COUNCIL MEETING

BUSINESS PAPER

6.30PM, TUESDAY, 19 AUGUST 2014

Athanasiou (Arthur) Kyron
General Manager
AGENDA

COUNCIL MEETING

A meeting of COUNCIL will be held at Waverley Council Chambers, Bondi Road, Bondi Junction at:

6.30pm, Tuesday, 19 August 2014

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

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

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

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.
1. **Apologies/Leaves of Absence**

2. **Declarations of Pecuniary and Non-Pecuniary Interests**

3. **Addresses to Council by Members of the Public**

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10. **Urgent Business**

11. **Closed Session**

**Note from the General Manager:**

It is my opinion that the business listed under this section is of a kind referred to in section 10A(2) of the Local Government Act 1993 and, under the provisions of the Act and the Local Government (General) Regulation 2005, should be dealt with in a part of the meeting that is closed to members of the public and the media.

In accordance with section 10A(2) of the Act, a Council may close part of its meeting to deal with business of the following kind:

(a) personnel matters concerning particular individuals.

(b) personal hardship of any resident or ratepayer.

(c) information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

(d) commercial information of a confidential nature that would, if disclosed:
   i prejudice the commercial position of a person who supplied it: or
   ii confer a commercial advantage on a competitor of Council;
   iii reveal a trade secret.

(e) information that would, if disclosed, prejudice the maintenance of law.

(f) matters affecting the security of Council, Councillors, Council staff and Council property.

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

(i) alleged contraventions of any Code of Conduct requirements applicable under Section 440.

Pursuant to section 10A(4) of the Act and clause 252 of the Regulation, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

The following matters are proposed to be dealt with in Closed Session and have been separately distributed to Councillors:

CON.20/14 CONFIDENTIAL REPORT – Improvement of Access and Egress Rowe Street Bondi Junction Bus / Rail Interchange

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act.

CON.21/14 CONFIDENTIAL REPORT - Lease of Laneway 2-8 Dickson Street

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act.

CON.22/14 CONFIDENTIAL REPORT – Memorandum Of Understanding for purchase of Affordable Housing

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act.

CON.23/14 CONFIDENTIAL REPORT - Evaluation of Tender for the Amenity Upgrades to Existing Satellite Depots at Marks Park and South Head Cemetery

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act.
Moving into Closed Session

Recommendation: That:

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

CON.20/14  CONFIDENTIAL REPORT – Improvement of Access and Egress Rowe Street Bondi Junction Bus / Rail Interchange

CON.21/14  CONFIDENTIAL REPORT - Lease of Laneway 2-8 Dickson Street

CON.22/14  CONFIDENTIAL REPORT – Memorandum Of Understanding for purchase of Affordable Housing

CON.23/14  CONFIDENTIAL REPORT - Evaluation of Tender for the Amenity Upgrades to Existing Satellite Depots at Marks Park and South Head Cemetery

These matters are confidential in accordance with Section 10A(2) (c) of the Local Government Act, and the Council is satisfied that discussion of the matters in an open meeting would, on balance, be contrary to the public interest as they deal 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 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) of the Local Government Act 1993.

3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the Local Government Act 1993.

Resolutions from closed session made public

In accordance with Clause 253 of the Local Government (general) Regulation 2005, when the meeting resumes in open session the Chair will announce the resolutions made by Council, including the names of the movers and seconders, while the meeting was closed to members of the public and the media.
Adoption of Minutes
No. CM.15/14

Subject: Council Meeting – Minutes – 15 July 2014 – Adoption
Trim File No.: A08/1053
Author: Michael Simmons, Governance & Integrated Planning Officer

Recommendation:

That the Minutes of the Council Meeting of 15 July 2014 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

1. Executive Summary

The minutes of the Council meeting held on 15 July 2014 are submitted to Council for confirmation, in accordance with Section 375 of the Local Government Act 1993, which provides that Council must ensure that full and accurate minutes are kept of the proceedings of a meeting of Council and be confirmed at a subsequent meeting of Council.

2. Introduction/Background

In accordance with Section 17.2(4) of Council’s Code of Meeting Practice the minutes of the Council meeting held on 15 July 2014 have been issued subject to confirmation at a subsequent meeting.

3. Discussion

Nil.

4. Conclusion

Council is required to confirm the minutes of the Council meeting held on 15 July 2014.

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

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

<table>
<thead>
<tr>
<th>Direction</th>
<th>G1 - Inspiring community leadership is achieved through decision making processes that are open, transparent, corruption resistant and based on sound integrated planning.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>G1a – Develop and maintain a framework of plans and policies that ensures open and transparent operations that facilitate equitable benefit sharing and progress towards sustainability.</td>
</tr>
</tbody>
</table>
Deliverable: Regular reporting to Council on progress with implementation of integrated corporate plans.

6. **Financial impact statement/Timeframe/Consultation**

Financial Impact statements, timeframes and consultation are detailed within the individual reports attached to the agenda and where amended by the minutes.

7. **Attachment/s:**

MINUTES OF THE ORDINARY COUNCIL MEETING OF WAVERLEY COUNCIL
HELD AT WAVERLEY COUNCIL CHAMBERS
ON TUESDAY 15 JULY 2014

Present:

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

At the commencement of proceedings at 6.30pm those present were as listed above with the exception of Cr Wakefield who arrived at 6.38pm.

Officers Present:

Arthur Kyron  General Manager – Waverley Corporate
Mark Wood  Director – Waverley Renewal
Peter Monks  Director – Waverley Futures
Cathy Henderson  Director – Waverley Life

Opening Prayer and Acknowledgement of Local Indigenous Heritage

The Mayor read the following Opening Prayer and Acknowledgement of Indigenous Heritage:
God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

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

1. Apologies / Leave of Absence

There were no apologies or leaves of absence.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

1. Cr Clayton declared a less than significant non-pecuniary interest in Item CRD.44/14 – Planning Proposal to amend Waverley Local Environmental Plan 2012 – Bondi Sewage Treatment Plant – 176 – 180 Blair Street, North Bondi and informed the meeting that she lives in close proximity to the subject property.

2. Cr Clayton declared a less than significant non-pecuniary interest in Item CRD.50/14 – Petition seeking Residents Parking in and around Vicars Avenue, North Bondi and informed the meeting that she lives in close proximity to Vicars Avenue, North Bondi.

3. Addresses to Council by Members of the Public

1. D. Taibel (against the Waverley Traffic Committee recommendation) – Item CM.14/14 – Waverley Traffic Committee Meeting – 26 June 2014 – Item TV.26/14 – Kippara Road, Dover Heights – No Stopping 7.30am-9.30am school days (A02/0225).

2. L. Barry (Chief Petitioner) - Item CRD.50/14– Petition seeking Residents Parking in and around Vicars Avenue, North Bondi (A03/2581 & A13/0100-02).

3. G. Foster (in support of the Motion) – Item NM.37/14 – Babi Yar Massacre Memorial Plaque (A04/0553).

4. G. Friede (in support of the Motion)  – Item CRD.49/14 – The Shabbat Project Event Approval (A02/0200-04).
4. Confirmation of the Minutes

CM.13/14 Confirmation of the Minutes of the Council Meeting held on 17 June 2014 (A08/1053)

MOTION / DECISION
Mover: Cr Guttman-Jones
Seconder: Cr Goltsman

That the Minutes of the Council Meeting of 17 June 2014 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM.14/14 Waverley Traffic Committee Meeting – Minutes – 26 June 2014 – Adoption (A08/0077)

MOTION / DECISION
Mover: Cr Kay
Seconder: Cr Mouroukas

That Part 1 of the Minutes of the Waverley Traffic Committee Meeting of 26 June 2014 be received and noted, and that the recommendations contained in Clauses TC.23/14, TV.26/14 to TV.33/14, TCV.9/14 and TL.7/14, be adopted.

Save and except the following:

1. TV.26/14 – Kippara Road, Dover Heights – No Stopping 7.30am-9.30am – School Days (A02/0225)

And that this item be dealt with separately.

This matter was saved and excepted by Cr Betts.

TV.26/14 Kippara Road, Dover Heights – No Stopping 7.30am-9.30am – School Days (A02/0225)

MOTION / DECISION
Mover: Cr Betts
Seconder: Cr Goltsman

That the removal of parking from Kippara Road for the buses not be approved.

Division
For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Kay and Mouroukas.

Against the Motion: Crs Kanak, Masselos, Strewe and Wakefield.

D. Taibel (against the Waverley Traffic Committee recommendation) addressed the meeting.
5. Mayoral Minutes

MM.10/14  Congratulating Minister Family and Community Services for restoring funding to specialist women’s services in the inner city and eastern suburbs (A05/0965)

MOTION / DECISION  Mover: Cr Betts

That Council:

1. Writes to our State Member for Vaucluse and the Minister for Family and Community Services, Hon Gabrielle Upton MP and thank her for confirming that:
   - She has reinstated the $8.6m for specialist homelessness services in the inner city
   - This includes $2m per year specifically for women’s services
   - New specialist women’s services in the inner city and eastern suburbs will receive almost three times its original budget
   - Funding for B Miles Women’s Foundation was not withdrawn and they will be delivering these services

2. Congratulates the Minister on restoring the funding to the inner city to reduce homelessness and assure her of Waverley’s commitment to working with her Department and specifically Norman Andrews House, Jewish House, B Miles Women’s Foundation and Mission Australia to reduce homelessness in our municipality

BACKGROUND
Cr Kanak’s Motion NM.31/14 on the June Council paper requested that we write to the Minister. Unfortunately publicity surrounding the Notice of Motion omitted to mention that in supporting the motion I had congratulated the Minister for restoring the funding to the inner city services.

It is pleasing to note that the Minister has also confirmed that funding was not withdrawn from B Miles Women’s Foundation.

MM.11/14  Lifeguard Risk Management Strategy (A07/0046)

MOTION / UNANIMOUS DECISION  Mover: Cr Betts

That Council:

1. Sends its most sincere condolences to Matthew Richell's wife Hannah and his family following his tragic death at Tamarama Beach and acknowledges how devastating this must be for their whole family.

2. Acknowledges that Council is already investigating the circumstances of this tragic death and investigating where our procedures can be improved to prevent a similar incident.
3. Recognises the risks for surfers in difficult ocean conditions and increases jet-ski patrols of Bondi, Tamarama and Bronte surf breaks during high risk periods.

4. Proceeds to install CCTV at Tamarama Beach as recommended as part of the regular lifeguard service risk management review.

5. Funds these actions from operational savings.

6. Notes that further actions from the current risk plan are being implemented including the construction of a new lifeguard tower at Bronte Beach.

7. Notes that, as part of the regular risk management review, the lifeguard service along with Council's Risk & Safety Manager are working with Gold Coast City Council in order to benchmark risk management practices.

8. Acknowledges that our lifeguards do an incredible job and it is due to their efforts that deaths happen so rarely at our beaches.

BACKGROUND
Mr Richell’s tragic death in a surfing accident at Tamarama Beach on 2 July shocked all of Council, especially the lifeguards and Waverley’s surfing community.

Council has commenced examining the circumstances of the incident and as always will review its risk management practices. Council's Risk & Safety Manager and the lifeguards are currently working with Gold Coast City Council in order to benchmark our risk management practices and any suggestions from these meetings will be added to our risk management practices.

I have had many discussions with the Director, three meetings with the Acting Executive Manager, Safe Waverley, on 2 July, 4 July and 8 July, had discussions with the lifeguard coordinator as well as the lifeguards that were involved in trying to save Mr Richell. These discussions involved putting forward some short term solutions to Council, via a Mayoral Minute and the potential for some long term solutions once our work with the Gold Coast City Council was complete. The result of all those meetings is this Mayoral Minute.

Council is always very conscious of its role in ensuring that it is as safe as possible to swim at our beaches.

It is worth noting that many Councils end their lifeguard service at end of April, however our services at Bronte and Tamarama go until the end of May each year, with the flexibility to extend if weather conditions demand it. Services at Bondi, which attracts higher numbers of swimmers, are year round.

Over the years the discussion has taken place about putting lifeguards on the beaches in winter but on assessing the risk the decision has been made not to locate our lifeguards on Bronte or Tamarama.

However, as an added precaution we recently installed a CCTV camera so that Bronte Beach can be monitored from Bondi during the off season. In this case, because of this monitoring, our Bondi lifeguards reached Mr Richell in under two minutes once alerted.

Last year an independent risk assessment was completed for the lifeguard service and since the report was received Council has implemented several initiatives, including:
• Installing the CCTV camera at Bronte Beach, which was used to respond to Mr Richell;
• Recommended a second CCTV at Tamarama Beach;
• Allocating funds for the forthcoming construction of a new lifeguard tower at Bronte Beach;
• Giving lifeguards approval to erect flags during the winter months, pending weather conditions;
• Reviewing the lifeguard service hours of operation, resources and budget comprehensively each year; and
• Arranging for Council staff to work with other east coast council lifeguard services to share resources and knowledge in an attempt to maintain the best safety standards possible.
• Allocate more than $550,000 to pay for these initiatives, which will continue to benefit the community for the next two decades.

Having lifeguards on duty at the beach is a critical service to protect the safety of swimmers. However, surfers activities are possibly a different scenario which may require different solutions. (In winter, there may be surfing activity at beaches but no swimmers at all.)

As surfing numbers at all of our beaches grow, lifeguards are monitoring conditions and surfer and swimmer numbers.

To protect safety of surfers, who can be further away from the beach in extremely difficult ocean conditions, a mobile jet-ski patrol may well be faster and provide more immediate response than would be a lifeguard on duty located on the beach.

To this end, the lifeguards have recommended that additional jet-ski patrols be scheduled across all our beaches when ocean conditions warrant it, whether in winter or summer. I am advised that this would cost in the order of $12,000 which can be accommodated within the existing budget.

Statistics will now also be kept of numbers of surfers throughout the year to assist our monitoring.

6. Obituaries

OB.5/14 Obituaries – July 2014 (A02/0017)

Colin George Stewart

Matt Richell

Noel Ralph Slark

MOTION / DECISION

Mover: Cr Clayton
Seconder: Cr Strewe

That a letter of sympathy be forwarded to the families of the deceased named expressing the condolences of the Mayor, Councillors and staff in the bereavement they have experienced.
Council rose for a minute silence for the souls of people generally who have died in our Local Government area.

7. Reports Requiring Determination

CRD.44/14 Planning Proposal to amend Waverley Local Environmental Plan 2012 - Bondi Sewage Treatment Plant - 176-180 Blair Street, North Bondi (PP-7/2013)

Cr Clayton declared a less than significant non-pecuniary interest in this item and advised the meeting that she lives in close proximity to the subject property.

MOTION / DECISION
Mover: Cr Goltsman
Seconder: Cr Betts

That Council:

1. Adopts the Planning Proposal for Nos. 176-180 Blair Street, North Bondi to amend Waverley Local Environmental Plan 2012.

2. Forwards the Planning Proposal to Parliamentary Counsel for finalisation.

CRD.45/14 Planning Agreement associated with approved development at 241-245 Oxford Street, Bondi Junction (DA-81/2013)

MOTION / DECISION
Mover: Cr Cusack
Seconder: Cr Burrill

That Council:

1. Endorses the attached Planning Agreement for execution.

2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council Seal to the documentation.

CRD.46/14 Local Government NSW Annual Conference – Coffs Harbour 19 – 21 October 2014 (A13/0314)

MOTION / DECISION
Mover: Cr Kay
Seconder: Cr Mouroukas

That Council:

1. Endorses the following Councillors as voting delegates for the 2014 Local Government NSW Conference:
The Mayor, Councillor Sally Betts
The Deputy Mayor, Councillor Tony Kay
Councillor Leon Goltsman
Councillor Angela Burrill
Councillor Bill Mouroukas

2. Endorses Councillor Guttman-Jones and Councillor Kanak to attend the Conference as an observer.

3. Agrees that the General Manager attend the Conference.

4. Submits an application for the Mayor Cr Sally Betts to receive the Local Government NSW awards Emeritus Mayor Certificate and Certificate of Service, as recognition of her contribution to local government in New South Wales, Waverley Council and its community.

5. Agrees that, should any of the above councillors be unable to attend, the Mayor be delegated authority to appoint alternates.

CRD.47/14    Design Excellence Panel (A03/0118)
MOTION / DECISION
Mover: Cr Burrill
Second: Cr Strewe

That:

1. Council endorses the establishment of a Design Excellence Panel (DEP) to replace the existing SEPP 65 Design Review Panel (DRP) in partnership with Randwick City Council be explored.

2. A further report to be provided to Council once the issues pertaining to establishing a charter, guidelines, costings and recruitment process are completed.

CRD.48/14    New Lease and Licence – Part Level 2, 25 Ebley Street, Bondi Junction (Mill Hill Early Education Centre) and 59 Newland Street, Bondi Junction (A14/0180 & A14/0183)
MOTION / DECISION
Mover: Cr Betts
Second: Cr Cusack

That Council:

1. Approves a new five (5) year licence for the Sydney Children’s Hospitals Network (SCHN) at 25 Ebley Street for the operation of an early childhood health centre in line with terms and conditions detailed in this report.
2. Approves a new five (5) year lease for ECHO Neighbourhood Centre Inc (ECHO) at 59 Newland Street in accordance with the Waverley Community Tenancy Policy adopted by Council on 22 April 2014.

3. Authorises the Mayor and General Manager to complete negotiations, execute the documents and affix the Council Seal where necessary.

**CRD.49/14 The Shabbat Project Event Approval (A02/0200-04)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Goltsman  
Seconder: Cr Guttman-Jones

That Council approves The Shabbat Project Event to be held from Thursday, 23 October to Saturday, 25 October 2014 in Rodney Reserve, Vaucluse, subject to:

1. The submission of an Event Management Plan meeting Council’s event compliance requirements as detailed in this report; and

2. The issuing of an Event Permit on approval of the Event Management Plan meeting requirements and conditions to the satisfaction of the General Manager or approved delegate.

3. Approve the waiving of venue hire fees for the not for profit community event.


G. Friede (in support of the Motion) addressed the meeting.

**CRD.50/14 Petition seeking Residents Parking in and around Vicars Avenue, North Bondi (A03/2581 & A13/0100-02)**

Cr Clayton declared a less than significant non-pecuniary interest in this item and advised the meeting that she lives in close proximity to Vicars Avenue, North Bondi.

**MOTION / DECISION**

Mover: Cr Wakefield  
Seconder: Cr Goltsman

That Council receives and notes the Petition and it be forwarded to the Director, Waverley Renewal, to initiate the processes for the investigation of a local Traffic Parking Scheme.

L. Barry (Chief Petitioner) addressed the meeting.
CRD.51/14 Bondi Junction 2030 Vision (A13/0135)

MOTION / UNANIMOUS DECISION

Mover: Cr Burrill
Seconder: Cr Cusack

That Council:

1. Receives and notes the Draft Bondi Junction 2030 Vision Statement awaiting the outcomes of the community engagement process. The Draft Bondi Junction 2030 Vision Statement now reads as follows:

“Draft Bondi Junction 2030 Vision Statement

By 2030, Bondi Junction will be a world-class precinct within Sydney, a proud and thriving part of this great global city.

This vision will bring together the communities of the east and rethink how we live, work and connect with each other to:

• unearth the extraordinary potential of Sydney's Eastern Suburbs, and create a premier community precinct sought by 21st century populations

• create the civic and commercial spaces, transport solutions, safety and accessibility, economic developments, major new innovations and simple refinements that will respond to these future needs

• develop a precinct that caters for the needs of the community whilst showcasing environmental excellence and providing exciting opportunities for our diverse communities to interact

To realise our vision, the key elements of Bondi Junction 2030 are:

• To maintain a high quality of life and sense of place for our current and future residents

• To foster a diverse, multicultural community supported by affordable and accessible services

• To create a place with a strong sense of identity developed in partnership with the community

• To build on the strategic and economic importance of Bondi Junction

• To deliver an integrated pedestrian, traffic and transport solution with improved efficiency, accessibility and mass transit options

• To promote environmental excellence and leadership by delivering ambitious environmental targets for a sustainable urban precinct through low carbon energy, efficient waste management and recycled water infrastructure
To create a safe, thriving and livable destination with great public spaces, buildings, public art and streets for all people

To facilitate development and growth in a strategic, appropriate and sustainable way.”

