Crown (Community)	5 years	30/06/20	D – Nominal Fee	3.7 - Poor	RE1
11	Girl Guides Thomas Hogan Reserve Hall, Francis St, Bondi	Unincorporated Entity (Registered as a Charity)	Mon 17-21.00 Wed 17-21.00 Sun 15.30 -18.00	Community	5 years	31/05/20	D – Nominal Fee	3.65 - Poor	RE1





Community Tenants Accommodation and Services Review

No.	Tenant Name and Address	Entity Association	Hours of Operation	Land Classification	Lease details	Lease Expiry	Level Subsidy	Building Condition Rating	Zoning
12	Grace Child Care Centre Clemenston Park, Bondi Junction	Incorporated Entity (Registered as a Charity)	Mon – Thurs 10am to 4pm	Council is Lessee	5 years	31/12/20	A – 40%	3 - Fair	RE1
13	Junction Neighbourhood Centre 59 Newland St, Bondi Junction	Incorporated Entity (Registered as a Charity)	Mon – Thurs 10am to 4pm	Council is Lessee	2 years	31/07/20	B – 60%	3 - Fair	RE1
14	Sydney Children's Network Hospital Wairoa Community Centre, Wairoa Ave, Bondi Beach	State Government Entity	Mon to Fri: 9 am to 5 pm Sat: 9 am - 5 pm	Crown (Community)	5 years	30/06/20	D – Nominal Fee	3.7 - Poor	RE1
15	Sydney Children's Network Hospital Mill Hill EEC 25 Ebley St Bondi Junction	State Government Entity	Mon to Fri 8.30am to 17.00	Community	5 years (licence)	17/08/19	D – Nominal Fee	1.4 - Excellent	RE3
16	Uniting Church of Australia Property Trust (Wayside Chapel) 77 Roscoe St, Bondi	Unincorporated Entity (Registered as a Charity)	Mon 8am – 4pm Tues 8am – 4pm Wed 8am – 4pm Thurs 8am -2pm Fri 8am – 4pm	Operational			N/A Current deed	2.5 - Fair	R3





Community Tenants Accommodation and Services Review

No.	Tenant Name and Address	Entity Association	Hours of Operation	Land Classification	Lease details	Lease Expiry	Level Subsidy	Building Condition Rating	Zoning
17	Vaucluse Playgroup Kimberley Reserve Hall, Dover Heights	Incorporated Entity (Registered as a Charity)	Mon: 9.30 am to 11.30 am Wed: 9.30 am to 11.30 am Fri: 9.30 am to 11.30 am	Community	5 years	30/06/20	D – Nominal Fee	2.6 - Fair	RE1
18	Waverley Drug and Alcohol 74 Newland St Bondi Junction	Incorporated Entity (Registered as a Charity)	Mon – Fri 8am to 5pm	Operational	5 years	31/12/19	B – 60%	2.9 - Fair	R3
19	Waverley Woollahra Arts Centre Co-operative, 148 Bondi Rd, Bondi Junction	Unincorporated Entity (Registered as a Charity)	Mon - Sun 8.30am to 10.30pm	Community	5 years + 5 years	31/03/24 (31/03/29)	C – 80%	3.1 - Fair	R3
20	WAYS 63 Wairoa Ave, Bondi Beach	Incorporated Entity (Registered as a Charity)	Mon to Fri 8am to 11pm Sat – 8am to 2am Sun – 8am to 10pm	Crown (Community)	5 years + 5 years	31/05/20 (31/05/25)	B – 60%	2.6 - Fair	RE1
21	WAYS 422 Oxford St Bondi Junction	Incorporated Entity (Registered as a Charity)	Mon to Sun 8am to 11pm	Operational	5 years + 5 years	31/05/20 (31/05/25)	B – 60%	2.7 - Fair	B4



**REPORT
CM/7.13/21.10**

Subject: Tamarama Surf Life Saving Club - Lease

TRIM No: SF21/4820

Author: Andrew Best, Executive Manager, Property and Facilities
John Andrews, Property Manager

Director: Sharon Cassidy, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Enters into a lease with Tamarama Surf Life Saving Club for the Club's premises for a term of 20 years on the terms set out in the report.
2. Authorises the General Manager to finalise negotiations and execute the lease documentation.

1. Executive Summary

The Tamarama Surf Life Saving Club (the Club) has been operating from the existing clubhouse building since the 1940s. The clubhouse building is currently being refurbished through a Public Private Partnership (PPP) between Council and the Club.

The new building is expected to be completed in April 2022. This report seeks approval for the award of a new 20-year lease to the Club for the premises being the new clubhouse building and part area of the storage facility located in Tamarama Park.

The commencement of the lease will be aligned to the date the club takes up occupancy in the new clubhouse building.

2. Introduction/Background

The Tamarama Surf Life Saving Club (the Club) was formed in 1906. The first clubhouse building was built in the current location in 1911. The current club house building was constructed in the 1940s, with several projects to extend and upgrade the building carried out over the ensuing years.

The club has been working towards an upgrade to the building for many years, with a development application for the upgrade of the building being approved in 2014.

A condition assessment undertaken on the building in 2017 on the building which showed that the building was in poor condition and near the end of its useful life.

At the August 2019 Council meeting, Council endorsed a Heads of Agreement (HoA) to enter a Public Private Partnership with the Club for the redevelopment of the building.

At the 8 December 2020 Council meeting, Council endorsed an update of the HOA, which reflected the capital contribution proposed between Council and the Club.

Works were undertaken in 2019 to enact the 2014 DA approval. The major refurbishment works commenced in April 2021 and are expected to take 12 months to complete.

It is necessary for a new lease to be in place prior to the club taking up occupation in the new building.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 8 December 2020	CM/11.2/20.12	<p>That Council:</p> <ol style="list-style-type: none"> 1. Treats the report as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as it relates to a matter specified in section 10A(2)(g) of the <i>Local Government Act 1993</i>. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. 2. Endorses the updated Heads of Agreement (HOA) attached to the report (Attachment 4), which reflects the capital contribution proposed between Council and Tamarama Surf Lifesaving Club (TSLSC). 3. Notes the DA-approved drawings attached to the report (Attachments 1 and 2). 4. Notes the project update provided in the report, including the draft tender plans attached to the report (Attachment 3). 5. Endorses the project proceeding to open tender, with construction to commence at the earliest in late April 2021.
Council 20 August 2019	CM/11.2/19.08	<p>That Council:</p> <ol style="list-style-type: none"> 1. Treats this report as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as it relates to a matter specified in section 10A(2)(d)(i) of the <i>Local Government Act 1993</i>. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 2. Endorses the Heads of Agreement between Council and Tamarama Surf Life Saving Club attached to this report for the proposed Tamarama Surf Life Saving Club Building Upgrade Project. 3. Authorises the General Manager to do all things necessary to finalise and enter into the Heads of Agreement.

		<ol style="list-style-type: none"> 4. Prepares an Agreement for Lease for the Tamarama Surf Life Saving Club to include both the upgraded club building plus the surf club storage facility located in Tamarama Park, with a report to come back to Council for approval. 5. Writes to the Office of Local Government to seek approval to enter into a Public Private Partnership with Tamarama Surf Life Saving Club for the proposed Tamarama Surf Life Saving Club Building Upgrade Project. 6. Notes that the Council's funding contribution to the cost of the project, as outlined in Table 1 of this report, has been allocated in the draft Long Term Financial Plan 2019/20–2029/30.
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4. Discussion

The club is currently operating under short-term license to allow for the development of a new lease with the lease commencement date to be aligned to the club taking up occupation in the upgraded building. A prior approval to enter a ten-year lease with the club was granted but was never formalised.

The Heads of Agreement endorsed in 2019 included details of the Agreement for Lease which foresaw the club being awarded a new 20-year lease based on the lease template endorsed by Crown Lands and Surf Life Saving NSW in 2015 for Surf Clubs operating on Crown Reserves.

Officers are currently working with Council's solicitors to finalise the details of a Project Agreement and Agreement for Lease document to be issued to the club along with the draft lease. The document formalises the project funding arrangements set out in the Heads of Agreement and Agreement for Lease requirement and is a binding agreement which sets out the rights and protections of both parties and is the pathway to lease execution.

Officers have met with representatives of the club to discuss the document structure and will issue the Project Agreement and Agreement for Lease document along with a copy of the draft lease to the Club following receipt of Council endorsement to award a lease.

Officers will meet with club representatives to discuss the documentation and agree the details of the lease, which will allow the club to execute the Project Agreement and Agreement for Lease document.

The lease

The lease template endorsed by Crown Lands and Surf Life Saving NSW in 2015 was the subject of some debate with only a very small number of Council's moving onto the lease. Subsequently further updates have been made to the document by other Councils in consultation with Surf Life Saving NSW who have also approved the updated document.

Council officers have taken this document and made further updates on advice from Council's own solicitors. To ensure consistency of approach the same lease template will be used as the basis for future leases for all four Waverley Clubs at the expiry of their existing agreements. The template will necessarily be tailored for the individual circumstances of each club.

The use of a fully developed and uniform lease for all clubs will remove uncertainty around the interpretation of wording as is currently the case with current license agreements under which the clubs operate.

Key lease terms

The lease will be for 20 years in accordance with the Crown Lands endorsed lease template for surf clubs operating on Crown Lands.

Table 1. Key lease terms and conditions.

Term	20 years
Rent	\$520 per annum (minimum Crown Lands fee)
Premises	New club building plus part of storage facility in Tamarama Park
Annual reviews	Consumer Price Index
Lease commencement	Following issuing of Occupation Certificate for new building estimated to be April 2022.

The premises

The leased premises will comprise of the newly upgrade surf club house building and part of the storage facility located in Tamarama Park which the club currently occupies. The club stores their Inflatable Rescue Boats and other lifesaving equipment in this facility which provides easy access to the beach.



Figure 1. Premises to be included in the Tamarama Surf Life Saving Club Lease (hatched)

Approval for commercial activities

The lease permits the club to undertake commercial activities with Landlord approval. These appropriately scaled commercial activities allow the club to generate revenue to meet the primary purpose being the provision of lifesaving services, and to allow the club to be financially self-sufficient over the term of the lease.

The lease includes permitted uses ancillary to the primary purpose such as merchandise sales, community hall hire, private functions, and operation of a kiosk. It should be noted there is no provision for a kiosk in

the current construction project as it was not part of the 2014 Development Application. The club have indicated their wish to install a kiosk in the future and are aware that this will require a new Development Application to be submitted.

Maintenance obligations

The existing licenses under which each of Waverley four surf clubs operate sets out Council's maintenance obligations as being 'maintenance of the building fabric and structure including but not limited to structural cracks, concrete cancer and leaks'.

The wording of the current agreements is fairly generic and open to interpretation which has led to Council officers and club representatives negotiating who is responsible for various maintenance issues as they have occurred. It is intended that Council continues to be responsible for the remediation of any structural issues that may occur but that the ambiguity be addressed through the development of a detailed maintenance responsibilities document to be annexed to the lease which clearly sets out the maintenance obligations of both Council and the club under the lease, for all building elements.

To ensure that the new building is adequately maintained it is intended that Council will engage an engineering consultant within the first six months of the lease to develop a capital expenditure plan for the building. This will include a program of capital works required to be carried out over the term of the lease. This information will be shared with the club to allow them to maintain adequate capital expenditure funds and allocate budgets accordingly.

A further condition assessment will be carried out every four years as part of Council's Strategic Asset Management Planning process. This will allow Council to monitor the condition of the building and ensure that the obligations in terms of maintenance requirements are being met by both the Club and Council.