2. Endorses engagement with the community on its vision for Bondi Junction.

3. Compares the outcomes of the community engagement process to the draft Bondi Junction 2030 Vision Statement and refers officers to the existing resolution 1202.6.3 of Council on the Creative Economy.

4. Prepares a report to Council with recommendations for the final vision for Bondi Junction 2030.

8. Reports for Information

CFI.9/14 Investment Portfolio Report – May 2014 (A03/2211)

MOTION / DECISION

Mover: Cr Cusack
Second: Cr Burrill

That Council:

1. Receives this report.

2. Notes that all investments have been made in accordance with the requirements of section 625 of the Local Government Act 1993 and directions from the Minister for Local Government, including Ministerial Investment Orders and Council’s Investment Policy.

9. Notices of Motion

NM.37/14 Babi Yar Massacre Plaque (A04/0553)

Amended Notice of Motion submitted by Councillor Guttman-Jones.

MOTION / UNANIMOUS DECISION

Mover: Cr Guttman-Jones
Second: Cr Goltsman

That:

1. Council erects a plaque in the Waverley Memorial Gardens in memory of the Babi Yar massacre of 1941, and it be unveiled on the commemoration ceremony being held on Sunday, 28 September 2014.

2. The cost be borne by Waverley Council with donations from the Jewish community.
3. Council officers work closely with the organising committee as to the wording and the best location of this plaque.

G. Foster *(in support of the Motion)* addressed the meeting.

10. **Urgent Business**

CM.14/14 - Adoption of the Waverley Traffic Committee Minutes of 26 June 2014 - Late Item TL.7/14 – Lamrock Avenue, Bondi Beach and Short Street, Waverley – Construction zones (A03/2514-03)

**MOTION / DECISION**

**Mover:** Cr Clayton  
**Seconder:** Cr Kanak

That:

1. Council treats this item as urgent in accordance with Section 3.5 of Council’s Code of Meeting Practice.

2. The Minute Extract for Item TL.7/14 be included in the Minutes of the Waverley Traffic Committee meeting of 26 June 2014 – Item CM.14/14.

CRD.52/14 Signage Review – Lifeguards (A03/2168-02)

**MOTION / DECISION**

**Mover:** Cr Masselos  
**Seconder:** Cr Wakefield

That Council treats this item as urgent in accordance with Section 3.5 of Council’s Code of Meeting Practice.

THE FOLLOWING MOTION WAS THEN MOVED, SECONDED AND DECLARED CARRIED UNANIMOUSLY.

**MOTION / UNANIMOUS DECISION**

**Mover:** Cr Masselos  
**Seconder:** Cr Cusack

That Council considers incorporating, as a matter of urgency:

1. Lifeguard phone numbers into any new signage in strategic places on Bondi, Tamarama and Bronte Beaches.

2. Lifeguard phone numbers on the existing signs including:
   
a. The board outside the Bronte Beach and Tamarama lifeguard stations

b. On existing moveable beach signage including the ‘No Lifeguards on Duty’ sign and on the mobile lifeguard boxes on the sand
3. The lifeguard phone number be placed on strategic points on the Bronte to Bondi coastal walk.

4. Existing signs that display lifeguard phone numbers, eg on the gate at the Bronte Pool, be reviewed and updated.

5. Signage that directs callers to the 000 number in emergency situations.

BACKGROUND
A quick review of signage at Bronte Beach has revealed that there are no phone numbers for lifeguards should they be required during periods where no lifeguards are on duty. The phone number for the lifeguards on the gate at Bronte pool and the amenity block are out of date.

12. Closed Session

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

Moving Into Closed Session

MOTION / DECISION

Mover: Cr Betts
Seconder: Cr Burrill

That:

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

   CON.18/14 CONFIDENTIAL REPORT - Community Grants Distribution - Junction House, the Lighthouse and Out of School Hours Centres (OSHC)

   CON.19/14 CONFIDENTIAL REPORT – Winter Licences – Sports Club long term agreements

These matters are confidential in accordance with Section 10A(2) (d) of the Local Government Act, and the Council is satisfied that discussion of the matters in an open meeting would, on balance, be contrary to the public interest as they deal with information 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.

2. Pursuant to Section 10A(1), 10(2) and 10A(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the
business to be considered is classified confidential under the provisions of Section 10A(2) of the Local Government Act 1993.

3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the Local Government Act 1993.

At 8.51pm Council moved into closed session and resumed in open session at 8.53pm.

Resolutions from closed session made public

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

CON.18/14 CONFIDENTIAL REPORT – Community Grants Distribution - Junction House, the Lighthouse and Out of School Hours Centres (OSHC). (A02/0405-03, A02/0408, A03/0419-01)

Cr Wakefield was not present in the chamber during the consideration and vote on this item.

MOTION / DECISION

Mover: Cr Betts
Seconder: Cr Clayton

That:

1. The report be treated as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2) of the Local Government Act 1993;

2. Council provides a grant of $36,400 to Holdsworth Street Community Centre Woolahra Inc (Holdsworth Community) to deliver Junction House programs under the Community Grants Program with a review to be conducted by July 2016.

3. Council agrees to redistribute a sum of $11,500 via an Expression of Interest (EOI) process to existing Community Grant recipients.

CON.19/14 CONFIDENTIAL REPORT – Winter Licences – Sports’ Clubs long term agreements (A13/1066)

MOTION / DECISION

Mover: Cr Betts
Seconder: Cr Clayton

That:
1. The report be treated as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2) of the Local Government Act 1993;

2. Council as Waverley Park (D500494) Reserve Trust approve the long term licences for Queens Park Football Club, Easts Football Club and Clan na Gael Gaelic Athletics Club for the use of Waverley Park Pavilion Sports Club Facilities, Waverley Park Oval and Playing Fields 2 and 3 as set out in their individuals agreements. These long term agreements will replace existing temporary licences;

3. The Mayor and General Manager be authorised to finalise negotiations, sign and execute the necessary documentation.

THE MEETING CLOSED AT 8.54PM.

............................................................
SIGNED AND CONFIRMED
MAYOR
19 AUGUST 2014
Adoption of Minutes
No. CM.16/14

Subject: Waverley Traffic Committee Meeting – Minutes – 24 July 2014 – Adoption

Trim File No.: A08/0077

Author: Michael Simmons, Governance & Integrated Planning Officer

Recommendation

That Part 1 of the Minutes of the Waverley Traffic Committee Meeting of 24 July 2014 be received and noted, and that the recommendations contained in Clauses TC.24/14 to TC.30/14, TV.34/14 to TV.37/14, TCV.10/14 to TCV.12/14 and TL.8/14 to TL.9/14, be adopted.

Save and except the following:

1. ________________________________________________________________________

1. Executive Summary

In accordance with Section 18 of the Waverley Traffic Committee Charter, Part 1 of the minutes of the Waverley Traffic Committee meeting held on 24 July 2014 is submitted to Council for adoption. Council has the opportunity to 'save and except' any of the matters listed in Part 1 of the Minutes for further consideration.

2. Introduction/Background

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

The purpose of the WTC is to make recommendations, and provide advice, to Council on the technical aspects of proposals to regulate traffic on local roads in Waverley prior to Council exercising its delegated authority. In making its recommendations and providing its advice the WTC is to consider only the technical merits of a proposal and ensure that the proposal meets current technical guidelines.

The WTC is made up of 5 voting members:

- One representative of Council (Chair)
- One representative of the NSW Police
- One representative of the RMS
- The State Member of Parliament (MP) for Coogee or their nominee
- The State Member of Parliament (MP) for Vaucluse or their nominee
3. **Discussion**

Nil.

4. **Conclusion**

Through the adoption of the WTC minutes Council either exercises or does not exercise its traffic related functions delegated to it by the RMS.

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

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

**Direction:**  
G1 - Inspiring community leadership is achieved through decision making processes that are open, transparent, corruption resistant and based on sound integrated planning.

**Strategy:**  
G1a – Develop and maintain a framework of plans and policies that ensures open and transparent operations that facilitate equitable benefit sharing and progress towards sustainability.

**Deliverable:**  
Regular reporting to Council on progress with implementation of integrated corporate plans.

6. **Financial impact statement/Timeframe/Consultation**

Financial Impact statements, timeframes and consultation are detailed within the individual reports attached to the agenda of the WTC.

7. **Attachment:**

1. WTC Minutes – 24 July 2014
2. Late Report – TL.8/14 - Leichhardt Street, Bronte – Bus Zone
3. Late Report – TL.9/14 - Alfred Street at Belgrave Street, Bronte – Installation of No Stopping
Voting Members Present:

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

Also Present:

Cr B Mouroukas Waverley Council (Deputy Chair)
Cr J Wakefield  Waverley Council
Mr G Holding   Waverley Council – Senior Traffic Engineer
Mr G Garnsey   Waverley Council – Manager, Transport and Development
Mr E Graham    Sydney Buses (Eastern Region)
Sgt N Rutgers  NSW Police – Traffic Services, Eastern Suburbs Local Area Command

Administrative Support:

Mr M Simmons  Waverley Council – Secretary / Governance & Integrated Planning Officer
Mr R Russo    Waverley Council – Governance Manager

At the commencement of proceedings at 10.05am, those present were as listed above with the exception of G Holding, who arrived at 10.11am and Cr Wakefield, who arrived at 10.20am.

At 10.57am Cr Wakefield left the meeting and did not return.

1.  Apologies

Apologies were received from Mr D Joannides – Waverley Council, Executive Manager Creating Waverley

2.  Declarations of Interest

1.  Cr Wakefield declared a pecuniary interest in Item TC.26/14 - Nos. 253-255 Oxford Street, Bondi Junction – Realignment of Kerb and Gutter (DA386/2012) and informed the meeting that he owns property in an adjoining building.
3. **Adoption of Previous Minutes by Council – 26 June 2014**

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 June 2014 were adopted by Council at its meeting held on 15 July 2014 subject to the following change:

1. **Clause TV.26/14 – Kippara Road, Dover Heights – No Stopping 7.30am-9.30am – School Days (A02/0225)**

Council resolved not to adopt the recommendation of the Traffic Committee Meeting and made the following decision:

“That the removal of parking from Kippara Road for the buses not be approved.”

**Council Officer’s Proposal:** That the Committee receives and notes this information.

**WTC RECOMMENDATION (UNANIMOUS SUPPORT):** That the Council Officer’s proposal be supported.

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

### 3.1 Matter Arising from the Adopted Previous Minutes of Waverley Traffic Committee – 24 July 2014 – Clause TV.26/14 – Kippara Road, Dover Heights – No Stopping 7.30am-9.30am – School Days (A02/0225)

**MOTION / DECISION (MAJORITY SUPPORT) (Morrison / Barrett)**

That the Waverley Traffic Committee expresses its disappointment with the decision of Council on this matter.

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

Representative of Waverley Council (Chair) voted against the Motion.

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**PART 1 – MATTERS PROPOSING THAT COUNCIL EXERCISE ITS DELEGATED FUNCTIONS**

**NOTE:** The matters listed under this part of the Agenda propose that Council either does or does not exercise the traffic related functions delegated to it by the RMS. The recommendations made by the Committee under this part of the Agenda will be submitted to Council for adoption.
TC.24/14
Grosvenor Lane, Bondi Junction – Temporary Closure  (A02/0042)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley about the temporary closure of Grosvenor Lane, Bondi Junction.

Council Officer's Proposal: That Council approves the closure of Grosvenor Lane, Bondi Junction, in accordance with the attached Traffic Control Plan, subject to the following conditions:

1. Closures are to take place between 9.30am and 5pm Mon-Fri.

2. The Builder shall:
   - Apply to the Executive Manager, Creating Waverley seven days prior to each closure,
   - provide Public Liability Insurance for the closures,
   - obtain NSW Police Force approval for each closure,
   - notify the NSW Ambulance Service and NSW Fire & Rescue (Bondi, Woollahra & Randwick Fire Stations) seven days prior to each closure,
   - notify local residents and businesses seven days prior to each closure,
   - only use RMS-accredited Traffic Controllers, and
   - cover all costs associated with Traffic Control.

3. The Executive Manager, Creating Waverley and their representative(s) are Delegated Authority to:
   - approve dates for the closures,
   - inspect the Traffic Control Plan,
   - audit the implementation of the Traffic Control Plan, and
   - cancel this approval, without notice or refund.

WTC RECOMMENDATION  (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported subject to Clause 1 being amended to read as follows:

1. Closures are to take place between 9.30am and 2.30pm Mon-Fri on an 'as needs' basis, having regard to the site’s close proximity to the Bondi Junction Bus/Rail public transport interchange.

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

TC.25/14
Murray Street, Bronte – Drop-off / Pick-up Zone and Concrete Island  (A03/0042)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley about the installation of a drop-off / pick-up zone and a concrete island in Murray Street, Bronte.

Council Officer's Proposal: That Council:
1. Installs a concrete island within the existing ‘No Stopping’ zone on the western side of Murray Street, north of the signalised pedestrian crossing at Hewlett Street, Bronte, as shown in Figure 2, attached.

2. Installs 25 m of ‘No Parking 8.30am-9.30am 3pm-4pm School Days’ on the western side of Murray Street, between Hewlett Street and Read Lane, Bronte.

3. Installs 10 m of ‘No Stopping’ on the western side of Murray Street, south of Read Lane, Bronte.

**WTC RECOMMENDATION (UNANIMOUS SUPPORT):** That this matter be deferred to allow for an on-site meeting between Council staff, a representative from Bronte Public School, Waverley Ward and other interested Councillors, and members / attendees of the Waverley Traffic Committee including Sydney Buses.

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

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**TC.26/14**

**253-255 Oxford Street, Bondi Junction – Realignment of Kerb and Gutter (DA386/2012)**

*Cr Wakefield declared a pecuniary interest in this Item and informed the meeting that he owns property in an adjoining building and left the meeting, and did not return. Cr Wakefield was not present, or in sight of, the meeting during the consideration and vote on this item.*

Report dated 14 July 2014 from the Executive Manager, Creating Waverley about plans received for the realignment/localised widening of a section of Oxford Street, south side, between Bondi Road and Hollywood Avenue, Bondi Junction.

**Council Officer’s Proposal:** That there be no objections on traffic grounds to drawings C-001 to C-004 Rev “A” dated 16 May, 2015 prepared by BG&E Pty Ltd for the localised widening of Oxford Street in the vicinity of No. 253-255 subject to:

1. Traffic and parking signs requiring removal/relocation as a result of the realignment of the kerb and gutter being positioned in accordance with the requirements of Council’s Executive Manager, Creating Waverley at the applicant’s expense.

2. The design of the “Dished Drain” (DD) shown in section on drawing C-004 being revised to comply with Council’s standard of width 900mm and depth to invert of 50mm.

3. The line of the face of the proposed “kerb only” section and the centreline of the dished drain being marked on the roadway for an inspection by and the approval of the Executive Manager, Creating Waverley prior to works commencing.

4. The realigned section of roadway having the same parking restrictions as the existing intended bay other than at times it is approved for use as a works/construction zone by the Executive Manager, Creating Waverley.

5. The realigned section of roadway being provided with a ramp for access by the disabled in accordance with the requirements of the Executive Manager, Creating Waverley.
6. Neighbouring properties be notified of the proposed kerb realignment by the applicant prior to works commencing.

7. A separate approval under section 138 of the Roads Act be obtained from Council prior to the work commencing.

**WTC RECOMMENDATION (UNANIMOUS SUPPORT):** That the Council Officer’s proposal be supported subject to the addition of Clause 8 to read as follows:

8. The footpath outside the site shall remain in a safe condition for the use of pedestrians at all times.

_Voting members present for this item: Representative of the Member for Coogee, NSW Police representative, RMS representative and Waverley Council representative (Chair)._
1. Approves the Construction Vehicle Plan of Management, dated 27 June 2014, submitted for DA-565/2012 at 41 Murray Street, Bronte, subject to the following conditions:

   a) The application for a Construction Certificate shall be taken as accepting these conditions of approval.

   b) Occupants of neighbouring properties shall be advised of the demolition, excavation and construction activities.

   c) Vehicular and pedestrian access to neighbouring properties shall be maintained continuously.

   d) No materials shall be placed, dumped or left on any Council road or footpath area at any time.

   e) The footpath outside the site shall remain in a safe condition for the use of pedestrians at all times.

   f) Removed or damaged street furniture - including parking signs, ticket machines or street trees - shall be replaced immediately.

   g) All vehicles, plant and equipment shall to be operated in accordance with the [NSW] Road Rules 2008.

   h) There shall be no truck access or egress during 8am-9.30am and 2.30pm-4pm School Days.

   i) Trucks, on arriving at the site, shall enter the site or the approved ‘Construction Zone’ immediately. Trucks not able to enter the site immediately shall wait remote from the site and enter the street only when the area is clear for access. The applicant shall co-ordinate truck movements with other nearby building activities.

   j) There shall be no blockage to through traffic on Murray Street, other than for short periods of time when manoeuvring vehicles into and out of the site or the approved ‘Construction Zone’. Under no circumstances shall buses be stopped at any time.

   k) All traffic and pedestrian control shall be in accordance with the RMS’s Traffic Control at Work Sites manual.

   l) No barricades or delineators – including bollards, witches hats, etc – shall be placed in the kerbside parking lane without the prior approval of Council.

   m) Separate approval is required from the Waverley Traffic Committee, Waverley Council, NSW Police Force and Roads and Maritime Service of NSW before any roads are closed to through traffic.

   n) Separate approval is required from Waverley Council for:
      ▪ the use of any concrete pump, crane or hoist over a footpath, and
      ▪ the erection of a hoarding.

2. Installs an 11 m long ‘No Parking 7am-5pm Mon-Fri 8am-3pm Sat Council Authorised Vehicles Excepted’ zone in Murray Street, across the frontage of 41 Murray Street,
Bronte for a period of 13 weeks.

3. Relocates the existing 20 m long ‘Bus Zone’ on the southern side of Murray Street, Bronte, 11 m to the east for a period of 13 weeks.

4. Advises the applicant that more than two incidents of construction vehicles parking in the ‘Bus Zone’ and/or traffic controllers stopping buses will result in cancellation of the Construction Zone.

5. Requests Council’s Parking Officers to provide additional patrols, especially at the beginning of the changes.

6. Delegates Authority to the Executive Manager, Creating Waverley to extend the periods as required.

**WTC RECOMMENDATION (UNANIMOUS SUPPORT):** That the Council Officer’s proposal be supported subject to the following changes:

1. Clause 3 being amended to read as follows:

   3. Removes the existing 20 m long ‘Bus Zone’ on the southern side of Murray Street, Bronte and replaces it for a period of 13 weeks with a 30m long ‘Bus Zone’ in a location that is subject to an on-site meeting between Sydney Buses and Council officers.

2. The addition of Clause 7 to read as follows:

   7. The location of a new 30 m long ‘Bus Zone’ to be implemented after completion of the works is to be determined by the on-site meeting.

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

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**TC.29/14**

21 Thompson Street, Tamarama – Construction Vehicle and Pedestrian Plan of Management and Construction Zone (DA-494/2011)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley about a Construction Vehicle and Pedestrian Plan of Management for the development site at 21 Thompson Street, Tamarama.

**Council Officer’s Proposal:** That Council:

1. Approves the Construction Vehicle Plan of Management, dated July 2014, (Revision E), submitted for DA-494/2011 at 21 Thompson Street, Tamarama, subject to the following conditions:

   a) The application for a Construction Certificate shall be taken as accepting these conditions of approval.

   b) Occupants of neighbouring properties shall be advised of the demolition, excavation and construction activities.
c) Vehicular and pedestrian access to neighbouring properties shall be maintained continuously.

d) No materials shall be placed, dumped or left on any Council road or footpath area at any time.

e) The footpath outside the site shall remain in a safe condition for the use of pedestrians at all times.

f) Removed or damaged street furniture - including parking signs, ticket machines or street trees - shall be replaced immediately.

g) All vehicles, plant and equipment shall to be operated in accordance with the [NSW] Road Rules 2008.

h) During the Sculpture by the Sea Special Event period there shall be:
   ▪ no truck access to the site,
   ▪ no closure of any roads or footpaths, and
   ▪ no use of concrete pumps.

i) Truck access to the site shall be via Syd Einfeld Drive, then Bondi Road, then Council Street, then Birrell Street, then Alfred Street, then Hewlett Street, then Mirimar Avenue, and then Thompson Street.

j) Under no circumstances shall trucks use Murray Street, Cross Street, Darling Street, Tamarama Marine Drive, or Thompson Street road closure to access the site.

k) Trucks, on arriving at the site, shall enter the site or the approved ‘Construction Zone’ immediately. Trucks not able to enter the site immediately shall wait remote from the site and enter the street only when the area is clear for access. The applicant shall co-ordinate truck movements with other nearby building activities.

l) Truck egress from the site shall be via Thompson Street, then Mirimar Avenue, then Hewlett Street, then Alfred Street, then Birrell Street, then Bennett Street, then Bondi Road, and then Syd Einfeld Drive.

m) There shall be no blockage to through traffic on Thompson Street or Mirimar Avenue, other than for short periods of time when manoeuvring vehicles into and out of the site or the approved ‘Construction Zone’.

n) All traffic and pedestrian control shall be in accordance with the RMS’s Traffic Control at Work Sites manual.

o) No barricades or delineators – including bollards, witches hats, etc – shall be placed in the kerbside parking lane without the prior approval of Council.

p) Separate approval is required from the Waverley Traffic Committee, Waverley Council, NSW Police Force and Roads and Maritime Service of NSW before any roads are closed to through traffic.

q) Separate approval is required from Waverley Council for:
the use of any concrete pump, crane or hoist over a footpath, and
the erection of a hoarding.

2. Installs a 15 m long ‘No Parking 7am-5pm Mon-Fri 8am-3pm Sat Council Authorised Vehicles Excepted’ zone in Thompson Street, across the frontage of 21 Thompson Street, Tamarama for a period of 13 weeks.

3. Installs a 12 m long ‘No Stopping 7am-5pm Mon-Fri’ zone in Thompson Street, opposite 21 Thompson Street Tamarama, for a period of 4 weeks, during Site Establishment phase. This zone shall not be in place during the Sculpture by the Sea Special Event period.

4. Installs an 18 m long ‘No Stopping 7am-5pm Mon-Fri’ zone in Thompson Street, outside 2 Miramar Avenue, Tamarama for a period of 4 weeks during Site Establishment phase. This zone shall not be in place during the Sculpture by the Sea Special Event period.

5. Delegates authority to the Executive Manager, Creating Waverley to extend the periods as required.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported subject to the following changes:

1. Clause 3 is amended to read as follows:

   3. Reviews the need for a 12 m long ‘No Stopping 7am-5pm Mon-Fri’ zone in Thompson Street, opposite 21 Thompson Street, Tamarama and delegates authority to the Executive Manager, Creating Waverley to action, on complaint, if necessary.

2. The deletion of Clause 4.

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

A Topping (Project Director, Built) and A Moras (Site Manager, Built) addressed the meeting.

TC.30/14
Bronte Cutting, Bronte – Area Parking Control Sign (A03/1214)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley about adjusting the area parking control sign in Bronte Cutting, Bronte.

Council Officer’s Proposal: That Council removes the existing ‘Bronte Beach Parking Area, P Ticket 9am-6pm May-Sep, 9am-8pm Oct-Apr, Except As Signed’ sign in Bronte Cutting, Bronte and replaces it with the single ‘Bronte Beach Parking Area, P Ticket 7am-12Midnight Except As Signed’ sign shown in Figures 3A & 3B, attached.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported subject to it being amended to read as follows:
That Council removes the existing ‘Bronte Beach Parking Area, P Ticket 9am-6pm May–Sep, 9am-8pm Oct-Apr, Except As Signed’ sign in Bronte Cutting, Bronte and replaces it with the single ‘Bronte Beach Parking Area, P Ticket 9am-6pm May–Sep, 9am-8pm Oct-Apr, Except As Signed’ sign shown in Figures 3A & 3B, attached.

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

TV STATE ELECTORATE OF VAUCLUSE

TV.34/14
Oceanview Avenue, Dover Heights – No Parking (A02/0637-02)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley regarding the installation of a ‘No Parking’ zone in Oceanview Avenue, Dover Heights.

Council Officer’s Proposal: That Council installs ‘No Parking’ at the eastern end of Oceanview Avenue, Dover Heights, as shown in Attachment 1.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported.

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

TV.35/14
Clarke Street and Jensen Avenue, Vaucluse – No Parking (A02/0637-02)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley regarding the installation of ‘No Parking’ zones in Clarke Street and Jensen Avenue, Vaucluse.

Council Officer’s Proposal: That Council:

1. Changes the existing ‘No Stopping 6am-9am Mon’ zone on the inside of the bend at Clarke Street and Jensen Avenue, Vaucluse to a full-time ‘No Parking’ zone.

2. Installs ‘No Parking’ across the driveway to Clarke Reserve, on the northern side of Clarke Street, Vaucluse.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported subject to clause 1 being amended to read as follows:

1. Changes the existing ‘No Stopping 6am-9am Mon’ zone on the inside of the bend at Clarke Street and Jensen Avenue, Vaucluse to a full-time ‘No Stopping’ zone.

Voting members present for this item: Representative of the Member for Vaucluse, NSW Police representative, RMS representative and Waverley Council representative (Chair).
Bon Accord Avenue, Bondi Junction – Temporary Road Closure (A02/0216)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley about application for a temporary closure of Bon Accord Avenue, Bondi Junction, to hold the annual High Holydays event.

Council Officer’s Proposal: That Council approves the closure of Bon Accord Avenue, Bondi Junction, as per the attached Transport Management Plan (TMP), subject to the following conditions:

1. Closures are to take place during the following periods:
   - Thursday, 25 September 2014 8.30am – 1.45pm
   - Friday, 26 September 2014 8.30am – 1.45pm
   - Friday, 3 October 2014 4.30pm – 10.15pm
   - Saturday, 4 October 2014 8.30am – 8.00pm.

2. The Event Organiser shall:
   - provide public Liability Insurance for the event,
   - obtain NSW Police Force approval,
   - cover all costs associated with Traffic Control.

3. The Council shall:
   - consider all other impacts on the surrounding environment and issue a Schedule of Conditions, with additional conditions to be placed by the NSW Police Force and RMS,
   - submit a RMS TMP to the RMS for approval by the TMC,
   - notify the NSW Ambulance Service and NSW Fire & Rescue (Bondi, Woollahra & Randwick Fire Stations) seven days prior to the event,
   - notify local residents and businesses seven days prior to the event, and
   - only use RMS-accredited Traffic Controllers.

4. The Executive Manager, Creating Waverley and their representative(s) are delegated authority to:
   - inspect the TMP,
   - audit the implementation of the TMP, and
   - cancel this approval, without notice or refund.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported.

Voting members present for this item: Representative of the Member for Vaucluse, NSW Police representative, RMS representative and Waverley Council representative (Chair).
TV.37/14
Cadigal Place, Dover Heights – Stop Sign (A02/0042)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley about the installation of a Stop sign and linemarking in Cadigal Place at Military Road, Dover Heights.

Council Officer’s Proposal: That Council installs a ‘Stop’ sign and associated linemarking in Cadigal Place, Dover Heights.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported.

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

TCV ELECTORATES OF COOGEE AND VAUCLUSE

TCV.10/14
Queens Park Road at Manning Street, Queens Park; Murriverie Road at Mitchell Street, North Bondi – Installation of No Stopping (A02/0637-02)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley about installing ‘No Stopping’ zones to improve sight distance and manoeuvrability at the intersections of Queens Park Road at Manning Street, Queens Park; Murriverie Road at Mitchell Street, North Bondi.

Council Officer’s Proposal: That Council installs 10 m of ‘No Stopping’ at:

1. Queens Park Road at Manning Street, Queens Park:
   a) on the northern side of Queens Park Road, east of Manning Street,
   b) on the eastern side of Manning Street, north of Queens Park Road, and
   c) on the western side of Manning Street, north of Queens Park Road.
2. Murriverie Road at Mitchell Street, North Bondi:
   a) southern side of Murriverie Road, west of Mitchell Street, and
   b) northern side of Murriverie Road, west of Hardy Street.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported subject to being amended to read as follows:

That Council:

1. Installs 10 m of ‘No Stopping’ and/or unbroken yellow edge markings, subject to the outcome of discussion with the RMS at Queens Park Road at Manning Street, Queens Park:
a. on the northern side of Queens Park Road, east of Manning Street,

b. on the eastern side of Manning Street, north of Queens Park Road, and

c. on the western side of Manning Street, north of Queens Park Road.

2. Installs 10 m of ‘No Stopping’ at Murriverie Road at Mitchell Street, North Bondi:

   a. southern side of Murriverie Road, west of Mitchell Street, or

   b. northern side of Murriverie Road, west of Hardy Street.

3. Notes a signage review is being undertaken but that requests for all signs will continue to be assessed and recommended to the Waverley Traffic Committee.

4. Reports back to the Waverley Traffic Committee only if it is recommended that unbroken yellow edge markings in clause 1 above be installed, in regard to the intersection of Queens Park Road and Manning Street, Queens Park.

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

TCV.11/14
Sir Thomas Mitchell Road, Bondi Beach; Stephen Street, Bondi; and Penkivil Street, Bondi – ‘P Motor Bikes Only’ Zones (A02/0637-2)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley regarding the installation of ‘P Motor Bikes Only’ zones in Sir Thomas Mitchell Road, Bondi Beach, Stephen Street, Bondi and Penkivil Street, Bondi

Council Officer’s Proposal: That Council:

1. Installs 3.5 m of ‘P Motor Bikes Only’ between the driveways of 48 and 50 Sir Thomas Mitchell Road, Bondi Beach.

2. Installs 3 m of ‘P Motor Bikes Only’ west to the driveway of 9 Stephen Street, Bondi.

3. Installs 3.5m of ‘P Motor Bikes Only’ between the driveways of 71 and 73-79 Penkivil Street, Bondi.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported.

Voting members present for this item: Representative of the Member for Vaucluse also representing the Member for Coogee, NSW Police representative, RMS representative and Waverley Council representative (Chair).
TCV.12/14
Macpherson Street, Bronte; Curlewis Street, Bondi Beach; Dudley Street, Bondi – ‘P Disability Only’ Zones (A02/0273-02)

Report dated 14 July 2014 from the Executive Manager, Creating Waverley about the provision of ‘P Disability Only’ zones in Macpherson Street, Bronte, Curlewis Street, Bondi Beach and Dudley Street, Bondi.

Council Officer’s Proposal: That Council:

1. Installs 5.5 m of ‘P Disability Only’ in Macpherson Street, west to the existing ‘No Parking’ zone, outside 157 Macpherson Street, Bronte.
2. Installs 6 m of ‘P Disability Only’ in Curlewis Street, outside 71 Curlewis Street, Bondi Beach.
3. Removes the existing ‘P Disability Only’ zone outside 26 Dudley Street, Bondi.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported.

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

TL
ITEMS WITHOUT NOTICE

TL.8/14
Leichhardt Street, Bronte – Bus Zone (A02/0225)

Report dated 24 July 2014 from the Acting Executive Manager, Creating Waverley about the relocation of a ‘Bus Zone’ in Leichhardt Street, Bronte.

Council Officer’s Proposal: That Council:

1. Relocates the existing ‘Bus Zone’, located on the western side of Leichhardt Street, Bronte, north of Leichhardt Lane, to the northern side of the pedestrian crossing, as shown in Figure 3, attached, to be trialled for one school term.
2. On completion of the trial, reports the results back to the Waverley Traffic Committee.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported.

Voting members present for this item: Representative of the Member for Coogee, NSW Police representative, RMS representative and Waverley Council representative (Chair).
TL.9/14
Alfred Street at Belgrave Street, Bronte – Installation of No Stopping (A02/0637- 02)

Report dated 16 July 2014 from the Executive Manager, Creating Waverley about installing ‘No Stopping’ zones to improve sight distance and manoeuvrability at the intersections of Alfred Street and Belgrave Street.

Council Officer’s Proposal: That Council installs 10 m of ‘No Stopping’ at:

1. Alfred Street and Belgrave Street, Bronte:
   a) on the northern side of Belgrave Street, west of Alfred Street,
   b) on the southern side of Belgrave Street, west of Alfred Street,
   c) on the western side of Alfred Street, north of Belgrave Street, and
   d) on the western side of Alfred Street, south of Belgrave Street.

WTC RECOMMENDATION (UNANIMOUS SUPPORT): That the Council Officer’s proposal be supported subject to the following changes:

That Council:

1. Installs 10 m of ‘No Stopping’ and/or unbroken yellow edge markings, subject to the outcome of discussion with the RMS, at the intersection of Alfred Street and Belgrave Street, Bronte:
   a) on the northern side of Belgrave Street, west of Alfred Street,
   b) on the southern side of Belgrave Street, west of Alfred Street,
   c) on the western side of Alfred Street, north of Belgrave Street, and
   d) on the western side of Alfred Street, south of Belgrave Street.

2. Reports back to the Waverley Traffic Committee only if it is recommended that unbroken yellow edge markings be installed.

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

THE MEETING CLOSED AT 11.37AM

SIGNED AND CONFIRMED MAYOR
19 AUGUST 2014
Leichhardt Street, Bronte – Bus Zone (A02/0225)

Report dated 24 July 2014 from the Acting Executive Manager, Creating Waverley about the relocation of a ‘Bus Zone’ in Leichhardt Street, Bronte.

Council Officer’s Proposal: That Council:

1. Relocates the existing ‘Bus Zone’, located on the western side of Leichhardt Street, Bronte, north of Leichhardt Lane, to the northern side of the pedestrian crossing, as shown in Figure 3, attached, to be trialled for one school term.

2. On completion of the trial, reports the results back to the Waverley Traffic Committee.

Purpose of Report

Council officers have previously been in discussion with St Catherine’s School and Sydney Buses regarding the relocation of the existing ‘Bus Zone’, currently situated on the western side of Leichhardt Street, north of Macpherson Street, Bronte. Council will need to exercise its delegated functions to implement the proposal.

Introduction

There was a pre-existing 36.4 m long ‘Bus Zone’ located on the western side of Leichhardt Street, north of Macpherson Street, as shown in Figure 1, attached. The matter of relocating the ‘Bus Zone’ was referred to the Waverley Traffic Committee meeting held on 27 March 2014. Subsequently, Council resolved:

That Council relocate the existing ‘Bus Zone’, located on the western side of Leichhardt Street, north of Macpherson Street, Bronte on a trial basis during term 2 of the School.

The ‘Bus Zone’ was relocated north of Leichhardt Lane, south of the pedestrian crossing, as shown in Figure 2, attached. This was intended to discourage parents, dropping-off and picking-up students from the existing pick-up/drop-off zone located north of the pedestrian crossing, from queuing in the ‘Bus Zone’. It is understood that Sydney Buses and St Catherine’s School were in favour of the changes.

Technical Analysis

Council officers have inspected the site with representatives of NSW Police Force and Sydney Buses. It was noted that:

- drivers that are queuing to enter the drop-off/pick-up zone continue to the queue in the ‘Bus Zone’,
- some southbound vehicles are undertaking U-turn manoeuvres just south of the pedestrian crossing to enter the drop-off/pick-up zone,

Therefore, it seems that the trial relocation has not met its intentions.

Sydney Buses and NSW Police Force have requested that the Bus Zone again be relocated, on a trial basis, north of the pedestrian crossing. This would situate the current drop-off/pick-up zone to south of the pedestrian crossing, where the ‘Bus Zone’ is currently located.

St Catherine’s School is supportive of a single term trial.
Guidelines used:
- Transport Administration Act 1988
- RMS’s Delegation to Councils; Regulation of Traffic
- RMS’s Signs Database

Financial Information for Council's Consideration
If changes to signs are approved, the Roads and Maritime Service of NSW will be requested to undertake the installation of the signs, at their cost.

Geoff Garnsey
Acting Executive Manager, Creating Waverley

Author: Greg Holding, Senior Traffic Engineer
Figure 2  Leichhardt Street - Current conditions
LATE REPORT TO WAVERLEY TRAFFIC COMMITTEE

Alfred Street at Belgrave Street, Bronte – Installation of No Stopping (A02/0637-02)

Report dated 16 July 2014 from the Executive Manager, Creating Waverley about installing 'No Stopping' zones to improve sight distance and manoeuvrability at the intersections of Alfred Street and Belgrave Street.

Council Officer’s Proposal: That Council installs 10 m of 'No Stopping' at:

1. Alfred Street at Belgrave Street, Bronte
   a) on the northern side of Belgrave Street, west of Alfred Street,
   b) on the southern side of Belgrave Street, west of Alfred Street,
   c) on the western side of Alfred Street, north of Belgrave Street, and
   d) on the western side of Alfred Street, south of Belgrave Street.

Purpose of Report

Council has received representation from local residents requesting consideration be given to improving the sight distance and manoeuvrability for vehicles at the following intersections:

1. Alfred Street at Belgrave Street, Bronte.

Council will need to exercise its delegated functions to implement the proposal.

Introduction

Residents have reported that sight distance and manoeuvrability is restricted by vehicles parked close to these intersections.

Council recently resolved to undertake a review of signage throughout the Waverley LGA. With the exception of these proposals, Council officers will avoid recommending the installation of parking signs that are already covered under the [NSW] Road Rules 2008, until a policy is adopted by Council. This will affect:

- 10 m of 'No Stopping' at intersections without Traffic Signals (Rule 170),
- 'Bus Zone' signs at existing Bus Stops (Rule 195),
- 'P Motor Bikes Only' zones in between driveways (Rule 198), and
- 'No Parking' zones across driveways (Rule 198).
Technical Analysis

1. **Alfred Street at Belgrave Street, Bronte**

There are no signposted parking restrictions on the:

- northern side of Belgrave Street, west of Alfred Street,
- southern side of Belgrave Street, west of Alfred Street,
- western side of Alfred Street, north of Belgrave Street, and
- western side of Alfred Street, south of Belgrave Street.

A number of inspections have taken place during the day revealing that vehicles are often parked within 10 m of the intersection, where there are no signposted parking restrictions. Vehicles parked illegally at these locations significantly reduce driver sight distances. Therefore, as compliance is an issue at this location, it is recommended that the legislative requirements be signposted. This will not result in a net loss of legal on-street parking spaces.

![Aerial photograph of the intersection of Alfred Street and Belgrave Street, Bronte](image)

*Figure 1 Aerial photograph of the intersection of Alfred Street and Belgrave Street, Bronte*
Legislative Requirements

Under the [NSW] Road Rules 2008:

“A driver must not stop on a road within 10 metres from the nearest point of an intersecting road at an intersection without traffic lights, unless the driver stops … at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these Rules …”.

Therefore, vehicles parked at these locations may be infringed without the installation of additional signage. However, the RMS’s Technical Direction TDT 2002/12 Stopping and Parking Restrictions at intersections and Crossings addresses the installation of ‘No Stopping’ and ‘No Parking’ signs at intersections and states:

“It is not intended that signs be installed at all locations. Where signs are not installed the legislative restrictions will apply. Generally signposting of restrictions covered by legislative requirements is only required where there is adjoining signposting or compliance is an issue. However, signposting adjacent to children’s crossings, pedestrian crossings and marked footcrossings should always occur. The relevant road authority is to determine where NO STOPPING and NO PARKING signs are to be erected.

Existing signs, with the exception of NO STANDING signs (see Technical Direction No 99/21), are not to be removed or replaced until required under maintenance. Where the post is required to be replaced, the sign should be relocated to the new location as specified in this Technical Direction.”

Guidelines used:
- Transport Administration Act 1988
- RMS’s Delegation to Councils; Regulation of Traffic
- RMS’s Signs Database
- [NSW] Road Rules 2008
- RMS’s TDT 2002/12.

Financial Information for Council’s Consideration

If changes to signs and/or linemarking are approved, the RMS will be requested to undertake supply and installation at their cost.

Dan Joannides
Executive Manager, Creating Waverley

Author: Qian Liu – Traffic Engineer
Obituaries
No. OB.6/14

Subject: Obituaries – August 2014
Trim File No.: A02/0017
Author: Michael Simmons – Governance & Integrated Planning Officer

Sister Philomene Tiernan and all those who lost their loves in the Malaysian Airlines flight MH17 tragedy.