Exemption from requirement to publicly exhibit the lease

Under section 3.22 of the *Crown Land Management Act 2016*, councils are required to manage dedicated or reserved Crown land as if it were community land under the *Local Government Act* (LG Act). However, clause 70 of the *Crown Land Management Regulation* provides an exemption from section 3.22 in particular circumstances.

Clause 70(2) provides that a council manager will be exempt from the operation of section 3.22 of the Act in certain circumstances, including sub-clause (d) which states:

'The granting of a new lease or licence over the land for a term not exceeding the maximum term if:

- (i) the lessee or licensee is an emergency services organisation (within the meaning of the State Emergency and Rescue Management Act 1989), a not-for-profit organisation or a community group, and*
- (ii) the Minister consents to the granting of the lease or licence'*

The Clause 70 exemption applies until council adopts its first POM under the CLM Act or the land is classified as operational land with the Minister's consent. No time requirement currently applies as a result of the *Crown Land Management Amendment (Plan of Management) Regulation 2021* which took effect on 4 June 2021.

The maximum term for leases under this sub-clause is 21 years. On the basis that the proposed lease is for 20 years and that the Tamarama Surf Club is a not-for-profit organisation, the land being leased is therefore exempted from the requirement to be dealt with as community land under the LG Act and there is also no requirement to comply with section 47 of the LG Act.

5. Financial impact statement/Time frame/Consultation

There is no financial impact from Council awarding the Club with a new 20-year lease. Council will receive a nominal rent of \$520 per annum being the minimum fee set by Crown Lands.

It is anticipated that the new lease will commence in April 2022 to coincide with the club taking up occupation of the new building.

Council is not required to publicly exhibit the intent to lease the club house building as the land is exempt under clause 70 of the *Crown Land Management Regulation*, as outlined above.

Following Council endorsement of the lease award, officers will issue the club with the lease documentation for review prior to finalisation and execution.

6. Conclusion

Tamarama Surf Lifesaving Club has been providing lifesaving services to the local community for around 115 years. This report recommends that Council award the club with a new 20-year lease to occupy the upgraded building, with the lease commencement to be aligned to the Clubs occupation of the building expected to be April 2022.

The new purpose-built building along with the surety of tenure that a 20-year lease provides will allow the club to continue to provide lifesaving services to the benefit of the local community for the next generation.

It is recommended that the General Manager be authorised to do all things necessary to finalise and execute the documentation.

7. Attachments

Nil.

NOTICE OF MOTION CM/8.1/21.10



Subject: Bronte Park and Beach - Primary Access Point

TRIM No: A16/0168

Submitted by: Councillor Burrill
Councillor Kay

MOTION:

That Council:

1. Notes that the Bronte Park and Beach Plan of Management recognises issues of accessibility and makes provision for paths to be regraded to meet accessibility standards.
2. Notes that community representation has indicated concerns that entrance paths into Bronte Park from Bronte Road are inadequate and inconvenient, and not wide enough for a reasonable volume of pedestrian traffic.
3. Develops design options for:
 - (a) An accessible path connection (compliant with AS1428 Australian Standards for Access and Mobility) from the Bronte Village Centre and bus terminal into Bronte Park and onto the promenade.
 - (b) Widening paths within the park to enable a good flow of pedestrians and address bottlenecks during peak times.
 - (c) A separate entrance path into Bronte Park opposite the pedestrian crossing.
4. Officers report to Council on design options, program and funding implications.
5. Notes that construction funding would be considered in the development of future Capital Works budgets.

Background

The Bronte Road entry into Bronte Park from the bus terminal and village centre on Bronte Road is considered the primary access point into the park and onto the beach. Works undertaken more recently with upgrading the Bronte Village Centre have made improvements by allowing for more space along the path entry point to manoeuvre prams or wheelchairs and to the steepness of paths accessing the park.

The recently completed upgrade of the Cutting (Calga Place) has widened the footpath along this section; however, the paths in Bronte Park remain unchanged so there is a bottleneck of pedestrians walking into the park. The current accessible entrance is a considerable distance away through the bus station and a long walk back to the beach compared to the direct path to the Community Centre.

Families with prams do not want to walk the long way around via the steep driveway at bus station so take the direct path which is very narrow and everyone has to squeeze through.

There is currently no accessible pathway at grade connecting Bronte Village Centre or accessible parking in Bronte Cutting with the park. Paths at this entry do not comply as they are too steep which make it difficult for people visiting the park with prams, those who are elderly or have a mobility impairment.

The entrance from the Bronte Village Centre is currently graded at 1:6, while the path that links from the terminal to the old bus shelter has a gradient of 1:12. Compliant paths should not exceed a gradient of more than 1:14. To create a compliant grade, the paths will need to be lifted and regraded.

As the pedestrian crossing on Bronte Road ends on a fence blocking access to the park many people climb through the fence onto the grass. It appears that the village is disconnected to the park with small entrances further up and down the hill.

The POM provides for accessible amenities at the Surf Club and at the Community Centre near the ocean pool therefore direct accessible paths are required to provide access to both locations.

General Manager's comment

Bronte Park is one of Waverley's premier parks and destination for millions of visitors annually visiting the park, beach and Coast Walk. Council has committed through the Plan of Management, and obliged by legislation, to ensure the path network in Bronte Park is universally accessible. Bronte Park and Beach does not currently have an entry which meets Australian standards for access and mobility. The two step-free path connections from the bus stop are considered as the main entries into the park and do not comply with standards for accessibility as the gradients are too steep. Not all paths in the park need to be fully compliant, however main entry points and connecting paths should comply to enable access from parking spaces and public transport into the park and to facilities such as the promenade, toilet amenities, kiosk, playground, BBQ facilities and Surf Club.