The Mayor will ask for any other obituaries.

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

Recommendation:

That a letter of sympathy be forwarded to the families of the deceased named expressing the condolences of the Mayor, Councillors and staff in the bereavement they have experienced.

1. Executive Summary

Council acknowledges the passing of persons in the Obituaries Section of the Council agenda.

2. Introduction/Background

Council has traditionally acknowledged the passing of long-standing or prominent residents who have lived in or have a connection to the Waverley Local Government Area. The custom has been to include the names of the deceased on the Council agenda and by also raising the names of a deceased person at the Council meeting. Councillors may at times speak about the deceased and their achievements at the meeting.

By way of a minute’s silence Council remembers the deceased named and the souls of people generally who have died in our Local Government Area.
Report Requiring Determination
No. CRD.52/14

Subject: Environmental Sustainability Advisory Committee Responses to Expression of Interest (EOI)

Trim File No.: A10/0022

Author: Sam McGuinness, Senior Environment Officer

Recommendation:

That Council endorses the nomination of the following five community members to the Environmental Sustainability Advisory Committee (ESAC) for a period of two years:

- Tom O’Sullivan
- Mike Harris
- Carlo Di Giulio
- Sally Kennedy-Hunt
- Jose Alberto Hernandez

1. Executive Summary

The 17 June 2014, Council meeting resolved to seek four local sustainability practitioners to be the community representatives on ESAC through an EOI process. Five responses were received by the closing date. Following an evaluation of the applications, this report proposes that Council endorse all five applicants to join the Committee.

2. Introduction/Background

The ESAC Committee is to have its first meeting with new members in September. There will be three meetings each year. In June, Council endorsed four Councillors as members of ESAC until the Mayoral election in September 2014:

- Mayor Cr Sally Betts (or her alternative),
- Cr Leon Goltsman (Chair),
- Cr Tony Kay (Alternate Chair), and
- Cr Ingrid Strewe

The community representatives of ESAC will have a membership for two years.

At the June Council meeting a draft agenda was proposed. This will be presented and discussed at the September meeting. The topic of the September meeting will be on waste and litter management.
3. Discussion

Five expressions of Interest were received from the following individuals.

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Link with Waverley</th>
<th>Expertise</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Tom O’Sullivan</td>
<td>• Previous ESAC member (2010-11)</td>
<td>• Ecological consultant specialising in NSW vegetation types including coastal forest and shrublands.</td>
</tr>
<tr>
<td></td>
<td>• Has conducted ecological surveys in the area</td>
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<tr>
<td>2. Mike Harris</td>
<td>• Local resident</td>
<td>• Landscape architect and urban designer specialising in sustainable transport.</td>
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<td></td>
<td>• Participated in a number of projects in the Waverley LGA</td>
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<tr>
<td>3. Carlo Di Giulio</td>
<td>• Local Resident</td>
<td>• Planning &amp; urban design including the integration of sustainability initiatives. Preparation of Statements of Environmental Effects (SEE)</td>
</tr>
<tr>
<td></td>
<td>• BJ Precinct Member</td>
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<tr>
<td>4. Sally Kennedy -Hunt</td>
<td>• Local resident</td>
<td>• Primary school educator specialising in sustainability</td>
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<td></td>
<td>• Member of the Eastern Suburbs Sustainable Schools Network</td>
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</tr>
<tr>
<td>5. Dr Jose Alberto Hernandez</td>
<td>• Local resident</td>
<td>• Academic researcher specialising in sustainability and energy policy</td>
</tr>
</tbody>
</table>

The respondents provide a broad range of expertise. Although the June 2014 report endorsed four community members, there would be significant benefit in all of the respondents being endorsed as members. Their breadth of experience and expertise would provide the Committee with a greater insight for Council to meet the targets of the Environmental Action Plan (EAP).

4. Conclusion

The first ESAC meeting is to be held in September 2014. Following the endorsement community members, invitations will be sent out to Councillors and community members for their attendance.

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

The relationship to Waverley Together 3 is as follows:
Direction: Waverley Together 3, E1-E7, Sustainable Environment

6. Timeframe

The first meeting of ESAC will be held in September 2014.

7. Attachments

Nil.
Report Requiring Determination
No. CRD.53/14

Subject: West Oxford Street Precinct Plan
Trim File No.: A13/0636
Author: George Bramis, Executive Manager Shaping Waverley, Valerie Giammarco, Coordinator - Urban Design & Heritage and Sascha Martin, Strategic Planner (Urban Design) under the Directorship of Peter Monks, Director of Waverley Futures Program

Recommendation: That Council:

1. Endorses the “Draft West Oxford Street Design Charette Summary Report and Recommendations” as attached at Attachment A for public exhibition for a period of two months commencing on 20 August 2014.

2. Notes that following the public exhibition period, a further report will be prepared for Council:
   a) Summarising the consultation process and key feedback,
   b) Recommending revisions to the report if required; and
   c) Recommending adoption of the “Final West Oxford Street Design Charette Summary Report and Recommendations”.

1. Executive Summary

The West Oxford Street Precinct Plan is a project focusing on the western end of Oxford Street, Bondi Junction. The aim of the project is to generate ideas for the longer term redevelopment of the area into a precinct that provides a fitting threshold to Bondi Junction, with better connections to adjacent areas, and a better place for the community to live, work, shop and enjoy.

Using the design charette process, concepts for the area were developed by three multi-disciplinary design teams to enable Council and the community to visualise ideas and opportunities for the precinct. The NSW Government Architect’s Office (GAO) was engaged to facilitate the design charette process, evaluate the proposals and make recommendations for the purpose of public exhibition and community consultation.

Extensive community, government agency and internal engagement has occurred throughout the process to inform the many and varied ideas emanating from the designers partaking in the design charette process. Elton Consulting have produced a comprehensive report covering the community consultation up to the time of this report. Council’s Communications team have prepared a Communications and Engagement Strategy for the public exhibition phase.

The project has also been undertaken within the suite of projects occurring as part of Bondi Junction 2030 Strategic Vision.
2. **Introduction/Background**

![Aerial plan showing Study area (denoted in colour) and the LGA boundaries separating Waverley Local Government Area (LGA), Randwick LGA and Woollahra LGA.](image)

The decision to prepare the West Oxford Street Precinct Plan was made by Council in December 2013. Since this time Council has been working with the community and the Government Architect’s Office to generate ideas and develop a comprehensive strategic plan that best benefits the area, and that also considers the precinct in a holistic and strategic way.

The charettes were coupled with invited government agency and resident meetings and a detailed community engagement strategy. Due to the prominence of the site and many interested community members, community engagement specialists Elton’s Consulting were engaged in February 2014 to facilitate the process and this was reported to Council at its meeting on 18 February 2014.

This report contains a summary of the Draft West Oxford Street Design Charette Summary Report and Recommendations as prepared by the GAO and outlines the government agency involvement and input from residents and the community to date.

It should be noted that the ideas generated by the design teams are the intellectual property of the designers and therefore would be inappropriate to alter any of their schemes. Ideas should be available to the public without limitations being imposed.

The most relevant Council Resolutions relating to the project are listed below:

**Previous Council Resolutions**

<table>
<thead>
<tr>
<th>Council or Committee Meeting &amp; Date</th>
<th>Resolution No.</th>
<th>Resolution</th>
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</table>
| 10 December 2013                   | 1312.12.8      | That Council:  
1. Receive and note this report.  
2. Agree to prepare the West Oxford Street Precinct Plan as outlined in this report.  
3. Engage the Government Architect’s Office to assist in facilitating the process, including using a Design Charette with invited stakeholders. |
3. Discussion

3.1 Design Charettes

The design charettes were held over a 3 week period where designers worked intensively at a fast pace to produce high level imaginative ideas for the area. Council invited 11 firms to submit an Expression of Interest to participate in the design charettes. Five submissions were received and three teams selected. The three teams were multidisciplinary professionals with expertise in architecture, urban design, landscape architecture and public art. For the course of the charettes each team was designated a team colour. Team members were as follows:

- James Mather Delaney Design Pty Ltd (Landscape Architects), Archrival (Architecture and Public Art), John O’Callaghan (Urban Design and Place Maker)

The objectives of the three charettes were:

1 May: Design Charette no.1
- team briefing
- establish design principles
- define project approach

13 May: Design Charette no.2
- establish a vision and design principles for the precinct
- establish a built form and public domain concept for the precinct
22 May: Design Charette no.3
- presentation of preliminary design response and design review
- final design concepts and articulated vision

The three teams each developed a range of opportunities and ideas that they considered would improve the character, operation, identity and urban amenity of the West Oxford Street area. Through this process the teams collectively drew out a compelling narrative that defines West Oxford Street and provided a vision for the future. Each team incorporated the views of the residents, community and government agencies in the exploration of ideas for the Precinct. Ideas and opportunities for the precinct’s future which enable connectivity, vitality, activation and amenity were realised and communicated through drawings and verbal presentation. See Attachment A for each teams display panels and presentations.

3.2 Summary Report and Recommendations

The three design concepts resulting from the charette process have been collated, evaluated and summarised by the GAO into one report. See Attachment A.

The GAO have prepared a summary report and recommendations for the West Oxford Street Design Charettes. Key ideas have been categorised into themes (traffic/ public domain/ art culture and heritage/ built form) and ranked into short medium and long term strategies, together with supporting actions to facilitate their implementation.

While there were common themes across all three proposals, particularly in relation to the public domain, there were key areas where the teams’ thinking diverged - most notably in terms of street network, built form and proposals for the bus depot.

To guide the assessment of these alternatives into a clear urban strategy, a series of principles were developed. These were broadly grouped into:

- **An improved public domain**: expansion, improved amenity, managed conflict of uses, permeability and connectivity and opportunities for innovative uses.
- **Simple and rational circulation**: reduced road area, improved road character, improved operation and well managed interface arterial / local interface.
- **A memorable identity and image** that amplifies a ‘sense of place’ and community spirit, clear threshold to Bondi Junction and Waverley, historic character.
- **Implementable**: practical and feasible, immediate improvement, potential to leverage benefits for Study area, minimal disruption.

**Recommendation summary:**

Based on the principles the report then recommends the following priorities:

<table>
<thead>
<tr>
<th>Priority</th>
<th>Recommendation</th>
<th>Description</th>
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<tbody>
<tr>
<td>Short Term:</td>
<td>Public Domain</td>
<td>• Upgrades and Street tree planting to footpaths on Oxford Street.</td>
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<td>Recommendations which should be</td>
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<td>• Create Nelson Street shared zone (in conjunction with new roundabout)</td>
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<td>undertaken within the next 10</td>
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<td>• Supporting actions: site investigations such as surveys and underground</td>
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<tr>
<td>years.</td>
<td></td>
<td>services.</td>
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<td></td>
<td></td>
<td>• In consultation with RMS, prepare a Tree Planting Strategy for the edges</td>
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<td></td>
<td></td>
<td>and median of Syd Einfeld Drive.</td>
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<tr>
<td>Traffic Investigations</td>
<td>In consultation with</td>
<td>Roads and Maritime</td>
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<td>Services (RMS) test the feasibility of:</td>
<td>Traffic changes In consultation with RMS and, subject to above investigations;</td>
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<td>----------------------------------------</td>
<td>----------------------------------------------------</td>
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<tr>
<td>• a new roundabout to link Syd Einfeld Drive and Grafton Street.</td>
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<tr>
<td>• extending Oxford Street to a single 4-way intersection with Ocean Street and Syd Einfeld Drive.</td>
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<td>• changes to bus depot access</td>
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<th>In consultation with Sydney Buses and Transport for NSW (TfNSW) investigate feasibility of:</th>
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<td>• relocating some or all bus movements to/from the depot via York Road.</td>
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<td>• improving the presentation of the depot’s Oxford Street frontage for bus depot operational and administrative uses or alternative community uses.</td>
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<th>In consultation with Sydney Water and Centennial Parklands and Moore Park Trust (CPMPT) investigate:</th>
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<td>• opportunities to setback brick wall on northern edge of reservoir for footpath widening.</td>
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<td>• Interim opportunities for public art on northern frontage of reservoir.</td>
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<tbody>
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<td>• Combining the traffic island and part of York Road (between Oxford and Syd Einfeld Drive) into a single site.</td>
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<td>• Consolidating residual land at edge of Syd Einfeld Drive with adjacent sites.</td>
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<td>• Test feasibility of the new site for alternative uses including community, residential, commercial and public open space.</td>
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<tr>
<th>Waverley Local Environmental Plan (LEP) and Development Control Plan (DCP)</th>
<th>Adjustments to controls to provide for:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• a continuous 6 storey edge along Oxford Street with small footprint development up to 9 stories along the Syd Einfeld Drive frontage to a maximum depth of 30m</td>
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</tr>
<tr>
<td>• 4 storey Oxford Street edge east of St James Rd to the South side of Mill Hill Road.</td>
<td></td>
</tr>
<tr>
<td>• development up to 6 stories development with up to 4 stories and bus access beneath on bus depot for a maximum depth of 20m along Oxford Street edge (subject to</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Waverley Local Environmental Plan (LEP) and Development Control Plan (DCP)</th>
<th>Adjustments to controls to provide for:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• a continuous 6 storey edge along Oxford Street with small footprint development up to 9 stories along the Syd Einfeld Drive frontage to a maximum depth of 30m</td>
<td></td>
</tr>
<tr>
<td>• 4 storey Oxford Street edge east of St James Rd to the South side of Mill Hill Road.</td>
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</tr>
<tr>
<td>• development up to 6 stories development with up to 4 stories and bus access beneath on bus depot for a maximum depth of 20m along Oxford Street edge (subject to</td>
<td></td>
</tr>
</tbody>
</table>
| Medium Term: actions which could be undertaken within next 10 to 20 years | Public domain works including: | • In consultation with RMS, reposition and widen the Syd Einfeld Drive footbridge to improve pedestrian connections to Woollahra.
• In conjunction with redevelopment along northern side of Oxford Street provide for;
  - setbacks
  - through site links
  - under-awning lighting to Oxford Street
• Tree planting to Syd Einfeld Drive (subject to discussions with RMS). |
<table>
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</thead>
<tbody>
<tr>
<td>Centennial Parklands:</td>
<td>• In consultation with CPMPT, provide new entry to Centennial Parklands at corner of York Rd and Oxford Street</td>
<td></td>
</tr>
</tbody>
</table>
| Traffic changes: subject to earlier investigations, progress the following infrastructure changes: | • closure of York Rd between Oxford Street and Syd Einfeld Drive.
• extend Oxford Street to create a single 4 way intersection with Syd Einfeld Drive and Ocean Street.
• increase width of Oxford Street corridor by 3-4m |
| RMS Land - in consultation with RMS, and subject to the outcomes of earlier investigations, progress the following: | • Consolidate the former traffic island and York Rd into a single key development site.
• Prepare develop controls for the site. |
| Public and community art: formulate development incentives to offset provision of cultural assets. | Bus Depot | In consultation with Sydney Buses and TfNSW |

- Varied FSR’s to modulate built form along Oxford St
- boundary setback to Oxford Street and various through site links and connections
- the block bounded by Nelson, Oxford and Syd Einfeld to be designated Key Sites
- Design Excellence provisions for Key sites
- Development and frontages to laneways / through site links

Develop policies and pilot projects for public and community art initiatives.

Develop policies and incentives to promote retail and local business diversity.
and subject to the outcomes of earlier investigations, progress the following:

- Relocate bus entry exit from Oxford Street to York Rd and relocate depot admin facilities to Oxford Street frontage.
- Improving the presentation of the depot’s Oxford Street frontage for bus depot operational and administrative uses or alternative community uses.

**Long Term: actions which could be undertaken within next 20 to 50 years**

| Public domain works including: | In the event that the reservoir becomes redundant and subject to the outcomes of consultation with Sydney Water and CMMPT investigate adaptive reuse of Woollahra Reservoir. | • upgrade pedestrian and cyclist access at each end of the Syd Einfeld Drive footbridge and upgrade the landing areas into pocket parks. |

3.31 Consultation to date

Extensive community, government agency and internal engagement have occurred throughout the process to date. Details of the consultation follow below.

Elton Consulting were commissioned to produce a comprehensive report covering the community consultation up to the time of this report. Refer to *Attachment B* to read the full Consultation Outcomes Report.

Council’s Communications team have prepared a Communications and Engagement Strategy for the forthcoming public exhibition phase. Refer to *Attachment C* to read the “West Oxford Street Communications and Engagement Strategy”.

3.32 Government Agency Consultation

Government agency meetings and a subsequent briefing supplemented the charrette process. The meetings held on 27 Feb 2014 introduced the project and gained initial feedback and relevant information. The briefing held on 14 May 2014 provided an overview of the issues and opportunities and conceptual designs. Agencies provided feedback in areas of key operational requirements, strategic visioning and design review.

The government agencies were also invited to attend the public briefing on 18 June 2014 so as to see the final ideas.

Agencies that participated included:

- Centennial Parklands and Moore Park Trust
- NSW Department of Planning and Environment
- NSW Roads and Maritime Services
**Community**

The consultation process for the West Oxford Street Precinct Plan was designed to identify community values for the area, consider this information as an input to the design ideas process and to comment on the draft ideas as they were being designed. As such, opportunity for community involvement preceded, was interspersed within and followed the charettes.

The community was notified of how to be involved in the events via project flyers distributed via letter box drop, posters, Council's dedicated West Oxford Street Precinct Plan webpage and by email invitation.

**March 8: Ideas in the Park – Community Drop in day**
There were approximately 200 people who participated in the ideas in the park community drop in day with 177 comments received.

**April 3: Ideas in the Library – Community Drop in day no. 2**
There were approximately 60 people who participated in the ideas in the library drop in day with 79 comments received.

From drop in sessions no. 1 and 2 respondents articulated that they value numerous aspects of the West Oxford Street precinct.

This includes:
- Access to shops cafes and amenities
- Proximity to Centennial Park and other open spaces
- The low rise ‘human scale’ and heritage character of the area
- Open and sunny feel strong sense of community
- Street life and local retail offering
- Proximity to public transport.

See Attachment B for detailed feedback.

**May 13: Concepts in the East League Club – Community Drop in no. 3**
There were approximately 49 people who participated in the concepts in the East Leagues Club with 42 surveys completed. At this session the community were able to view the design charette schemes as a work in progress and provide their feedback. The feedback was considered by the Charette teams and incorporated into their design schemes. A profile of changes can be seen in Attachment A.

In summary feedback on the draft concepts presented at the East League Club - drop in session indicated that the key issues for the community are:
- Traffic, access and parking
- Preference to any future development to be low rise within the height limits in the Local Environment Plan (LEP)
- Concern for the development of bus depot site and impact on neighbourhood
- Preserve heritage
- community purpose (eg. sporting, childcare, public space)

**June 18: Public Briefing**

There were approximately 120 participants who attended the public briefing. The purpose of the session was for the three charrette teams to present their development of ideas and design concepts. The session was facilitated by Elton consulting and included a presentation from the Director of Waverley Futures and the West Oxford Street Community Reference group. See attachment B for comments and questions from members of the community who participated in the session and responses from Council and charrette teams.

### 3.34 Community Reference Group

In addition to these methods, a Community Reference Group involving representatives of the West Oxford Street area was established and Council held meetings with this group on a number of occasions.

The Community Reference Group met four times and representatives made a presentation to the charrette teams on 1 May during the design charrette no.1 and again at the public briefing session on 18 June.

### 3.35 Submissions to Council

Council received 15 letter/email submissions including a petition signed by 119 residents and 4 accompanying letters from 21 residents expressing opposition to any development in the West Oxford Street Precinct that does not:
- comply with the existing LEP
- retain existing homes including some heritage homes along Grafton Street
- involve residents in the design charrette process.

There was an accompanying letter from 21 members of the community seeking:
- for the design charrette process to work within the existing 2012 LEP
- preservation of historic homes and amenity, including terraces in Leswell Street, historic homes in Grafton Street and the Mill Hill heritage area
- resident participation in the design charrette process.

See Attachment B for detailed feedback.

### 3.36 Business Survey and Intercept Survey

During the months of March and April, Council’s Business Liaison Coordinator visited 46 retailers within the study area to encourage businesses to have their say about the planning for the future of the area. From the 46 distributed surveys, 29 were returned (63% response rate).

In this time Council Officers also collected 58 intercept surveys collected randomly over three days at four locations within the Study area. Respondents included a mix of local residents and visitors to the West Oxford Street area. A profile of survey respondents is provided in Attachment B.

The key themes are summarised in section 3.33.
3.37 Councillor Workshop/ Briefings

Councillors attended two workshops held on 25 March and 19 May as well as a briefing session held on the 22 July. In addition to this Councillors had two private viewings including a short presentation from the three design charrette teams at the commencement of the concepts in the East Leagues Club Community drop in day on 13 May, and the Public Briefing session on the 18 June.

March 25: Councillor Workshop no. 1
At this workshop the GAO and the Director of Waverley Futures presented background analysis to the project and Councillors provided feedback on the existing character of the study area which was collated and given to the design charrette teams for consideration. Ideas included:
- maximising permeability.
- air space above Syd Einfeld Drive could be redeveloped.
- slip lane between Centennial Park and the traffic island could be removed.
- maintain heritage areas.
- incorporate a contemporary look and fell.
- on approach to Oxford Street incorporate a right hand turn from York Road.

May 19: Councillor Workshop no. 2
Design charrette teams presented the development of their schemes and Councillor feedback was integrated into design charrette no.3 held on 22 May. See Attachment A.

July 22: Councillor Briefing Session
At the Councillor briefing session the GAO presented a summary of the three consolidated schemes for the West Oxford Street Design Charettes. Key ideas were categorised into themes (traffic/ public domain/ art culture and heritage/ built form) for each scheme along with the principles for assessment, common themes and comparison. It was noted that the project was undertaken within the suite of projects occurring as part of Bondi Junction 2030.

3.38 Communications and Engagement Strategy

Council’s Communications Team has developed a strategy for the public exhibition phase of the project to continue engagement with residents, the community and government agencies.

The strategy aims to inform the community about the West Oxford Street Precinct Plan, including the draft design concepts and the proposed action plan, and to invite their feedback on the summary report and recommendations.

It is proposed that the Draft West Oxford Street Design Charette Summary Report and Recommendations would be placed on public exhibition for two months: 20 August – 24 October 2014.

Submission options would include:
- online submission tool - Have Your Say Waverley
- written submission via post to General Manager, PO Box 9, Bondi Junction
- via email to westoxford@waverley.nsw.gov.au
4 Conclusion

Improving the western end of Oxford Street in Bondi Junction is a key priority for Council. The project sits within the Bondi Junction 2030 suite of projects. The West Oxford Street Precinct Plan fulfils many aspects of the Bondi Junction 2030 draft visioning principles.

Extensive community, government agency and internal engagement has occurred throughout the process to inform the many and varied ideas emanating from the designers partaking in the design charrette process. Elton Consulting have produced a comprehensive report covering the community consultation up to the time of this report. Council’s Communications team have prepared an Engagement Strategy for the public exhibition phase.

The GAO have brought together the design charrette ideas in a succinct, easy to read report ready for public exhibition and further scrutiny by Councillors and government agencies. Releasing the Draft Design Charettes Summary Report and Recommendations for public exhibition would allow the community to provide considered feedback over a two month period.

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

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

The precinct plan is consistent with the following directions and Strategies, namely:

- "Strategy L1a - Reinforce Bondi Junction’s role as a regional centre with a mix of residential, retail, hospitality, business, commercial, professional services and entertainment activities."
- Direction L3 - "Waverley's public places and spaces look and feel good"
- Direction L4 - "The unique physical qualities and Strong sense of identity of Waverley's villages is respected and celebrated."
- "Strategy L4a - Use planning and heritage policies and controls to protect and improve the unique built environment."
- "Direction L5 - Buildings are well-designed, safe and accessible and the new is balanced with the old."
- "Strategy L5a - Ensure planning controls for new buildings and building upgrades deliver high quality urban design that is safe and accessible, in which heritage and open space is recognised, respected and protected."
- "Strategy L5d - Develop a vision for Bondi Junction which creates vibrant and accessible public places through high quality urban design and placemaking principles."
- "Direction L6 - Streets are safe and vibrant places which facilitate movement and interaction."
- "Strategy L6d - Create place-based centres which prioritise the pedestrian experience."
- Direction L7: "People frequently walk and ride their bikes, particularly for local trips"
- Direction L8 - "Improved quality, integration and increased frequency of public transport in Waverley."
- Direction C2 - "The community is welcoming and inclusive and people feel they are connected and belong."
- Direction C6 - "Arts and cultural activities foster an involved community and a creative environment."
- Direction E6 - "A network of parks and coastal reserves, Street trees and other plantings provides a habitat for a thriving local ecology."

Undertaking comprehensive community engagement is consistent with the following directions and Strategies, namely:

- "Direction G2 - Our community is actively engaged in well-informed decision processes."
• “Strategy G2a - Promote and require Strategic directions that are inclusive and reflect the views of the community.”
• “Strategy G2b - Provide opportunities in a variety of forums for all Stakeholders to contribute to community decision making.”
• “Strategy G2c - Promote and advocate communications that are targeted, accessible and clearly branded.”

6 Financial impact Statement/Timeframe/Consultation

Financial Impact
Expenditure to date: $127,000.30

Timeframe
19 August
Report to Council requesting endorsement to release the Draft West Oxford Street Design Charette Summary Report and Recommendations on public exhibition

20 August – October 20
Public exhibition period

9 December
Report to Council summarising the consultation process and key feedback, recommended revisions to the report if required and to adopt the plan.

2015 onwards
Further investigation into design ideas

Consultation
Refer to section 3

7 Attachments:

Attachment A: "West Oxford Street Design Charette Summary Report and Recommendations" 08.08.14 by Public Works, Government Architect’s Office - Issued Separately


Attachment C: "West Oxford Street Communications and Engagement Strategy - August 2014"
West Oxford Street: Communications and Engagement Strategy

August 2014

This communications and engagement strategy outlines the tools that Council will use to engage and talk to the community during the public exhibition phase of the West Oxford St Precinct Plan and next steps for the project.

Background

Improving the western end of Oxford Street in Bondi Junction is a key priority for Council, which is being addressed through the West Oxford Street Precinct Plan. Council has been working with the community and the Government Architect’s Office to generate ideas and develop a comprehensive strategic plan that best benefits the area, and that also considers the precinct in an holistic and strategic way.

Phase 1 of the project involved a series of activities to engage the community and key stakeholders on their ideas for the future of the area, including community drop-in sessions, online surveys and resident group meetings. The outcomes of these activities were used to inform the development of three design concepts for the area. These concepts were prepared in three design charettes involving independent teams of professionals and experts in the areas of urban design, landscape architecture, public art and architecture.

Phase 2 of the project will see the draft design concepts transformed into a tangible action plan for Council which will outline short, medium and long-term actions. This will be put to Council at its meeting in August for endorsement to be placed on public exhibition for a period of two months (20 August - 24 October), before a final action plan is adopted sometime late in 2014.

Waverley Together 3 Targets

- L3: Waverley's public places and spaces look and feel good
- L4: The unique physical qualities and strong sense of identity of Waverley’s villages is respected and celebrated.
- L6: Streets are safe and vibrant places which facilitate movement and interaction.
- L7: People frequently walk and ride their bikes, particularly for local trips
- L8: Improved quality, integration and increased frequency of public transport in Waverley.
- C2: The community is welcoming and inclusive and people feel they are connected and belong.
- C6: Arts and cultural activities foster an involved community and a creative environment.
- E6: A network of parks and coastal reserves, street trees and other plantings provides a habitat for a thriving local ecology.
- G2: Our community is actively engaged in well-informed decision processes.
West Oxford Street: Communications and Engagement Strategy

August 2014

Strategy aims

- Inform and engage the community about the West Oxford Street Precinct Plan, including the draft design concepts and the proposed action plan.
- Invite feedback on the proposed action plan for the West Oxford Street Precinct.
- Reiterate the key themes that came out of the ideas-gathering process.

Target audience

- Bondi Junction residents
- Local businesses
- Woollahra residents

Stakeholders

- Bondi Junction Precinct Committee
- Members of Parliament
- Councillors
- Roads and Maritime Services (RMS)
- Sydney Buses
- Transport specialists from Government departments
- Council staff
- Media
- Department of Planning and Infrastructure (DoPI)
- Transport Construction Authority
- Transport for NSW
- Neighbouring Councils
- Centennial and Moore Park Trust
- Elton Consulting
- Government Architect’s Office

Communications and engagement tools

Engagement

- Draft action plan on public exhibition, and community feedback invited. Submission options to include:
  - online submission tool - Have Your Say Waverley
  - written submission via post to General Manager, PO Box 9, Bondi Junction
  - via email to westoxford@waverley.nsw.gov.au.
- Councillor workshop - Tuesday 22 July 2014
Communications

- Promotional material:
  - Folded A3 leaflet prepared for letterbox distribution to residents and businesses, providing updated information on the project, next steps and inviting feedback. Leaflet to be made available in:
    - Customer Service Centre
    - Waverley Library
    - Council Chambers reception
    - shops within the precinct plan and surrounding area
    - Seniors Centre
    - Childcare centres - e.g. Mill Hill, Gardiner etc
  - A3 poster designed in same style as information leaflet encouraging feedback - to be displayed at Council sites (as above) and businesses within the precinct area
  - Filler ad for Council page prepared in same style as other materials to be used where space allows during the exhibition period
  - Updated project fact sheet, made available online and at key Council sites
  - Website homepage carousel image designed in same style as other materials to be displayed during parts of the exhibition period.

- Direct emails to project stakeholder list (residents, community and local businesses):
  - immediately following the Council meeting (if endorsed) - Wednesday 20 August - to promote exhibition period. Message should cover off key components of the action plan, submission options, advice for completing a submission and links to the webpage and draft action plan for more information.
    - reminder email approx. 1 month later
    - final reminder approx. 1 week prior to submissions closing.

- Direct emails to relevant stakeholders (e.g. State Government, Centennial Parklands etc):
  - immediately following the Council meeting (if endorsed) - Wednesday 20 August - to promote exhibition period. Message should cover off key components of the action plan, submission options, advice for completing a submission and links to the webpage and draft action plan for more information.
    - reminder email approx. 1 month later
    - final reminder approx. 1 week prior to submissions closing.

- Have Your Say webpage updated with new information, links to draft action plan and information leaflet, as well as submission tool.
West Oxford Street: Communications and Engagement Strategy

August 2014

- Updated website content. Webpage to provide link to the draft action plan, Council report, provide succinct summary of the draft action plan as well as links to submission options and information leaflet.
- Mention in Mayoral column
- Social media mentions throughout exhibition period
- Customer Service briefing for frontline staff
- Council news item published online Wednesday 20 August
- Media release issued following Council meeting (if endorsed)
- Monthly Council e-newsletters.
Report Requiring Determination
No. CRD.54/14

Subject: Recreation Courts - Waverley Park - South West Corner

Trim File No.: A14/0194

Author: Tessa Pentony - Recreation Planner, Maree Girdler - Caring Waverley, Scott Field - Safe Waverley

Recommendation: That:

1. Council endorses the development of plans for 3 multi-purpose courts (as shown in Option 4) and associated parking.

2. Subject to funding, Council delegates to General Manager to finalise documentation and proceed to tender

3. Council Officers commence the lighting plan for Waverley Park including consideration of new lights for the multipurpose courts with community and sporting group consultation, and report back to Council.

1. Executive Summary

The Waverley Park and Pavilion Plan of Management 2012 (PoM) provided an opportunity to address some key recommendations from the Waverley Recreation Needs Study 2008 (RNS) including reinstating active recreation courts in the South West corner of Waverley Park.

A variety of options identified in the PoM through the action plan have been considered including the initial option for 4 tennis courts on the upper terrace and 3 other options as outlined below. The construction and maintenance of tennis courts requires a capital investment, ongoing management and maintenance. Options for funding this build are considered as are management and maintenance options for the site.

With so few opportunities to develop recreation facilities in Waverley a 3 court option of multi-purpose courts is proposed as this is expected to provide the best outcome for community access for both tennis and netball and will also provide basketball facilities. Within the 3 new multipurpose courts it will be possible to provide 2 additional netball courts, 3 additional tennis courts and 3 additional basketball courts.

It is suggested the development be funded through the Capital Works Program and any available grant funding. An EOI for ongoing management and coaching licenses can also be considered.

2. Introduction/Background

Table of Previous Council Resolutions - see Attachment 6
In 2009 Council had adopted a Master Plan for Waverley Park. This was completed before a Plan of Management because significant change was being made to the Park and it was needed to assist with location of the new Recreation Centre. It also identified the removal of the nursery, located a new network of accessible paths and upgraded sports facilities including the active recreation area under discussion and the amenity building at the same site.

In July 2011, prior to the Waverley Park Plan of Management being finalised, Council endorsed the use of Expression of Interest (EOI) for the design, construction and lease of Waverley Park tennis courts.

However Council made amendments to the Master Plan (as indicated in Attachment 6) in adopting the Plan of Management in July 2012 and this made further investigation of options on the site essential. The EOI had generated a small amount of interest and the 2 applicants were advised that further investigation was required before this process could be pursued.

The Waverley Park Plan of Management adopted July 2012 included a number of actions relevant to the site in the south west corner of Waverley Park (see Attachment 5 Master Plan) with the following actions, in summary, being pertinent to this report:

- R20 continue the process to determine the feasibility of installing 3 or 4 tennis courts
- R21 investigate the installation of a fourth netball court to be located either alongside or co-located with the proposed tennis courts, or instead of the proposed tennis courts
- R22 investigate installing reversible hoops and backboards for basketball
- R 25 Investigate the possibility of retaining the Bocce courts in situ, or relocating them in the event that an amenities building has been constructed
- M4 Consider undertaking a tender process for the establishment of four tennis courts in the south west quadrant to determine the feasibility of the Tennis Court lease and install if feasible subject to DA approval
- A10 Investigate converting parallel parking at St Mary's Ave to ninety degree angle parking, subject to Traffic Committee (TC) endorsement.
- R18 Investigate the development of a sports lighting plan in consultation with nearby residents and sporting groups

Three tennis courts run by a private operator existed in the upper southwest corner of Waverley Park from the early 1970’s. By the early 1990’s the courts had deteriorated and were in need of significant repair. Council was unable to successfully engage an operator to take over and maintain the courts, partially due to the significant costs associated with the required repairs and the lack of lighting. In 2000 two of the courts were removed with one remaining to be used as a netball court. The site had also included a large amenity building in very poor condition with toilets and change rooms and this was demolished in the last 10 years leaving a single toilet near the bocce and netball court.

Recreation Demand

The Waverley Recreation Needs Study (2008) found that there is a high demand and a limited supply of tennis facilities in the Waverley LGA. The Study ranked tennis as the tenth most popular sport or physical activity in the community survey and indicated that tennis was the organized sport most respondents wanted to play in the future. Participants were concerned demand for Tennis was not being adequately catered for and feared the loss of the six courts on Wellington Street if redeveloped. Both community survey respondents and focus group respondents as part of the study’s consultation suggested priorities around tennis court provision.
Netball is also in high demand in Waverley with only 3 outdoor courts on the lower level of the park and the remaining multi-purpose court on the upper area. This remaining multi-purpose court has been kept in use but needs upgrading.

The 2008 Recreation Needs Study also clearly indicated that there is an under supply of standard outdoor courts, including basketball and netball. Currently there are no public outdoor basketball courts across the Waverley area. In addition, there is a growing demand from netball groups to access public netball courts, particularly from the Eastern Suburbs Primary School Netball Association.

The growing number of students within Primary Schools across Waverley LGA reported recently to Council is noticeably increasing the demand on public open space for organized school sports activities with local primary schools approaching Council to expand facilities.

Investigation and research carried out to determine the best option for reinstatement of the courts has included the following;

- The earlier EOI for the design, planning, construction and lease of four tennis courts at Waverley Park completed in October 2011
- Discussions with state industry bodies on potential for the site and possible funding
- Analysis of operations including demand, booking process and costs at the MWRC indoor multipurpose sports court
- Discussions with Sydney Water about potential impact on the dam wall on the adjoining site to the north
- Design work to determine possible options
- Analysis of potential specifications and related costs
- Analysis of other Council arrangements in relations to similar facilities
- Consideration of Public - Private Partnership Guidelines available from the State Government

3. Discussion

The Waverley Park and Pavilion PoM outlines options for possible reinstatement of active recreation courts. 4 options are explored below including:

1. Four tennis courts on the upper level South West corner with a new netball court on the lower level
2. Three tennis courts and one netball court all located on the upper level
3. One netball court on the upper level
4. Three multipurpose tennis, netball and basketball courts on the upper level

All options except possibly the third should include consideration of fencing and direct lighting and whether further parking is required. The adopted Master Plan includes the possibility of additional spaces at St Mary's Avenue. There are funds in the Capital Works Program can be transferred from the now cancelled Park Pde project to provide parking at St Mary's Ave. At least one of the existing netball courts on the lower level could be considered for multipurpose line marking to include basketball. The Master Plan also suggests multipurpose posts be included.
### Option One:
**Four Tennis Courts aligned north south, Netball Court on lower level aligned north south (Attachment 1)**

<table>
<thead>
<tr>
<th>Benefits</th>
<th>Potential Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Public Tennis facilities created in Waverley</td>
<td>• Greatest number of trees removed on both levels (near tennis courts and netball courts)</td>
</tr>
<tr>
<td>• Allows four tennis courts preferred for commercial viability for private operation if desirable</td>
<td>• Existing path along western boundary would need to be removed and replaced.</td>
</tr>
<tr>
<td>• Increased use of area could improve passive surveillance and discourage negative behaviors</td>
<td>• Impact on dam wall difficult to avoid</td>
</tr>
<tr>
<td></td>
<td>• Impact on and conflict with bike path from netball court on lower level with spectator spill</td>
</tr>
<tr>
<td></td>
<td>• Lower level court requires 2 retaining walls due to level change.</td>
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<td></td>
<td>• Single use facility (tennis) requires continued high interest in the future in tennis</td>
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<td></td>
<td>• Old multipurpose court used by netball removed and replaced by netball on lower level but no increase in netball facilities</td>
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<tr>
<td></td>
<td>• Requires removal of the popular community cricket net to an area which already has heavy use and impacts next to playing field #2 and #3</td>
</tr>
<tr>
<td></td>
<td>• Extensive site coverage, creating less open space</td>
</tr>
<tr>
<td></td>
<td>• Highest cost</td>
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</tbody>
</table>

### Option Two:
**Three Tennis courts aligned north south, 1 netball court aligned east west (Attachment 2)**

<table>
<thead>
<tr>
<th>Benefits</th>
<th>Potential Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Similar to above with one less tennis court</td>
<td>• Mainly single use (tennis)</td>
</tr>
<tr>
<td>• No impact on lower level regarding trees and cricket and spill to bike path</td>
<td>• Old multipurpose court used by netball removed and replaced by one new netball court only</td>
</tr>
<tr>
<td>• Increased use of area could improve passive surveillance and discourage negative behaviors</td>
<td>• More surface area (because) of alignment than four tennis courts on upper level, removing more open space.</td>
</tr>
<tr>
<td></td>
<td>• Leads to highly unsuitable placement of the Bocce Court/s which</td>
</tr>
<tr>
<td></td>
<td>• Extensive site coverage, leading to less open space</td>
</tr>
<tr>
<td></td>
<td>• High activity close to entrance of the Amenity Building which could be undesirable for users.</td>
</tr>
<tr>
<td></td>
<td>• High cost</td>
</tr>
</tbody>
</table>
### Option Three:
One Netball Court aligned north south or east west (Attachment 3)