In developing the Plan of Management for Bronte Beach and Park, Council sought expert advice and developed a plan to improve access into and around the park. A key recommendation was to improve the access into the park from Bronte Village and parking in the cutting. As part of the plan of management process, Council underwent two stages of consultation which included recommendations on path improvements. For more details in the Bronte Park and Beach Plan of Management relating to planned improvements for accessibility refer to actions B1 and B2 as well as Figure 6.3.

Providing an accessible connection into the park from Bronte Road is likely to involve minor path realignment and grading works and may require path widening. Concept design options can be developed and presented back to Council for further consideration.

Sharon Cassidy

Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.2/21.10



Subject: Customer Service Centre

TRIM No: A02/0777

Submitted by: Councillor Burrill
Councillor Kay
Councillor Betts

MOTION:

That Council:

1. Notes that \$300,000 is already allocated for improvements to the Customer Service Centre in 2022–23 of the Long Term Financial Plan (LTFP) within the Strategic Asset Management Program (SAMP), with additional funding to be allocated for building improvements in future years of the LTFP.
2. Officers consider including the following in any proposed design of the Customer Service Centre refit within the existing footprint:
 - (a) Improved accessibility.
 - (b) An improved Planning and 'Have Your Say' area, with spaces for group conversation and technology access.
 - (c) Space that could be available for community venue hire.
 - (d) Providing level access to public amenities from Spring Street, including an accessible toilet.
 - (e) Improved staff accommodation.
 - (f) Maintaining an enhanced JP service function.
3. Officers report back to Council with options and costings.

Background

The Customer Service Centre in Spring Street, Bondi Junction, provides an important service to the community. However, as more services can be accessed online, the use of the space needs to be re-evaluated for contemporary enhancements to public services to be provided, such as the following:

- A space where Council officers could provide seminars on planning and waste education etc. that could be available as a community venue in the evenings and on weekends.
- Making customer service accessible to everyone and providing a more informative and interactive experience for those who are seeking information on Have your Say and Planning.
- Providing much needed public toilet amenities, including an accessible toilet in Bondi Junction which is currently not available in the Eastgate Shopping Centre.

- Improving the design of the staff accommodation to enhance working conditions, with consideration being given to creating an opening on the side of the building to provide more natural light.
- Providing a networking area where people can sit and review current matters on 'Have Your Say' exhibition or use computers to access online services.
- The JP area could be improved by moving it closer to the entrance and providing a ticketing system.

General Manager's comment

Funding has been allocated for improvements to the Customer Service Centre in the financial year 2022–23, and at this stage work has not yet commenced on any proposed design or refit of the space. If resolved by Council, officers can include all of the points listed in the motion as part of the initial review into the future design. Council officers have also recently commenced work on a draft Customer Experience Strategy, which will also be used to help guide future service delivery based on customer preferences and expectations.

Rachel Hensman

Acting Director, Customer Service and Organisation Improvement

NOTICE OF MOTION CM/8.3/21.10



Subject: Hard Rubbish Waste Collection

TRIM No: A16/0227

Submitted by: Councillor Burrill
Councillor Betts
Councillor Kay

MOTION:

That Council:

1. Notes that a review of waste services is being undertaken by Council's Waste and Recycling Service Manager and a report will come to Council early in 2022.
2. Investigates adding a geographic information system (GIS) embedded into the website that would enable residents to easily identify when their scheduled hard rubbish clean-up day will occur and other waste-related information.
3. Considers additional Your Call Clean Ups to align with Randwick Council, which offers one scheduled collection and five booked collections per year.
4. Considers developing service standards on waiting times or a prioritisation system for Your Call Clean Up collections to prevent residents dumping hard rubbish on their footpaths due to a time delay in being able to access a scheduled collection.
5. Investigates how Woollahra and Randwick Councils discourage trade and other non-residential waste being dumped in their publicly available hard rubbish clean up zones, as this type of waste has significant cost implications for Council and creates pollution issues.

Background

It is currently not easy for residents to find out the day of their scheduled hard rubbish collection as, unlike Randwick Council, Waverley Council no longer delivers a hard copy of the rubbish schedule to homes, and residents must use the website to look it up by their address. Technology can be a barrier for older residents and those who are not tech savvy and of course there is the factor of being time poor.

Both Woollahra and Randwick Councils use a geographic information system (GIS) powered by Esri embedded into their websites to provide waste zone maps that identify the scheduled hard rubbish collection zones by area. These maps make it much easier and more attractive to see the information in comparison to the system that Waverley is currently using.

The GIS waste zone maps also encourage recycling and supports a circular economy as groups such as Street Bounty on Facebook are able to identify items worth collecting from hard rubbish collections and many useful items are removed prior to the truck arriving, thereby reducing the amount for Council to collect and the amount going to landfill. This is of benefit to the planet as well as reducing Councils costs.

Currently, Waverley residents who wish to schedule a Your Call Clean Up are having to wait up to 6 weeks or longer, resulting in cases where residents have no option but to place their hard rubbish on the footpath some time prior to the scheduled collection date. For example, they might be moving house and have a short notice period. If Council provided a service standard or had a priority system residents would be able to access urgent clean ups and others could wait longer if they had no time restrictions.

<https://www.randwick.nsw.gov.au/services/rubbish-and-recycling/waste>

https://www.woollahra.nsw.gov.au/services/rubbish_and_recycling/scheduled_clean_up_service

General Manager's comment

Council has commenced a service review of Council's domestic waste clean-up service to identify best-practice and optimal service solutions for collecting bulky waste from households in Waverley.

The investigation is considering the following:

- The frequency and number of services which should be made available to residents.
- The impact of clean up services on providing clean streets and overall public amenity (including dumped waste).
- Environmental outcomes, i.e. greenhouse gas emissions and resource recovery outcomes
- Suitability of services for different types of dwellings (i.e. apartments and houses).
- Ease of use and accessibility of services for residents.

The service review will include a cost benefit analysis of current and feasible alternative service offerings. Additional logistical innovations are being investigated as part of the review to improve operating efficiencies, service delivery timeframes and customer service capabilities.