<table>
<thead>
<tr>
<th>Benefits</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Addresses community need for upgraded netball facilities</td>
<td>• Sufficient funding available and most likely can be built quickly</td>
</tr>
<tr>
<td>• Sufficient funding available and most likely can be built quickly</td>
<td>• without a DA as it replaces existing</td>
</tr>
<tr>
<td>• Minimal change to the area and retains more open space</td>
<td>• No impact on lower level regarding cricket and removal of trees</td>
</tr>
<tr>
<td>• No impact on lower level regarding cricket and removal of trees</td>
<td>• Affordable option</td>
</tr>
<tr>
<td>• Affordable option</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Potential Impacts</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Delivers no additional facilities in Waverley as it includes replacement</td>
<td>• Lost opportunity for further activation of the space, one of the few</td>
</tr>
<tr>
<td>of old netball court only</td>
<td>open spaces available for sports facilities within the LGA.</td>
</tr>
<tr>
<td>• Lost opportunity for further activation of the space, one of the few</td>
<td></td>
</tr>
<tr>
<td>open spaces available for sports facilities within the LGA.</td>
<td></td>
</tr>
</tbody>
</table>

### Option 4: Recommended Option
Three Multipurpose Courts (tennis and netball with reversible rings for basketball) aligned north south. (Attachment 4)

<table>
<thead>
<tr>
<th>Benefits</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Provides facilities available to multiple operators and community groups</td>
<td>• Addresses community need for Tennis, Netball and Basketball</td>
</tr>
<tr>
<td>throughout summer and winter</td>
<td>• Allows tennis operation and more than replaces facilities for</td>
</tr>
<tr>
<td>• Addresses community need for Tennis, Netball and Basketball</td>
<td>netball with 3 new courts</td>
</tr>
<tr>
<td>• Allows tennis operation and more than replaces facilities for netball</td>
<td>• Provides the only outdoor basketball facilities within the LGA</td>
</tr>
<tr>
<td>with 3 new courts</td>
<td>• Increased use of area improving passive surveillance and</td>
</tr>
<tr>
<td>• Provides the only outdoor basketball facilities within the LGA</td>
<td>discouraging negative behaviors</td>
</tr>
<tr>
<td>• Increased use of area improving passive surveillance and discouraging</td>
<td>• No impact on lower level regarding cricket net, removal of</td>
</tr>
<tr>
<td>negative behaviors</td>
<td>trees or spectator spill</td>
</tr>
<tr>
<td>• No impact on lower level regarding cricket net, removal of trees or</td>
<td>• Provides flexible opportunities for school groups and after</td>
</tr>
<tr>
<td>spectator spill</td>
<td>school activities.</td>
</tr>
<tr>
<td>• Provides flexible opportunities for school groups and after school</td>
<td>• Minimal tree removal (2) and less than suggested in the</td>
</tr>
<tr>
<td>activities.</td>
<td>Master Plan</td>
</tr>
<tr>
<td>• Minimal tree removal (2) and less than suggested in the Master Plan</td>
<td>• Lower cost than Options 1 and 2</td>
</tr>
<tr>
<td>• Lower cost than Options 1 and 2</td>
<td>• Replicates to some degree the 3 courts which existed at this</td>
</tr>
<tr>
<td>• Replicates to some degree the 3 courts which existed at this site some</td>
<td>site some years ago.</td>
</tr>
<tr>
<td>years ago.</td>
<td>• Council control on management of facilities</td>
</tr>
<tr>
<td>• Council control on management of facilities</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Potential Impacts</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Council may need to partially operate</td>
<td>• Takes up more open space than option 3 but less than 1 and 2</td>
</tr>
<tr>
<td>• Takes up more open space than option 3 but less than 1 and 2</td>
<td></td>
</tr>
</tbody>
</table>

**Development Applications (DA)**

According to the State Environmental Planning Policy (Infrastructure) 2007 (SEPP) development is permitted without consent in Parks and other public reserves as follows;

*Clause 65*

(3) Development for any of the following purposes may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council:

(b) outdoor recreational facilities, including playing fields, but not including grandstands,
(d) lighting, if light spill and artificial sky glow is minimised in accordance with AS/NZS 1158: 2007, Lighting for Roads and Public Spaces,

Clause 66
(1) Development for any of the following purposes is exempt development if it is carried out by or on behalf of a public authority in connection with a public reserve or on land referred to in clause 65 (1), and if it complies with clause 20 (2) (Exempt development):

(iii) sporting facilities, including goal posts, sight screens and fences, if the visual impact of the development on surrounding land uses is minimal,

Consultation with relevant Council Officers has indicated the SEPP will allow the building of sporting facilities without a D.A; Council has undergone community consultation on this project at both the Master Plan and Plan of Management stages and has continued to provide information in relation to the new amenity building at the site recently.

Bocce Courts

The above options One, Three and Four allows for the Bocce courts to be relocated close to their former site. The courts have been demolished to make way for the amenity building and discussions have commenced with the bocce groups regarding reinstatement. Funds are available in the current Capital Works Program and it is assumed that this should built as soon as the amenity building and the new path is completed. Option Two does not allow a suitable location for Bocce, with the only possibility a tight area between the sports fence and footpath.

A decision on an option for recreation courts at this stage will allow final placement of the bocce courts and these can then proceed. Further landscaping for shade will be included

Funding Models

Public Private Partnership (PPP)

The construction and maintenance of the courts requires a capital investment. Previous investigations have explored the design, construction and operation of tennis services provided through an agreement with a private operator with private sector funding via a Public-Private Partnership (PPP). This form of investment could be considered for Tennis Operations in Option One and Option Two as outlined above.

A PPP requires notification to the Dept of Local Government and a particular process for the development of the project is recommended. It does not seem likely that this project would be considered significant but notification and assessment would need to determine this.

Advice from local and state tennis industry representatives recommended that a minimum of four courts are needed for such a tennis operation to be viable. The Master Plan investigations also found that a minimum of four courts, floodlighting, evening operating hours and a long term lease may be necessary for a commercial tennis operation to be viable. There are possible risks to Council in such an arrangement and these need to be considered.

The previous Expression of Interest (EOI) for a private operator to build and operate the tennis development indicated that the four court model was of interest to a very small number of operators. Discussions with Tennis Australia highlighted concerns over a business model which might restrict some community access where prices were too high, as the site restricts additional
opportunity for further commercial activity such as a pro shop or kiosk which are used for additional financial gain. Additional revenue sources through other services at this site (pro shop, coffee outlet for example) cannot be guaranteed. Obviously the 3 court option would compromise this business model further, restricting the tennis operations by one court. To address these restrictions, the operator may be forced to provide less community access through increased hourly rates, to ensure they remain commercially viable.

As a private operator would require a long term lease for this type of investment, where they are investing in the construction of the facilities, Crown Lands Division were consulted. Crown Lands advised that they would be unable to sign off on a lease until construction is completed. This would create potential risk and uncertainty for a possible operator as a long term lease would not be secure at the start of the venture.

All examples investigated from other Councils to use a PPP for community tennis facilities have only included leases for operation. The build is a further cost, and evidence was not found of this being successfully implemented for this size project in a local government setting.

**Capital Works Funded**

The facilities could be designed and built by Council utilizing Capital Works funding and possible grant funding in partnership with one of the sporting clubs. Development grants exist through the State Government for this purpose and Council has been successful in accessing these funds very recently. The strong interest from the netball community would allow a joint approach to a grant submission making success more likely. This is outlined further in the financial section below. This would provide a community asset where Council has more control over impact and outcomes. Rental or license agreements of the facility would be expected to return funds for maintenance.

**Management options**

Experience with the Margaret Whitlam Recreation Centre indoor sports court has made it clear that multipurpose facilities can work extremely well and can provide multiple opportunities for recreation to the local community on a relatively small site. Use by local school, clubs, and private operators and individuals are all part of the mix.

As with the Recreation Centre the 3 multipurpose courts could be subject to an EOI for tennis for the summer and for parts of the winter season and/or for school holiday programs. Tennis operators can run coaching clinics and classes as well as casual bookings for different sites and this is occurring more frequently across Sydney as court numbers have declined. A tennis coaching license would provide the opportunity for an operator to provide coaching services only with Council managing other bookings. Council would receive income from all court hire, plus rental from coaching services. Examples of this arrangement working well include courts at Hills Shire Council and Botany Council. Income would be expected to contribute to maintenance or a longer term license may include maintenance.

The concerns that a tennis facility may not be viable while delivering community benefit can be met with the multipurpose courts being part of a larger community hub of recreation opportunities managed by the one operator (Council).
4. **Conclusion**

Waverley Council plays an important role in caring for the health and wellbeing of its community through the planning, provision, funding and coordination of recreational facilities and services.

There is an opportunity in Waverley Park to make a significant difference in recreation facility provision to the Waverley community particularly through Option Four outlined above. The multi-sport option achieves outcomes for sports facilities that can be enjoyed and accessed by all members of the community, with tennis, netball and basketball suitable for schools, families, social groups, clubs, and commercial providers.

With the significant lack of public open space in Waverley, there is a stronger requirement to manage this space to achieve maximum outcomes.

The three multipurpose courts outlined in Option Four would provide a range of uses, and can be adaptable for the changing demands and sporting opportunities (for example, the current trend in Tennis Hotshots and Cardio Tennis). This would also create additional use of the amenity building, which would be available to service a range of groups in the area.

The three multipurpose courts could address the provision for three popular sports across Waverley LGA.

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

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

**Direction**

*C7* Health and quality of life are improved through a range of Recreation and Leisure opportunities.

**Strategy**

*C7a* Retain, protect and improve the quality, flexibility and useability of parks, reserves and other green spaces to meet recreational needs, whilst considering and ameliorating any negative environmental impacts

**Deliverable**

2008 Recreation Needs Study implemented

**Strategy**

*C7c* Provide and support a broad range of facilities and activities to improve the physical and mental health of community members.

**Deliverable:**

Sporting fields and other active recreation facilities upgraded

Active and passive recreation facilities provided on Council land or through joint ventures
6. **Financial impact statement/Timeframe/Consultation**

**Financial**
The estimated cost for the recommended option 4 project is $357,000 including a 20% contingency. This will be funded by $154,000 from the 13-14 budget and $300,000 from the 14-15 budget. In addition SAMP funds may be utilized. Detailed design and costing will be sourced internally.

The separate cost for additional parking at this location is likely to be in the order of $150,000 and funds can be re-allocated from the existing Capital Works Program.

**Timeframe**
Should Council wish to pursue the recommended option and confirmation of funding preparation of tender documents could be commence immediately. The process, following a decision on this report, would include detailed site investigation, design and documentation required to ensure accurate costing and project management. This would include further investigation of parking and a report to Council on the lighting plan at Waverley Park.

**Consultation**
The possibility of reinstating active recreation courts in Waverley Park was extensively consulted on during the development of the Master Plan for the park and through the PoM process with local residents and with stakeholders. In addition discussions have been held with Sydney Water and with Tennis Australia and Tennis NSW.

7. **Attachment/s:**

Attachment One - Option One (Over two pages - Four Tennis Court with Netball court on lower level)

Attachment Two - Option Two (Three Tennis Courts and One Netball Court)

Attachment Three - Option Three (One Netball Court)

Attachment Four - Option Four (Three Multipurpose Courts)

Attachment Five - Waverley Park Master Plan

Attachment Six - Previous Council Resolutions
Attachment One - Option One
Four Tennis Court with Netball court on lower level
Attachment One - Option One
Netball court on lower level
Attachment Two - Option Two
Three Tennis Courts and One Netball Court
Attachment Four - Option Four
Three Multipurpose courts
Attachment Five
Waverley Park Master Plan
### Attachment Six: Previous Council Resolutions

<table>
<thead>
<tr>
<th>Council or Committee Meeting</th>
<th>Resolution Number</th>
<th>Resolution</th>
</tr>
</thead>
</table>
| Finance Ethics and Strategic Planning 1 December 2009 | F-0912.8 | That Council:  
1. Note the issues identified from the feedback on the Draft Waverley Park Master Plan and the responses detailed in attachments and shown in the revised Waverley Park Master Plan.  
2. Adopt the revised Waverley Park Master Plan Option 1 which places a netball court in a group with the other three and moves the amenity building along the embankment in a westerly direction. |
| Council Meeting 19 July 2011 | 1107.12.4 | That Council endorses the use of an Expression of Interest (EOI) followed by a Selective Tender process for the design, construction and lease of Waverley Park tennis courts |
| Council Meeting 17 July 2012 | 1207.13.2.3 | That:  
4. Council adopt the amended Draft Waverley Park and Pavilion Plan of Management dated July 2012, subject to the following additional amendments:  

(a). The map on page 13 of the Draft Waverley Park and Pavilion Plan of Management be amended as follows:  
(i). The area referred to as ‘Reinstatement of Active Recreation Courts’ on the map be amended to read ‘Possible Reinstatement of Active Recreation Courts’.  
(ii). The area referred to as ‘Relocated Bocce Courts’ on the map be amended to read ‘Possible Relocated Bocce Courts’.  
(iii). The area referred to as ‘All Weather Netball Court’ on the map be amended to read ‘Possible All Weather Netball Court’.  
(iv). The area referred to as ‘Relocated Community Cricket Practice Nets’ on the map be amended to read ‘Possible Relocated Community Cricket Practice Nets’.  

(b). The second paragraph under the heading ‘Southwest Terrace’ on page 38 of the Draft Waverley Park and Pavilion Plan of Management be amended to now read as follows:  
“The Recreation Needs Study (2008) found that there was an under supply of tennis courts in Waverley, with tennis ranked in the top 10 most popular sports. Master Plan investigations found that a minimum of four courts, floodlighting, evening operating hours, and a long term lease may be necessary for a tennis operation to be viable.” |
(c). The first paragraph under the heading ‘Tennis Courts Lease’ on page 49 of the Draft Waverley Park and Pavilion Plan of Management be amended to now read as follows:
“Council has undertaken an Expression of Interest for the construction and operation of a four court tennis facility. Tennis court operators have been invited to respond with proposals to develop and operate the court facility. Should Council proceed to tender, the preferred tender’s proposal will be subject to Council approval and the DA process.”
(d). Action E6 on page 55 of the Draft Waverley Park and Pavilion Plan of Management be amended to read as follows:
“Investigate the possible removal of seven trees to build a new netball court if tennis proposal proceeds. Mitigate removal
(f). Action R20 on page 60 of the Draft Waverley Park and Pavilion Plan of Management be amended to read as follows:
“Continue the process to determine the feasibility of installing three or four tennis courts.”
(g). Action R21 on page 60 of the Draft Waverley Park and Pavilion Plan of Management be amended to read as follows:
“Investigate the installation of a fourth netball court to be located either alongside or co-located with the proposed tennis courts, or instead of the proposed tennis courts.
(k). Action A10 on page 62 of the Draft Waverley Park and Pavilion Plan of Management be amended to read as follows:
“Investigate converting parallel parking on St Marys Avenue to ninety degree angle parking, subject to Traffic Committee endorsement.”
(l). Action M4 on page 65 of the Draft Waverley Park and Pavilion Plan of Management be amended to read as follows:
“Consider undertaking a tender process for the establishment of four tennis courts in the southwest quadrant to determine the feasibility of the Tennis Court lease and install if feasible, subject to DA approval.”
Council Meeting 19 August 2014

Report Requiring Determination
No. CRD.55/14

Subject: Bondi Junction Green Infrastructure Masterplan solutions studies tenders

Trim File No.: A13/0561

Author: Genevieve Wilson, Green Infrastructure Project Manager – Sustainable Waverley Sub-Program

Recommendation: That:

Council approves the calling of tenders for the provision of the:

   a) Bondi Junction low carbon and low energy solutions study
   b) Bondi Junction integrated water solutions study
   c) Bondi Junction waste solutions study.

1. Executive Summary

Council is partnering with building owners, industry groups, electricity, water and gas network providers, government representatives and independent experts to develop and implement a Green Infrastructure Masterplan, accelerating energy, water and waste efficiencies in Bondi Junction. This will assist Council to achieve our community 2020 greenhouse gas emissions, water and waste targets.

The purpose of this report is to seek endorsement to go to tender for expert consultancies to develop and deliver the Bondi Junction: low carbon and low energy solutions study; integrated water solutions study; and, waste solutions study. These studies will identify and comparatively assess solutions, as well as outline the business cases for implementation. The study findings will be used to develop the draft Bondi Junction Green Infrastructure Masterplan.

2. Introduction/Background

Council is accelerating energy, water and waste efficiencies in Bondi Junction through the Building Futures Partnership, a Technical Working Group, the development of a Green Infrastructure Masterplan, and the delivery of projects. This will assist us to achieve Council’s community 2020 environmental targets:

- 30% reduction in greenhouse gas emissions (and 70% by 2050)
- 75% of all waste recycled
- Zero increase in mains water use
- Improve stormwater quality.
Council Meeting

19 August 2014

Bondi Junction accounts for over 40% of the community’s greenhouse gas emissions so Council has formed a Building Futures Partnership with Bondi Junction building owners and industry groups with the greatest impact and influence on energy, water and waste management, to participate in the development of the Green Infrastructure Masterplan. This is supported by the Technical Working Group - a brains trust formed with electricity, gas and water network providers, government representatives and independent experts, to guide the research into and delivery of the technical solutions.

3. Discussion

Detailed tender specifications have been developed with input from the Building Futures Partnership and Technical Working Group.

The low carbon and low energy, integrated water and waste solutions studies will:

- Identify and report on the baseline, current and potential future consumption or generation;
- Outline social, economic, environmental and governance costs and benefits of each feasible solution;
- Comparatively assess feasible solutions with participation from the Building Futures Partnership and Technical Working Group;
- Recommend the most pragmatic and effective solutions;
- Outline the action plan to enable implementation;
- Provide business cases on implementation of the recommended solutions nationally or internationally; and,
- Provide business cases on the proposed implementation of the recommended solutions in Bondi Junction.

The solutions recommended in the studies will be presented to Council and where supported, outlined in a draft Bondi Junction Green Infrastructure Masterplan for community consultation.

4. Conclusion

A low carbon and low energy solutions study, integrated water solutions study and, waste solutions study are required for the identification and comparative assessment of the most effective and pragmatic energy, water and waste solutions in Bondi Junction. These studies will also provide business cases for implementation of the recommended solutions. The Building Futures Partnership and Technical Working Group will participate in the development of these studies. Recommended solutions, where supported, will be presented in a draft Bondi Junction Green Infrastructure Masterplan for community consultation.

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

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

Direction: E1 Waverley’s Community contributes to the reduction of greenhouse gas emissions
Strategy: E1b Investigate and implement low carbon technologies
Deliverable: Opportunities for low carbon and renewable technologies on Council assets are investigated and implemented

Partner with major greenhouse emitters in Waverley LGA to undertake low carbon technology investigations/retrofits

Encourage uptake of low carbon technologies in the community

Strategy: E1c Improve energy efficiency of new and existing building stock

Deliverable: Opportunities for improved energy efficiency and low carbon technologies in commercial and residential buildings identified and controls developed

Strategy: E1d Encourage and support the Waverley community to minimise electricity use and reliance on non-renewable energy

Deliverable: Implementation of low carbon and renewable technologies in new and existing residential, commercial and retail development encouraged and facilitated

Partner with major residential and non-residential electricity consumers to reduce consumption and improve efficiency

Direction: E3 Waverley’s community, including its visitors, reduces the amount of waste it generates and increases the amount it reuses and recycles

Strategy: E3c Investigate and implement emerging waste technologies to maximize landfill diversion

Deliverable: Continue to investigate and implement emerging waste technologies that will reduce waste to landfill and improve recycling

Direction: E4 Water is used carefully and sparingly in Waverley’s buildings, gardens, businesses and Council operations

Strategy: E4a Improve water efficiency of new and existing building stock

Deliverable: Work with Strata to promote water efficiency/reuse in multi-unit dwellings

Strategy: E4b Encourage and support the Waverley community to minimise water consumption and reliance on potable water supplies

Deliverable: Continue to work with businesses to reduce potable water consumption

Direction: E5 The waterways and beaches are clean and free of pollutants

Strategy: E5b Minimise the discharge of untreated wastewater and sewage overflows into receiving waterways

Deliverable: Integrated water quality management program implemented in Waverley

6. Financial impact statement/Timeframe/Consultation

Council has been awarded a grant of $130,000 from the NSW Government’s Planning Reform Fund towards the cost of the low carbon and low energy component of the Bondi Junction Green Infrastructure Masterplan. This complements Council’s EAP3 funding to amount to a total budget of $507,000 for the Bondi Junction Green Infrastructure Masterplan,
The project process has been endorsed by the Executive Leadership Team, the Bondi Junction 2030 Vision Steering Committee and was presented to Councillor’s in November 2013. The process encourages the participation of stakeholders with the biggest impact or influence over energy, water and waste use in Bondi Junction. This includes key Council staff, building owners; industry groups; electricity, gas and water network providers; government representatives; and, independent experts. A communications plan has been developed and is also being implemented.

The project delivery timeframe is outlined below.

<table>
<thead>
<tr>
<th>Milestone</th>
<th>Completion Date</th>
</tr>
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<tbody>
<tr>
<td>3. Solutions studies - Report to Council to endorse preferred tenderers</td>
<td>Feb 2015</td>
</tr>
<tr>
<td>5. Present recommended solutions to Council</td>
<td>Oct 2015</td>
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</tbody>
</table>

7. **Attachment/s:**

Nil.
**Recommendation:**

That Council resolves to publicly exhibit draft Waverley Development Contributions Plan 2006 (Amendment No 6).

1. **Executive Summary**

The purpose of this report is to present the annual review of the Waverley Development Contributions Plan 2006 (Amendment No. 5) (Plan). The amended Plan is to be referred to as the ‘draft Waverley Development Contributions Plan 2006 (Amendment No.6)’.

The primary purpose of reviewing the Plan is to update the Capital Works Schedule and associated Map. It also provides the opportunity to improve any matters that will assist to make the Plan a more functional and efficient document. In this regard there are two further matters that have been addressed as part of the review this year. This includes the circumstances under which developments are exempt from paying S94A contributions and providing the option of staging s94A payments for specific development types.

2. **Introduction/Background**

Section 94A of the *Environmental Planning and Assessment Act 1979* (the Act) provides Council the means to levy development for the purpose of applying these funds towards the provision, extension or augmentation of public amenities or services (or towards recouping the cost of their provision, extension or augmentation).

On 13 December 2005, Council adopted Waverley Development Contributions Plan 2006. The Plan became effective on 1 January 2006, authorising Council to impose a fixed development levy on all approved developments in accordance with Section 94A of the EP&A Act 1979 throughout the Waverley Local Government Area (LGA). Since the Plan was first adopted it has been reviewed on an annual basis.
Previous Council Resolutions

<table>
<thead>
<tr>
<th>Council or Committee Meeting &amp; Date</th>
<th>Resolution No.</th>
<th>Resolution</th>
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<tbody>
<tr>
<td>1. Finance, Ethics &amp; Strategic Planning Committee Meeting held on Tuesday, 2 July 2013.</td>
<td>F-1307.3</td>
<td>That Council resolves to publicly exhibit the draft Waverley Development Contributions Plan 2006 (Amendment No. 5).</td>
</tr>
<tr>
<td>2. Finance, Ethics &amp; Strategic Planning Committee Meeting held on Tuesday, 5 November 2013.</td>
<td>F-1311.10</td>
<td>That Council resolves to adopt draft Waverley Development Contributions Plan 2006 (Amendment No. 5).</td>
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</table>

3. Discussion

The primary focus of this review is to update Schedule 1 of the Plan which lists Capital Works to be funded in the LGA and the associated Capital Works Map. The review also corrects any outdated document references. However the annual review also provides the opportunity to improve provisions contained within the Plan ensuring consistency with planning legislation. These year two additional issues are to be addressed as part of the review concerning development applications exempt from the Plan and the possibility of staging payment of contributions. Reference should be made to Attachment A for all the proposed amendments to the Plan.

- Capital works program

Schedule 1 of the Plan lists works that are to be funded in the LGA, how much money is needed for each project and an estimation of when the works will be completed. Each of the works listed are then illustrated on the Capital Works Map. The review involved ensuring each item within Schedule 1 reflected the 2014/2015 Capital Works Program. It is noted that only specific projects over $1 million were included in the Schedule 1 list.

- Document references

This review involved updating any document reference names and dates including changing Waverley Council Development Contributions Plan 2006 (Amendment No.5) to Waverley Council Development Contributions Plan 2006 (Amendment No. 6).

- Development exempt from the Plan

Clause 12 Circumstances where the Section 94A levy may be waived in the Plan relates to specific circumstances where development is exempt from paying Section 94A contributions. Exemptions in the Plan stem from both NSW Government Ministerial Directions and Waverley Council however this is currently not clearly articulated under this clause. Currently, Clause 9 Ministerial Directions under Section 94E of the Act refers to Attachment 1 in the Plan containing the exempt conditions given by the Minister under Section 94E of the Act. These clauses in the Plan have been amalgamated to reference exemptions under the one clause (Clause 12). This will improve clarity and legibility of the Plan for all users.
In addition a new sub-clause has been formulated under this clause responding to the NSW Fire Sprinkler Standard amendment made by the NSW Government in December 2012 came into effect 1 January 2013. This change to legislation mandates all existing Commonwealth Accredited and new residential aged care facilities to install an automatic sprinkler system. This was in response to the fire at a Quakers Hill nursing home in November 2011 which resulted in several fatalities.

An application was lodged with Council (CD-62/2014 lodged 30 April 2014) solely for the installation of the automatic fire sprinklers and associated works at the existing Philip Nursing Home at 319 – 321 Bronte Road, Waverley. The applicant requested Council waive the requirement to pay Section 94A contributions in this instance with particular consideration of the State requirement mandating such works. Furthermore Council staff received correspondence from the Department of Planning and Environment (DP&E) stating their concern about Council potentially imposing the levy for the sprinkler system and associated building works. Council staff believe it is reasonable in this instance to waive the S94A levy, particularly as the existing development is considered to be in the public interest. Therefore the new sub-clause addresses instances where State legislative changes impact upon existing development types that have a public benefit.

- **Staging Payment of S94A Contributions**

The final matter that was addressed as part of this review relates to the possibility of staging S94A contribution payments. The Plan currently does not allow any type of deferred or periodic payments (refer to Clause 17 Deferred or periodic payment of Section 94A levies in the Plan). However it can be beneficial to the broader Waverley community to provide the option of staged payments for development types in certain instances. For example a development application was received by Council (DA-239/2013 lodged 14 June 2013) for alterations and additions to Waverley College at 137-139 Birrell Street, Waverley. The application proposed to stage the construction of the works and therefore has requested if staged payments can be made prior to the issue of each construction certificate. This would be an alternative to paying the full amount upfront as currently required. Council staff considers this specific request has merit particularly as it relates to a development which has a public benefit. As such the review of this Plan also includes modifying Clause 17 to consider more flexibility in collecting S94A levies and accommodate certain development applications in specific circumstances.

- **Increasing S94A Levy in Bondi Junction Centre**

This matter does not apply to the review of the Plan this year. However it is considered important to notify Councillors of future works intended to be pursued by Council Staff in relation to the Plan.

On 18 August 2009, Council resolved to seek Ministerial approval to impose a 3% levy on works greater than $200,000 within land zoned B3 Commercial Core. A submission requesting the levy increase was lodged with the Department of Planning and Environment (DoPE) on 23 September 2009. The submission included an Inventory of Works outlining the projects intended to be partially funded by Section 94A contributions, their time frames and costs in addition to all the requirements in accordance with Clause 116D of the Environmental Planning and Assessment Amendment 2008.

On 22 December 2009 correspondence was received from DoPE requesting further information to supplement the submission. Due to various other projects that affected the provision of community infrastructure within the Centre and budget implications to engage external consultants, the response back to DoPE did not occur.

Strategic Planning are now looking to resume work on this project to increase the levy in the Bondi Junction Centre. This involves scoping projects to be included in the Inventory of Works relating to
community infrastructure projects. Engagement of an economic consultant is also needed at this stage. This will incur costs for advice from a range of consultancies including planners, engineers, quantity surveyors and obtaining legal advice as well as work undertaken internally by Council Officers. Any proposal would require approval by Council with a timeframe of between 6 to 12 months.

4. Conclusion

This Council report involves amending the Waverley Council Development Contributions Plan 2006 (Amendment No. 5). The proposed amendments will improve the process by which S94A contributions are collected by Council. It will also ensure provisions can continue to be made for public amenities and public services within the LGA as a result of development.

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

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

Waverley Council Delivery Program 2013-17

Direction: L5 Buildings are well designed, safe and accessible and the new is balanced with the old.

Strategy: L5a Ensure planning and building controls for new buildings and building upgrades deliver high quality urban design that is safe and accessible, in which heritage and open space is recognized, respected and protected.

Deliverable: Strategic Land Use policies and plans reviewed regularly.

The draft Waverley Development Contributions Plan 2006 (Amendment No.6) is designed to ensure Council’s development contributions strategy reflects the current Capital Works Schedule. On this basis, the draft Plan is consistent with Council’s Delivery Program.

6. Financial impact statement/Timeframe/Consultation

Financial Impact Statement: The Waverley Development Contributions Plan 2006 (Amendment No. 5) delivered approximately $3.5 million to support Council’s Capital Works Program during the 2013/2014 financial year.

Timeframe: Following public exhibition, all submissions received during the exhibition period will be reviewed and a subsequent Council report will be prepared recommending either re-exhibition of the Plan or adoption.

Consultation: Council’s Executive Manager - Shaping Waverley and staff from Financial Waverley were consulted in the preparation of this report. Council’s Geographical Information Systems team and Creating Waverley's Executive Officer were consulted to produce the Capital Works Maps.

The preparation of draft Waverley Development Contributions Plan 2006 (Amendment No. 6) will incorporate community consultation through public exhibition of the draft Plan for a minimum period of 28 days in accordance with Clause 28 of the Environmental Planning and Assessment Regulation 2000.
Consultation will be undertaken during the exhibition of the Plan and is proposed to include:

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

7. Attachment/s:

- Attachment A - Draft Waverley Council Development Contributions Plan 2006 (Amendment No. 6)
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Schedule 1 - Capital Works Schedule & Maps
Schedule 2 - Cost Summary Report
Schedule 3 - Detailed Cost Report

Attachment 1 - Ministerial Directions
PART 1 ADMINISTRATION AND OPERATION

1 Name of this Plan
This Plan is named Waverley Council Development Contributions Plan 2006 (Amendment No. 6).

2 Commencement of this Plan
This Plan has been prepared in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 (Act) and the Environmental Planning and Assessment Regulation 2000 (Regulation). Waverley Development Contributions Plan 2006 (Amendment No. 6) was adopted on [insert date] and came into force on [insert date].

This Plan repeals Waverley Development Contributions Plan (Amendment No. 5).

3 Purpose(s) of this Plan
The purposes of this Plan are to:

• authorise Waverley Council (‘Council’) to impose, as a condition of development consent, a requirement that the applicant pay to Council a levy determined in accordance with this Plan;
• require a certifying authority to impose, as a condition of issuing a complying development certificate or a construction certificate, a requirement that the applicant pay to Council a levy determined in accordance with this Plan;
• enable Council to be both publicly and financially accountable in its assessment and administration of this Plan;
• provide a comprehensive framework for the assessment, collection, expenditure, accounting and indexing of development contributions on an equitable basis; and
• govern the application of money paid to Council under conditions authorised by this Plan for the provision, extension or augmentation of public facilities, or towards recouping the cost of their provision, extension or augmentation to meet the demand created by developments.

4 Section 94A of the Act
Section 94 of the Act provides that a consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development. The money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.

5 Land to which this Plan applies
This Plan applies to all land within the Waverley Local Government Area (LGA).

6 Development to which this Plan applies
This Plan applies to all applications for development consent and complying development certificates required to be made by or under Part 4 of the Act in respect of development on land to which this Plan applies.
7 Application of Section 94A levies

This Plan authorises Council to grant consent to development to which this Plan applies subject to a condition requiring the applicant pay Council a levy as specified in the following table:

<table>
<thead>
<tr>
<th>Proposed cost ($AUD) of the development</th>
<th>Maximum percentage (%) of the levy</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 to $100,000</td>
<td>Nil</td>
</tr>
<tr>
<td>$100,001 – $200,000</td>
<td>0.5 percent (%)</td>
</tr>
<tr>
<td>More than $200,000</td>
<td>1.0 percent (%)</td>
</tr>
</tbody>
</table>

8 Section 96 modifications and changes to Section 94A levies

Should an applicant propose amendments to the development, subject to Section 96 of the EP&AA 1979, that result in amendments to the proposed development cost, the Section 94A levy should be adjusted accordingly.

9 Payment of Section 94A levy

This Plan requires a certifying authority (Council or an accredited certifier) to require applicants for a complying development certificate or a construction certificate to pay Council a levy prior to issue of the certificate in accordance with Clause 7 of this Plan.

A levy required to be paid by a condition authorised by this Plan must be paid to Council at the time specified in the condition. If no time is specified, the levy must be paid prior to the construction certificate or complying development certificate issued in respect of the development under Part 4A of the Act.

10 Determination of proposed cost of development

An application for a complying development certificate or a construction certificate is to be accompanied by a cost estimate report, prepared at the applicant's cost in accordance with this clause, setting out an estimate of the proposed cost of carrying out the development for the purposes of Clause 25J of the Regulations.

The following type of report(s) is required:

- Where the estimate of the proposed cost of carrying out the development is less than $500,000 – cost summary report in accordance with Schedule 2 of this Plan;
- Where the estimate of the proposed cost of carrying out the development is $500,000 or more – detailed cost report in accordance with Schedule 3 of this Plan.

For the purpose of Clause 25J(2) of the Regulations, the following persons are approved by Council to provide an estimate of the proposed cost of carrying out development in the following circumstances:

- Where the proposed development cost is less than $500,000 – a person who, in the opinion of Council, is suitably qualified to provide a cost summary report;
- Where the proposed development cost is $500,000 or more – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

Upon reviewing a cost summary report, Council may require a further estimate or review of a report to be provided by a registered quantity surveyor at the applicant's cost.
11  Circumstances where the Section 94A levy may be waived

(a)  Development exempted by Ministerial Direction

Conditions authorised by this Plan are subject to any direction given by the Minister of the Department of Planning and Environment under Section 94E of the Act (refer to Attachment 1 in this Plan). This Plan authorises the imposition of conditions in accordance with any such direction. Under Section 94E the Minister has directed Council to exempt development from a levy under this Plan as follows:

- Where the proposed cost of carrying out the development is $100,000 or less;
- For the purposes of disabled access;
- For the sole purpose of providing affordable housing;
- For the purpose of reducing the consumption of mains supplied potable water, or reducing the energy consumption of a building;
- For the sole purpose of the adaptive reuse of an item of environmental heritage;
- Other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out.
- Seniors housing, as defined in the State Environmental Planning Policy (Seniors Living) 2004, which is undertaken by a social housing provider;
- School developments that are a Federal Building the Education Revolution Project; or
- Any other Ministerial Direction released following the adoption of this plan.

(b)  Other development exempted from the levy

Other exemptions from a levy under this plan may be considered by Council for the following development or components of development:

- The applicant is a registered charity (as defined by ATO), but only in cases where the development is of small scale (e.g. retail outlet) and where there will not be an increase in the demand for public works or infrastructure as a result of a development which would warrant the payment of a Section 94A levy;
- The operation provides a public benefit and is in the public interest;
- Applications submitted by or on behalf of Waverley Council;
- An application for or on behalf of NSW Government for public infrastructure such as hospitals, police stations, fire station, education facilities and public transport infrastructure;
- An application for privately funded community infrastructure such as education facilities, universities, private hospitals;
- The NSW Government introduces new laws mandating completion of specific works relating to existing developments that have a public benefit; or
- Any other development for which Council considered an exemption is warranted, where the decision is made by formal resolution of Council at a Council meeting.

12  Application of Section 94A levy

Money paid to Council under a condition in accordance with this Plan is to be applied by Council towards meeting the cost of public facilities that will be, or have been provided within the area as provided in Schedule 1.

13  Priorities for expenditure of Section 94A levies authorised by this Plan

Subject to Section 93E(2) of the Act and this Plan, the public facilities listed in Schedule 1 are to be provided, in accordance with the staging set out in Schedule 1. The list, timing and costs detailed in Schedule 1 are designed in accordance with Council’s Capital Works Plan.
14 Pooling Section 94A levies
For the purposes of Section 93E(2) of the Act, this Plan authorises money obtained from Section 94A levies paid in respect of different developments to be pooled and applied by Council progressively towards public facilities listed in Schedule 1. Funds acquired under repealed Section 94 and Section 94A Plans may be pooled in order to achieve the objectives and projects nominated within this Plan.

15 Obligations of certifying authorities
Clause 146 of the Regulations provides that a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it is satisfied of compliance with each condition requiring the payment of a levy before work is carried out in accordance with the consent. The certifying must provide receipt to Council that the applicant has paid the levy, at the same time as other documents required to be provided under Clause 142(2) of the Regulations.

16 Deferred or periodic payment of Section 94A levies
Council will only consider deferred payment of a monetary contribution through periodic payments (i.e. payment by installments). The development application must also involve staged construction and be of a public benefit. This can only occur if the applicant, or any other person entitled to act upon the relevant consent, makes a written request satisfying to Council that non-compliance with the payment provisions is justified. Acceptance of any request for periodic payment is entirely at the discretion of the Council. Generally periodic payments will only be accepted in exceptional circumstances and will be assessed on a case-by-case basis.

The following circumstances need to be addressed when requesting a periodic payment:
- Compliance with Clause 15 Obligations of Certifying Authorities is unreasonable or unnecessary in the circumstances of the case;
- Deferred or periodic payment of the contribution will not prejudice the cost, timing or efficiency of implementation of the public facilities and services included in the works programs;
- No detriment will be caused to the community, Council or other developers;
- Details of staging of construction;
- How the existing/new development is considered to be of a public benefit; and
- There are circumstances justifying the deferred or periodic payment of the contribution.

If Council does decide to accept periodic payments, the arrangements relating to the payment will not take effect until the applicant has entered into a written agreement with the Council reflecting the terms of the Council’s approval. If approved, a condition relating to the periodic payment will be placed on the development consent.

17 Alternatives to payment options
If an applicant for development consent seeks to make a development contribution towards the provision of public facilities to off-set a development impact other than by payment of a levy pursuant this Plan, the applicant may adopt one of the following procedures to the satisfaction, and at the discretion of Council:

(a) Offer as part of a development application
If an applicant does not wish to pay a levy in connection with the development, the applicant may include in the relevant development application an offer to carry out works or provide a material public benefit towards which the levy was to be applied.

Council will consider the offer as part of its assessment of the development application. If Council agrees to the offer and grants consent to the application, it will substitute a condition of consent under Section 80A of the Act requiring the works to be carried out or the material public benefit to be provided for a condition requiring payment of a levy under Section 94A.

If
Council does not agree to the proposed alternative arrangement, it may grant consent subject to a condition authorised by this Plan requiring payment of a levy.

In assessing the applicant’s offer, Council will have regard to the requirements of the current Practice Note issued by the NSW Government in the *Development Contributions Practice Note* (DIPNR 2005) and may consider matters such as, but not limited to, the following:

- Council must be satisfied that the public benefit is of equal or greater value than the monetary contribution that would otherwise be required; and
- In situations where the material public benefits that are proposed involve works-in-kind, Council will only accept such an offer where the works are constructed by the developer to Council’s standards and transferred to Council.

**(b) Offer following the grant of development consent requiring payment of a levy**

If development consent has been granted to the carrying out of development subject to a condition authorised by this plan to pay a levy, the applicant must comply with the condition unless it is modified under Section 96 of the Act.

If the applicant does not wish to pay the levy, the applicant may make an application to Council under Section 96 of the Act to modify the consent by substituting for the condition requiring payment of the levy a condition requiring the carrying out of works or the provision of a material public benefit towards the public purpose to which the levy was to be applied. If Council approves the application, the applicant will be bound by the substituted condition. If Council does not approve the application, the applicant will remain bound by the condition authorised by this Plan requiring payment of the levy.

In assessing the Section 96 application, Council will have regard to the requirements of the current Practice Note issued by the NSW Government in the *Development Contributions Practice Note* (DIPNR 2005) and may consider matters such as, but not limited to, the following:

- Council must be satisfied that the public benefit is of equal or greater value than the monetary contribution that would otherwise be required, and
- In situations where the material public benefits that are proposed involve works-in-kind, Council will only accept such an offer where the works are constructed by the developer to Council’s standards and transferred to Council.