Best-practice examples from other councils including services in neighbouring local government areas are also being considered in the investigation.

The service review of Council's domestic waste clean-up service is being carried out in conjunction with the review of all waste and recycling collected from Waverley households.

A detailed report with recommendations from the above service reviews will be presented to Council in 2022.

Sharon Cassidy

Acting Director, Community Assets and Operations

NOTICE OF MOTION CM/8.4/21.10



Subject: Antisemitism - Adoption of International Holocaust Remembrance Alliance Working Definition

TRIM No: A21/0499

Submitted by: Councillor Kay
Councillor Nemesh
Councillor Goltsman
Councillor Betts
Councillor Burrill

MOTION:

That Council:

1. Endorses and formally adopts in full the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism, including all IHRA examples of contemporary antisemitism (both contained in the background provided with this notice of motion) as an important tool in recognising and combating manifestations of antisemitism.
2. Calls on all Australian political parties, universities, councils, and other public bodies and organisations to also adopt the definition and use it to better understand and act against anti-Jewish hatred.
3. Publicises the resolution and the background provided with this notice of motion on Council's website, in social media and in the Mayor's Message and media release, and informs at least the following of the resolution and background: Woollahra, Randwick and the City of Sydney councils, the Southern Sydney Regional Organisation of Councils (SSROC), Local Government NSW (LGNSW), Council's Multicultural Advisory Committee (MAC), and the Precinct committees.
4. Officers consider how adoption of the working definition and its examples informs the development of Council's Community Strategic Plan 2022–2032 and, if required, an updated Multicultural Advisory Committee (MAC) charter.

Background

The International Holocaust Remembrance Alliance (IHRA)

The International Holocaust Remembrance Alliance (IHRA) unites governments and experts to strengthen, advance and promote Holocaust education, research and remembrance.

IHRA was formed in 1998 and today its membership consists of 34 member countries, including Australia, each of whom recognises that international political coordination is imperative to strengthen the moral commitment of societies and to combat growing Holocaust denial and antisemitism.

The IHRA working definition of antisemitism

IHRA experts determined that in order to begin to address the problem of antisemitism, there must be clarity about what antisemitism is.

IHRA's Committee on Antisemitism and Holocaust Denial worked to build international consensus around a non-legally binding working definition of antisemitism, to help guide governments, organisations, and institutions in their efforts to identify antisemitism.

The International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism begins as follows:

'Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.'

The IHRA definition is followed by contemporary examples that serve as illustrations of antisemitic behaviour, as follows:

'Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.'

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- *Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.*
- *Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.*
- *Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.*
- *Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).*
- *Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.*
- *Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.*
- *Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.*
- *Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.*
- *Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.*
- *Drawing comparisons of contemporary Israeli policy to that of the Nazis.*
- *Holding Jews collectively responsible for actions of the state of Israel.*

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

Criminal acts are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.'

More than 30 countries have adopted the IHRA Working Definition of Antisemitism (as of September 2021), including: Albania, Argentina, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, France, Germany, Greece, Guatemala, Hungary, Israel, Italy, Kosovo, Lithuania, Luxembourg, Moldova, The Netherlands, North Macedonia, Romania, Serbia, Slovakia, Slovenia, South Korea, Spain, Sweden, Switzerland, United Kingdom, United States, Uruguay.

Prime Minister Scott Morrison by video link to the Malmö International Forum on Holocaust Remembrance and Combating Antisemitism on 13 October 2021 announced that the Australian government 'pledges to embrace the definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA)'.

The Prime Minister emphasised that Australia has made this pledge 'as a people and as a nation', adding: 'Antisemitism has no place in Australia. It has no place anywhere in the world'.

It is also important to acknowledge the expression of support for the IHRA definition from the Federal Opposition Leader Anthony Albanese and Shadow Foreign Minister Penny Wong, and a great many other parliamentarians from the government and the opposition.

The definition has also been adopted by major universities including Oxford and Cambridge, by sporting associations including the English Football Association and by intergovernmental organisations.

In June 2017, the European Parliament recommended use of the Working Definition in its resolution on antisemitism.

In September 2018, UN Secretary-General António Guterres said, 'I wish to acknowledge the efforts of the 31 member countries of the International Holocaust Remembrance Alliance to agree on a common definition of antisemitism. Such a definition can serve as a basis for law enforcement, as well as preventive policies.'

Antisemitism today

Antisemitism remains a persistent feature of life for Australia's Jewish community. The Executive Council of Australian Jewry (ECAJ) recorded 331 antisemitic incidents in its 2020 report with particularly disturbing incidents occurring in schools and affecting Jewish children as young as five. The FBI has reported that 58% of all religiously motivated hate crimes in the United States targeted the Jewish community despite Jews comprising only 2% of the total population. Antisemitic incidents in the UK soared in 2021 with 639 incidents recorded in May 2021 alone.

The Executive Council of Australian Jewry (ECAJ) has recently prepared a draft paper (5 August 2021) making the case for Australia to formally adopt the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism. This paper can be found at the following link:

<https://www.ecaj.org.au/wordpress/wp-content/uploads/Case-for-adoption-of-IHRA-WDAS-11-August-2021-web.pdf>

This background has been provided by Alex Ryvchin, Co-Chief Executive Officer, Executive Council of Australian Jewry (ECAJ).

General Manager's comment

Should Council endorse this motion the Multicultural Advisory Committee (MAC) Terms of Reference and Cultural Diversity Strategy would not need updating. The MAC is currently developing a broad Anti-Racism strategy (which will include reference to the 'racismnotwelcome' campaign). As part of the Anti-Racism Strategy, the MAC could incorporate the adopted definition into actions where relevant. For example, one action may be keeping record of incidents of racism. Anti-Semitic incidents will be identified through the use of the definition. We also note that a National Anti Racism framework is being developed, Council will participate in consultation around this.

<https://humanrights.gov.au/our-work/race-discrimination/publications/developing-national-anti-racism-framework-2021>.

Regarding advocating and publicising, should the motion be endorsed Council officers would action this.

Sharon Cassidy

Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.5/21.10



Subject: Oxford Street Mall Upgrade

TRIM No: A14/0404

Submitted by: Councillor Burrill
Councillor Kay
Councillor Goltsman

This motion was previously considered by Council at its meeting on 17 August 2021 and was lost. The motion has been submitted for a second time, signed by three councillors in accordance with clause 17.7 of the Code of Meeting Practice.

MOTION:

That Council:

1. Develops a proposal to bring forward the upgrade and revitalisation of Oxford Street Mall, including seeking new funding sources and an accelerated timetable. The scope should urgently address the replacement of shade structures and inclusion of safety measures such as 'safety by design' and cyclist prevention, with a report to come back to Council as soon as possible.
2. Notes that the upgrade of the Oxford Street Mall is listed on the Long Term Financial Plan (LTFP) for \$6 million over 10 years, with \$1 million in 2022–23 and the balance falling in 2026–2032.
3. Notes that there is no current strategy or plan for the upgrade of the Mall and the shade structures are in very poor condition and are overdue for replacement.
4. Notes that new garden structures and bike parking is planned to be installed at both ends of the Mall in 2021–22.
5. Notes that there is currently no place manager responsible for activating the Mall.

Background

With access to the bus and rail interchange and proximity to Westfield shopping centre, the Oxford Street Mall is the natural open-air shopping, dining and cultural centre of Bondi Junction. Over 50,000 people pass through the Mall every day, so to beautify and invigorate this area should be a priority.

The Mall is not included in the Complete Streets Plan to upgrade Bondi Junction and now that Spring Street and other public spaces have been upgraded it is looking very tired and overdue for an upgrade.

General Manager's comment

Oxford Street Mall was originally constructed in 1979 and was subsequently renewed in 2004. Malls traditionally have a renewal cycle of 20 years, which means that Oxford Street Mall is due for renewal approximately in 2024.

Council's allocation of \$6 million in the LTFP is adequate to undertake like-for-like replacement of the paving, shade structures, lighting, and street furniture within the Mall; \$1 million is allocated in 2022–23 and \$5 million post-2026. Any additional betterment or uplift is not currently budgeted for.

The current condition of the Mall is considered 'Fair', with works predominantly required to revitalise lighting, furniture and shade structures. The paving within the mall overall is in 'Good' condition with localised failures requiring rectification. The current allocation of \$1 million in 2022–23 was designated for the critical upgrades of the lighting and shade structures.

The Asset Systems and Planning team is currently recruiting for the Public Place Co-ordination function for the greater local government area. Part of the responsibilities will include management of the Mall to ensure infrastructure is fit for purpose and encourages use and activation of the area.

Sharon Cassidy
Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.6/21.10



Subject: Bondi Beach Stairs - First Nations Language Art

TRIM No: A18/0189

Submitted by: Councillor Wy Kanak

MOTION:

That:

1. Observing First Nations protocols with cultural sensitivities and after a referral to the Reconciliation Action Plan (RAP) Advisory Committee for discussion, Council consults on a potential cultural art and language project to place Aboriginal art and interpretive language on the main Bondi Beach stairs (vertical faces) between the promenade and the beach sand.
2. Subject to RAP Advisory Committee recommendation and community consultation, this potential project be completed using First Nations artists and language holders with local 'connections to country.'
3. As well as State and National government funders for this project, Council considers sourcing grant funding from agencies participating in the United Nations International Decade 2022–2032 of Indigenous Languages to resource this project.

Background

Participants at the high-level event 'Making a decade of action for indigenous languages' on 28 February 2021 issued a strategic roadmap for the Decade of Indigenous Languages (2022-2032), prioritising the empowerment indigenous language users.

More than 500 participants from 50 countries, including government ministers, indigenous leaders, researchers, public and private partners, and other stakeholders and experts, adopted the Los Pinos Declaration, at the end of the two-day event in Mexico City, which was organised by UNESCO and Mexico. The Declaration places indigenous peoples at the centre of its recommendations under the slogan 'Nothing for us without us.'

The Declaration, designed to inspire a global plan of action for the Decade, calls for the implementation of the internationally recognised rights of indigenous peoples, expressed notably in the UN Declaration on the Rights of Indigenous Peoples of 2007, the UN System-wide Action Plan (SWAP) on the Rights of Indigenous Peoples of 2017, and other standard-setting instruments such as UNESCO's Convention against Discrimination in Education (1960), the UN's International Convention on the Elimination of All Forms of Racial Discrimination (1965), International Covenant on Civil and Political Rights, and International Covenant on Economic, Social and Cultural Rights (1966).

In its strategic recommendations for the Decade, the Los Pinos Declaration emphasises indigenous peoples' rights to freedom of expression, to an education in their mother tongue and to participation in public life using their languages, as prerequisites for the survival of indigenous languages many of which are currently on the verge of extinction. With regard to participation in public life, the Declaration highlights the

importance of enabling the use of indigenous languages in justice systems, the media, labour and health programmes. It also points to the potential of digital technologies in supporting the use and preservation of those languages.

Building on the lessons learnt during the International Year of Indigenous Languages (2019), the Declaration recognises the importance of indigenous languages to social cohesion and inclusion, cultural rights, health and justice and highlights their relevance to sustainable development and the preservation of biodiversity as they maintain ancient and traditional knowledge that binds humanity with nature.

Current data indicates that at least 40% of the 7,000 languages used worldwide are at some level of endangerment. While reliable figures are hard to come by, experts agree that indigenous languages are particularly vulnerable because many of them are not taught at school or used in the public sphere.

<https://en.unesco.org/news/upcoming-decade-indigenous-languages-2022-2032-focus-indigenous-language-users-human-rights>

General Manager's comment

Officers are currently working with the Gujaga Foundation on a range of projects relating to local Indigenous language and culture centred around Bondi Pavilion and in the Waverley LGA, including:

- Naming of new spaces in the Bondi Pavilion in Dharawal Language (complete)
- Inclusion of Aboriginal cultures and stories in the Bondi Story Room which covers a range of people, events, cultural practices and stories (underway and ongoing)
- A cultural audit to identify 20 to 30 significant sites around Waverley with suggestions on appropriate Indigenous recognition. This will commence in early 2022, and results will feed into further Indigenous cultural interpretation projects around the use of language and naming/co-naming spaces in Waverley.

Council is working on these significant projects, alongside the Indigenous Public Art project in Bondi Pavilion to ensure Aboriginal and Torres Strait Islander cultures and local language are visible and embedded within Waverley and budget has already been allocated in the current financial year.

Additionally, the four Waverley Early Education Centres will be incorporating a 10 week Dharawal Language program into their curriculum in 2022.

Identifying appropriate language for the suggested art and language project would integrate logically with the cultural audit project and subsequent cultural interpretation projects. The proposed location of the main stairs at Bondi Beach could be considered as a part of the audit consideration.

If resolved by Council, the proposed consultation is outside the current scope of works agreed with the Gujaga Foundation. Additional resourcing and funds would be required at that stage for further consultation with the La Perouse community including Elders, as well as for any proposed work in this location that is ultimately developed. Council officers will continue to review available funding grant opportunities.

Rachel Hensman

Acting Director, Customer Service and Organisation Improvement

NOTICE OF MOTION CM/8.7/21.10



Subject: Bondi Pavilion Amphitheatre - First Nations Sandstone Carving

TRIM No: A15/0272

Submitted by: Councillor Wy Kanak

MOTION:

That:

1. Observing First Nation protocols with cultural sensitivities and after a referral to the Reconciliation Action Plan (RAP) Advisory Committee for discussion, Council consults on potentially using some replicative Aboriginal sandstone carvings, which reference rock carvings in the boondiboondi Bondi area, in the design options for a reimagined Bondi Pavilion amphitheatre.
2. Subject to RAP Advisory Committee recommendation and community consultation/discussion this potential project be completed using First Nation artists and knowledge holders with local 'connections to country.'
3. As well as State and National government funders for this project, Council considers sourcing grant funding from agencies participating in progressing the United Nations Declaration on the Rights of Indigenous Peoples.

Background

A feature related to that proposed in this motion has been mooted by community groups such as Friends of Bondi Pavilion and referenced in community communications on this topic. The concept still has to go through the cultural process envisaged in the motion.

General Manager's comment

Officers are currently working with the Gujaga Foundation on a range of projects relating to local Indigenous language and culture centred around Bondi Pavilion and in the Waverley LGA, including:

- Naming of new spaces in the Bondi Pavilion in Dharawal Language (complete).
- Inclusion of Aboriginal cultures and stories in the Bondi Story Room which covers a range of people, events, cultural practices and stories (underway and ongoing).
- A cultural audit to identify 20 to 30 significant sites around Waverley with suggestions on appropriate Indigenous recognition. This will commence in early 2022, and results will feed into further Indigenous cultural interpretation projects around the use of language and naming/co-naming spaces in Waverley.

Council is working on these significant projects, alongside the Indigenous Public Art project in Bondi Pavilion to ensure Aboriginal and Torres Strait Islander cultures and local language are visible and embedded within Waverley and budget has already been allocated in the current financial year.

The Bondi Pavilion Amphitheatre Feasibility and Concept Design has been budgeted for in the Long Term Financial Plan 5.3 adopted by Council in July 2021. Funding is allocated in the 2022/23 financial year. The first stage will be undertaking a feasibility study to establish the options including planning constraints for an amphitheatre. The options would then be presented to Council for endorsement of a preferred option. At that point the concept design would commence. That concept design process could certainly explore options for replicative sandstone carving designs as well as relevant outcomes from the cultural audit in consultation with the Reconciliation Action Plan Advisory Committee.

Council officers will continue to review available funding grant opportunities.

Sharon Cassidy

Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.8/21.10



Subject: DA Tracker - Enhancing Planning Transparency

TRIM No: A21/0500

Submitted by: Councillor Wy Kanak

MOTION:

That Council investigates:

1. Options to upload more development-related information to its DA Tracker, including:
 - (a) Geotechnical and other engineering reports.
 - (b) Construction management plans.
 - (c) Construction certificates.
 - (d) Construction zone permits.
 - (e) Occupation certificates.
2. Mechanisms to identify differences in design and development controls that have occurred in the progress of a development application from approval to eventual occupation.

Background

Community representations are received by Councillors about the public and affected residents seeking documents not yet provided on the DA Tracker system.

Providing the web-based material such as that mentioned in the motion would increase community understanding of the planning, construction process and assist public confidence and transparency in Council's planning process administration.

General Manager's comment

The investigation would be required to consider issues of intellectual property and copyright in relation to third party documents, in addition to compliance with the *Privacy and Personal Information Protection Act 1998*.

Tony Pavlovic
Director, Planning, Environment and Regulatory

NOTICE OF MOTION CM/8.9/21.10



Subject: First Nations Calendar - Sovereignty/Freedom Day

TRIM No: A18/0112

Submitted by: Councillor Wy Kanak

MOTION:

That Council:

1. Refers a discussion to the Reconciliation Action Plan (RAP) Advisory Committee on the topic of marking 'Sovereignty Day', or 'Sovreignty Day', 22 August, as an annual additional day on the First Nations community calendar that can reference the unceded sovereignty asserted by First Nations peoples and act as a focus day for discussions on the path to treaties and declarations of understanding for Australia's nationhood.
2. Subject to the RAP Advisory Committee's recommendation, Council with courtesy refers this motion/resolution to broader community consultation, including developing an inter-council relationship with Torres Shire Council, which covers Bedanug, 'Possession Island', to which the date of 22 August (1770) is referenced.

Background

'Freedom Day' is celebrated annually in the Northern Territory around the 23 August (1966) to mark the Daguragu, Wave Hill Walk Off by (with respect) Mr Vincent Lingiari and the Gurindji People who asserted a 'Connection to Country'.

That black activism led to Former Prime Minister Mr Gough Whitlam MP symbolically ceremonially pouring a handful of sand from Gurindji Country into Mr Vincent Lingiari's hand (Mr Kev Carmody: From Little Things Big Things Grow: <https://www.youtube.com/watch?v=uWK2lrNuND8>) and placing the paper proof of handover, Commonwealth Written Deeds, to the Gurindji People into Mr Vincent Lingiari's hands. The Government of former Prime Minister Mr Malcolm Fraser MP finalised the Northern Territory Land Rights Act in 1976. Before its removal from Bondi Beach Roscoe (Larry) Lane's Chapel by The Sea's street mural, Mr Vincent Lingiari was one of the Social Justice Elder 'Saints' featured on that public wall street art mural celebrating First Nation Social Justice along with other Elders: 'Mum Shirl Smith, Eddie Mabo, Faith Bandler and Charles (Kumanjayi) Perkins'.
pbs.twimg.com/media/E7xcSVrUcAQR22Q?format=jpg&name=medium

Marking the 22 August (1770) as 'Sovereignty Day' proposes a discussion on the potential of adding an annual First Nations Calendar Day on which the connection to country of First Nations peoples is marked and reasserted on an historical day for Aboriginal Torres Strait Islander custodianship of country.

'Sovereignty' is a 1988 spelling taken from Uncle Kevin Gilbert's statement in 'Aboriginal Alert!' 'Make a Treaty This Time': "We, the Aboriginal People, restate that we are the Sovereign Owners of Australia. There have been no Treaties with us and we have never ceded our 'Sovereignty'": Treaty '88 Campaign. (Gilbert, K. (1987). Aboriginal alert!: sovereign treaty '88. [Sydney]: Green Alliance [newsletter] referred to in Commonwealth Parliament, Joint Committee on Law Enforcement:

https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Law_Enforcement/SpecialOpsAct/Submissions, Submission 3.1 Supplementary; <https://damiano85.files.wordpress.com/2011/08/thesis.pdf>).

The intention of this motion is to assist moving community conversations towards a 'fuller expression of Australia's nationhood' as referred to in the 'Statement From The Heart' describing 'sovereignty' as:

'This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors.

This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.'

(Statement From The Heart, 2017, Midnight Oil and First Nation Readers (featuring Bondi Waverley local, Mr Adam Goodes): <https://www.youtube.com/watch?app=desktop&v=rWolgPyQTK4&feature=youtu.be>

General Manager's comment

Council officers have prepared a draft Aboriginal and Torres Strait Islander Cultural Protocols document. This was presented to the recent Reconciliation Action Plan Advisory Committee meeting and has been distributed to the committee for comment.

In the current draft of the Cultural Protocols document, the following dates are listed:

National Reconciliation Week (26 May – 3 June)

NAIDOC Week (in July)

Other significant dates include:

26 January – Australia Day/ Survival Day (Yabun Festival)

21 March – Harmony Day (Elimination of Racial Discrimination Day)

4 August – National Aboriginal and Islander Children's Day

9 August – International Day of the World's Indigenous People

October long weekend – NSW Annual Aboriginal Rugby League Knockout

10 December – Human Rights Day.

At the most recent meeting, a 'Black Deaths in Custody' day was also raised. The potential to include 22 August Sovereignty Day can be referred to the next committee meeting for discussion.

Sharon Cassidy

Acting Director, Community, Assets and Operations

URGENT BUSINESS
CM/10/21.10**Subject:** Urgent Business**Author:** Emily Scott, General Manager

In accordance with clause 9.3 of the Waverley Code of Meeting Practice, business may be considered at a meeting of Council even though due notice of the business has not been given to councillors. However, this can happen only if:

1. The business to be considered is ruled by the chair to be of great urgency on the grounds that it requires a decision by Council before the next scheduled ordinary meeting of Council, and
2. A motion is passed to have the business considered at the meeting.

Such a motion can be moved without notice.

Only the mover of the motion can speak to the motion before it is put. A motion to have urgent business transacted at the meeting requires a seconder.

For business to be considered urgent, it must require a decision by Council before the next scheduled ordinary meeting of Council.

The mover of the motion must, when speaking to the motion, explain why he or she believes it requires a decision by Council before the next scheduled ordinary meeting of Council.

CLOSED SESSION
CM/11/21.10

Subject: Moving into Closed Session

Author: Emily Scott, General Manager

RECOMMENDATION:

That:

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

CM/11.1/21.10 CONFIDENTIAL REPORT - Rowe Street Project - Update

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

2. Pursuant to section 10A(1), 10(2) and 10A(3) of the *Local Government Act*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the *Local Government Act*.
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*.

Introduction/Background

In accordance with section 10A(2) of the Act, Council may close part of its meeting to deal with business of the following kind:

- (a) Personnel matters concerning particular individuals (other than councillors).
- (b) Personal hardship of any resident or ratepayer.
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of a person who supplied it: or
 - (ii) Confer a commercial advantage on a competitor of Council;
 - (iii) Reveal a trade secret.
- (e) Information that would, if disclosed, prejudice the maintenance of law.
- (f) Matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440.

It is my opinion that the business listed in the recommendation is of a kind referred to in section 10A(2) of the *Local Government Act 1993* and, under the provisions of the Act and the *Local Government (General) Regulation 2021*, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clauses 14.9–14.10 of the Waverley Code of Meeting Practice, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

RESUMING IN OPEN SESSION CM/12/21.10

Subject: Resuming in Open Session
Author: Emily Scott, General Manager



RECOMMENDATION:

That Council resumes in open session.

Introduction/Background

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