**(c) Offer to enter into a Planning Agreement (PA)**

If an applicant does not wish to pay a levy in connection with the carrying out of development, the applicant may offer to enter into a Planning Agreement (PA) with Council under Section 93F of the Act in connection with the making of a development application. Under the PA, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. Those purposes need not relate to the impacts of the applicant’s development nor items listed in Schedule 1. The applicant’s provision under a PA may be additional, to or instead of paying a levy in accordance with a condition of development consent authorised by this Plan. This will be a matter for negotiation with Council. Should an applicant be wishing to enter a PA, it is necessary to consider Section 93F of the EP&AA 1979, Regulations 2000 and Council’s Interim Voluntary Planning Agreement Policy 2013.
PART 2 EXPECTED TYPES OF DEVELOPMENT

This part broadly discusses the relationship between the expected types of development in the LGA and demand for additional public amenities to meet that development.

The expected types of development which will generate demand for additional public services or upgrades to amenities include, but are not limited to:

- Commercial development
- Residential development (including alterations and additions)
- Mixed use development
- Recreational or tourism related development
- Subdivisions

The development types identified above are forecasted to generate demand for the facilities detailed in Schedule 1 of this Plan. A section 94A levy will enable Council to provide quality and diverse public facilities and services to meet the expectations of the community. Although the Waverley Local Government Area (LGA) has a slight increase in predicted population growth, Waverley LGA is experiencing significant growth in the amount of temporary residents and tourists, with over three times as many tourists in 2001 compared to 1996 (Waverley Council Social Plan 2005-2010). This growing transient population, as well as the level of expectation for services from permanent residents, places pressure on existing public facilities which are ageing and in need of upgrades. The Waverley Together 3 2013-2025 document provides the overarching strategies for these services and facilities which Council provide to the general community.
PART 3 REFERENCES

Definitions and Abbreviations

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABS</td>
<td>means the Australian Bureau of Statistics.</td>
</tr>
<tr>
<td>Act</td>
<td>means the <em>Environmental Planning and Assessment Act</em> 1979.</td>
</tr>
<tr>
<td>Council</td>
<td>means Waverley Council.</td>
</tr>
<tr>
<td>Levy</td>
<td>means a levy under s94A of the Act authorised by this Plan.</td>
</tr>
<tr>
<td>Material Public Benefit</td>
<td>does not include the payment of a monetary contribution or the dedication of land free of cost.</td>
</tr>
<tr>
<td>Minister</td>
<td>means the Minister administering the Act.</td>
</tr>
<tr>
<td>Public benefit</td>
<td>is the benefit enjoyed by the public as a consequence of a development contribution.</td>
</tr>
<tr>
<td>Public facility</td>
<td>means a public amenity or public service.</td>
</tr>
<tr>
<td>Regulation</td>
<td>means the <em>Environmental Planning and Assessment Regulation</em> 2000.</td>
</tr>
</tbody>
</table>
SCHEDULE 1 – CAPITAL WORKS

Works listed in this schedule may be funded from a mix of sources including contributions collected from this Plan. This list may vary from time to time, as in accordance with works within Council’s Capital Works Schedule which is reviewed and adopted by Council on a quarterly basis.

A. Works in Progress / New Works

<table>
<thead>
<tr>
<th>Project Code</th>
<th>Project Objective</th>
<th>Estimated Project Cost (Staging between 2013/14 - 2023/24)</th>
<th>Timing (est. completion)</th>
</tr>
</thead>
<tbody>
<tr>
<td>BB PAMP</td>
<td>Bondi Beach Pedestrian Access and Mobility Plan Development and Implementation</td>
<td>$2,200,000</td>
<td>2023/24</td>
</tr>
<tr>
<td>BJ PAMP 2</td>
<td>Bondi Junction Pedestrian Access and Mobility Plan Implementation</td>
<td>$2,200,000</td>
<td>2023/24</td>
</tr>
<tr>
<td>Bondi Park 03</td>
<td>Bondi PoM (Bondi Park) - completion of plan of management, undertake works identified</td>
<td>$9,959,860</td>
<td>2020/21</td>
</tr>
<tr>
<td>Bondi Park 05</td>
<td>QED Tunnels Remediation and Storage Space</td>
<td>$3,820,000</td>
<td>2018/19</td>
</tr>
<tr>
<td>Bondi Park #</td>
<td>Structural renewal of Bondi Promenade and sea walls</td>
<td>$10,000,000</td>
<td>2022/23</td>
</tr>
<tr>
<td>Bondi Pav 11</td>
<td>Bondi PoM (Bondi Pavillion) – completion of plan of management, undertake works identified</td>
<td>$9,895,000</td>
<td>2023/24</td>
</tr>
<tr>
<td>Bronte Park Plan of Management #</td>
<td>Structural renewal of Bronte Promenade and sea walls</td>
<td>$2,000,000</td>
<td>2019/20</td>
</tr>
<tr>
<td>Cemetery #</td>
<td>Cemetery gully remediation works and retaining wall</td>
<td>$4,500,000</td>
<td>2016/17</td>
</tr>
<tr>
<td>Cemetery</td>
<td>SAMP Category 9.1 - Waverley Cemetery</td>
<td>$9,758,392</td>
<td>2024/25</td>
</tr>
<tr>
<td>Cemetery</td>
<td>SAMP Category 9 - South Head Cemetery</td>
<td>$2,362,945</td>
<td>2024/25</td>
</tr>
<tr>
<td>Cemetery 07</td>
<td>Wav Cemetery external perimeter fencing &amp; retaining structure</td>
<td>$4,710,000</td>
<td>2016/17</td>
</tr>
<tr>
<td>Cemetery 08</td>
<td>Waverley Cemetery Internal fencing &amp; retaining structure</td>
<td>$3,087,405</td>
<td>2014/15</td>
</tr>
<tr>
<td>Child Care ##</td>
<td>New Child Care Centre</td>
<td>$5,500,000</td>
<td>2016/17</td>
</tr>
<tr>
<td>Coastal &amp; Retaining Infrastructure</td>
<td>SAMP Category 7 - Coastal and Retaining Infrastructure construction</td>
<td>$2,461,935</td>
<td>2024/25</td>
</tr>
<tr>
<td>Complete Streets ##</td>
<td>Complete Streets – Combined Other Projects</td>
<td>$21,000,000</td>
<td>2022/23</td>
</tr>
<tr>
<td>EAP – Alternative Water Sources</td>
<td>Investigate the feasibility of and implement (where feasible) recycled water systems for Marks Park, Tamarama Park and Hugh Bamford Reserve</td>
<td>$2,110,000</td>
<td>2016/17</td>
</tr>
<tr>
<td>EAP – Green Infrastructure</td>
<td>Bondi Junction Green Infrastructure Master Plan</td>
<td>$4,757,000</td>
<td>2019/20</td>
</tr>
<tr>
<td>Footpath Construction Program 13/14</td>
<td>SAMP 4 Category 2 - Footpath Construction &amp; Upgrades</td>
<td>$20,061,955</td>
<td>2024/25</td>
</tr>
<tr>
<td>Hugh Bamford</td>
<td>Hugh Bamford Reserve upgrade to buildings and fields</td>
<td>$1,600,000</td>
<td>2020/21</td>
</tr>
<tr>
<td>Invest Strategy 15</td>
<td>SES Depot</td>
<td>$1,600,000</td>
<td>2014/15</td>
</tr>
<tr>
<td>Kerb and Gutter 13/14</td>
<td>SAMP Category 3 – Kerb and Gutter Construction Grant (Urban Local Roads)</td>
<td>$10,182,238</td>
<td>2024/25</td>
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<tr>
<td>Local Village DCP Improvement</td>
<td>Local Village DCP Streetscape Improvements</td>
<td>$5,000,000</td>
<td>2023/24</td>
</tr>
<tr>
<td>Misc Buildings 17</td>
<td>Public Toilet Upgrade - Bronte Community Centre, Bronte Surf, Bondi Beach North &amp; South</td>
<td>$1,978,000</td>
<td>2016/17</td>
</tr>
<tr>
<td>Category</td>
<td>Description</td>
<td>Cost</td>
<td>Year</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
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<td>----------</td>
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<tr>
<td>Open Spc/Rec 17</td>
<td>Playground Upgrades</td>
<td>$1,712,500</td>
<td>2024/25</td>
</tr>
<tr>
<td>Oxford Street East</td>
<td>Oxford Street East Upgrade</td>
<td>$2,000,000</td>
<td>2020/21</td>
</tr>
<tr>
<td>Parks Infrastructure</td>
<td>SAMP Category 8.1 - Parks Infrastructure construction</td>
<td>$11,293,326</td>
<td>2024/25</td>
</tr>
<tr>
<td>Parks Landscapes</td>
<td>SAMP Category 8.2 - Parks Landscapes</td>
<td>$8,537,633</td>
<td>2024/25</td>
</tr>
<tr>
<td>Roads 13/14</td>
<td>SAMP Category 1 - Roads Construction &amp; Upgrades</td>
<td>$18,900,877</td>
<td>2024/25</td>
</tr>
<tr>
<td>Rodney Reserve</td>
<td>Rodney Reserve - sports field, fencing, lighting, amenities block, irrigation, resurfacing, upgrade to parking, goal posts</td>
<td>$1,400,000</td>
<td>2017/18</td>
</tr>
<tr>
<td>SAMP - Buildings</td>
<td>Renewal/Uplifting works on condition 4 &amp; 5 buildings - Spotlight/Metro, Bondi Beach Cottage and 91 O’Brien Street</td>
<td>$1,120,000</td>
<td>2017/18</td>
</tr>
<tr>
<td>SAMP – Other categories</td>
<td>SAMP Category 12 - Other: Fences, Stairs, Bus Shelters, Street Furnitures &amp; Signages</td>
<td>$3,256,948</td>
<td>2024/25</td>
</tr>
<tr>
<td>Stormwater</td>
<td>SAMP Category 4 - Stormwater drainage construction &amp; upgrades</td>
<td>$3,885,376</td>
<td>2024/25</td>
</tr>
<tr>
<td>Street Tree</td>
<td>SAMP Category 11 - Street Trees</td>
<td>$1,586,120</td>
<td>2024/25</td>
</tr>
<tr>
<td>T&amp;T 27</td>
<td>Military Road intersection treatments &amp; traffic calming</td>
<td>$1,000,000</td>
<td>2015/16</td>
</tr>
<tr>
<td>T&amp;T 28</td>
<td>Bronte Rd, Ebley St, Hollywood Ave &amp; Waverley St link road circulation, traffic improvements &amp; road widening</td>
<td>$7,000,000</td>
<td>2020/21</td>
</tr>
<tr>
<td>T&amp;T 29</td>
<td>Road safety &amp; traffic calming</td>
<td>$1,000,000</td>
<td>2022/23</td>
</tr>
<tr>
<td>T&amp;T 30</td>
<td>Bike Plan Implementation</td>
<td>$3,100,000</td>
<td>2023/24</td>
</tr>
<tr>
<td>Tamarama Plan of Management</td>
<td>Tamarama promenade &amp; sea walls</td>
<td>$1,000,000</td>
<td>2020/21</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$160,675,772</strong></td>
<td></td>
</tr>
</tbody>
</table>
The following projects are planned for in Council's Capital Works Schedule, however specific locations are not yet finally determined.

<table>
<thead>
<tr>
<th>ID</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>BB PAMP</td>
</tr>
<tr>
<td>2</td>
<td>BJ PAMP 2</td>
</tr>
<tr>
<td>3</td>
<td>Child care centre</td>
</tr>
<tr>
<td>4</td>
<td>Coastal &amp; retaining infrastructure</td>
</tr>
<tr>
<td>5</td>
<td>Complete Streets</td>
</tr>
<tr>
<td>6</td>
<td>EAP-Alternative water sources</td>
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<tr>
<td>7</td>
<td>EAP-Green infrastructure</td>
</tr>
<tr>
<td>8</td>
<td>Invest Strategy 15 - SES Depot</td>
</tr>
<tr>
<td>9</td>
<td>Kerb &amp; Gutter 13/14</td>
</tr>
<tr>
<td>10</td>
<td>Local village DCP improvement</td>
</tr>
<tr>
<td>11</td>
<td>Open Space/Rec 17 Playground</td>
</tr>
<tr>
<td>12</td>
<td>SAMP-Other</td>
</tr>
<tr>
<td>13</td>
<td>Parks infrastructure</td>
</tr>
<tr>
<td>14</td>
<td>Parks landscapes</td>
</tr>
<tr>
<td>15</td>
<td>Roads 13/14</td>
</tr>
<tr>
<td>16</td>
<td>Stormwater</td>
</tr>
<tr>
<td>17</td>
<td>Street trees</td>
</tr>
<tr>
<td>18</td>
<td>T &amp; T 27-30</td>
</tr>
</tbody>
</table>
Capital Works

LEGEND
- Project code

The following projects are planned for in Council's Capital Works Schedule, however specific locations are not yet finally determined:

<table>
<thead>
<tr>
<th>ID</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>BB PAMP</td>
</tr>
<tr>
<td>2</td>
<td>BJ PAMP 2</td>
</tr>
<tr>
<td>3</td>
<td>Child care centre</td>
</tr>
<tr>
<td>4</td>
<td>Coastal &amp; retaining infrastructure</td>
</tr>
<tr>
<td>5</td>
<td>Complete Streets</td>
</tr>
<tr>
<td>6</td>
<td>EAP-Alternative water sources</td>
</tr>
<tr>
<td>7</td>
<td>EAP-Green infrastructure</td>
</tr>
<tr>
<td>8</td>
<td>Invest Strategy 15 - SES Depot</td>
</tr>
<tr>
<td>9</td>
<td>Kerb &amp; Gutter 13/14</td>
</tr>
<tr>
<td>10</td>
<td>Local village DCP improvement</td>
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<tr>
<td>11</td>
<td>Open Space/Rec 17 Playground</td>
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</tr>
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<td>15</td>
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<td>17</td>
<td>Street trees</td>
</tr>
<tr>
<td>18</td>
<td>T &amp; T 27-30</td>
</tr>
</tbody>
</table>
**SCHEDULE 2**  
**COST SUMMARY REPORT**

**SECTION 94 COST SUMMARY REPORT**  
**DEVELOPMENT COST LESS THAN $500,000**

<table>
<thead>
<tr>
<th><strong>APPLICANT DETAILS</strong> <em>(It is important that we are able to contact you if more information is needed)</em></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name (or Company):</strong> __________________________</td>
</tr>
<tr>
<td><strong>Postal Address:</strong> ______________________________</td>
</tr>
<tr>
<td><strong>Postcode:</strong> ________________________________</td>
</tr>
<tr>
<td><strong>Phone No. (Daytime):</strong> __________________________</td>
</tr>
<tr>
<td><strong>Mobile No.:</strong> ________________________________</td>
</tr>
<tr>
<td><strong>E-mail:</strong> __________________________</td>
</tr>
<tr>
<td><strong>Contact Person (If a Company):</strong> __________________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>APPLICATION DESCRIPTION</strong> <em>(This will help us to correctly identify the subject property)</em></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Development Application No.:</strong> __________________________</td>
</tr>
<tr>
<td><strong>Date Approved:</strong> __________________________</td>
</tr>
<tr>
<td><strong>Development Details:</strong> __________________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>ANALYSIS OF DEVELOPMENT COST</strong></th>
<th><strong>$</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Demolition and Alterations</td>
<td></td>
</tr>
<tr>
<td>Structure</td>
<td></td>
</tr>
<tr>
<td>External Walls, Windows and Doors</td>
<td></td>
</tr>
<tr>
<td>Internal Walls, Screens and Doors</td>
<td></td>
</tr>
<tr>
<td>Wall finishes</td>
<td></td>
</tr>
<tr>
<td>Floor finishes</td>
<td></td>
</tr>
<tr>
<td>Ceiling finishes</td>
<td></td>
</tr>
<tr>
<td>Fittings and Equipment</td>
<td></td>
</tr>
<tr>
<td>Hydraulic services</td>
<td></td>
</tr>
<tr>
<td>Mechanical services</td>
<td></td>
</tr>
<tr>
<td>Fire services</td>
<td></td>
</tr>
<tr>
<td>Electrical services</td>
<td></td>
</tr>
<tr>
<td>Lift services</td>
<td></td>
</tr>
<tr>
<td>External works</td>
<td></td>
</tr>
<tr>
<td>External services</td>
<td></td>
</tr>
<tr>
<td>Other related work</td>
<td></td>
</tr>
<tr>
<td><strong>Sub Total</strong></td>
<td><strong>$</strong></td>
</tr>
<tr>
<td>Preliminaries and Margin</td>
<td></td>
</tr>
<tr>
<td><strong>Sub Total</strong></td>
<td><strong>$</strong></td>
</tr>
<tr>
<td>Consultant fees</td>
<td></td>
</tr>
<tr>
<td>Other related development costs</td>
<td></td>
</tr>
<tr>
<td><strong>Sub Total</strong></td>
<td><strong>$</strong></td>
</tr>
<tr>
<td>Goods and services tax</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL DEVELOPMENT COST</strong></td>
<td><strong>$</strong></td>
</tr>
</tbody>
</table>

I certify that I have:
- Inspected the plans the subject of the application for development consent
- Calculated the development costs in accordance with the definition of development costs in clause 26J of the Environmental Planning and Assessment Regulations 2000 at current prices
- Included GST in the calculation of development cost

Signature: __________________________  
Date: __________________________

Position and Qualifications: __________________________
SCHEDULE 3
DETAILED COST REPORT

REGISTERED* QUANTITY SURVEYOR'S
DETAILED COST REPORT

DEVELOPMENT COST OF $500,000 OR MORE

* A member of the Australian Institute of Quantity Surveyors

APPLICANT DETAILS (it is important that we are able to contact you if more information is needed)
Name (or Company): ________________________________________________
Postal Address: ____________________________________________________________________________ Postcode: ____________
Phone No. (Daytime): ___________________________ Mobile No.: ____________________________
E-mail: ____________________________ Contact Person (If a Company): ____________________________

APPLICATION DESCRIPTION (This will help us to correctly identify the subject property)
Development Application No.: ____________________________ Date Approved: ____________________________
Development Address: ____________________________________________________________________________

DEVELOPMENT DETAILS

<table>
<thead>
<tr>
<th>Site Area:</th>
<th>sqm</th>
<th>Gross Floor Area – Residential:</th>
<th>sqm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Floor Area – Retail:</td>
<td>sqm</td>
<td>Gross Floor Area – Other:</td>
<td>sqm</td>
</tr>
<tr>
<td>Gross Floor Area – Commercial:</td>
<td>sqm</td>
<td>Total Gross Floor Areas:</td>
<td>sqm</td>
</tr>
<tr>
<td>Gross Floor Area – Parking:</td>
<td>sqm</td>
<td>Total Number of Car Parking Spaces:</td>
<td>sqm</td>
</tr>
</tbody>
</table>

ESTIMATE DETAILS

<table>
<thead>
<tr>
<th>Area of Work</th>
<th>Cost of Construction ($)</th>
<th>Cost ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demolition and Site Preparation</td>
<td>/sqm of site area</td>
<td></td>
</tr>
<tr>
<td>Excavation</td>
<td>/sqm of site area</td>
<td></td>
</tr>
<tr>
<td>Construction - Retail</td>
<td>/sqm of retail area</td>
<td></td>
</tr>
<tr>
<td>Construction – Commercial</td>
<td>/sqm of commercial area</td>
<td></td>
</tr>
<tr>
<td>Construction – Residential</td>
<td>/sqm of residential area</td>
<td></td>
</tr>
<tr>
<td>Fitout – Retail</td>
<td>/sqm of retail area</td>
<td></td>
</tr>
<tr>
<td>Fitout – Commercial</td>
<td>/sqm of commercial area</td>
<td></td>
</tr>
<tr>
<td>Fitout – Residential</td>
<td>/sqm of residential area</td>
<td></td>
</tr>
<tr>
<td>Carpark</td>
<td>/sqm of parking area</td>
<td>/car space</td>
</tr>
<tr>
<td>Professional Fees</td>
<td>$</td>
<td>% of construction cost</td>
</tr>
<tr>
<td>TOTAL CONSTRUCTION COST</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>TOTAL GST</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>TOTAL DEVELOPMENT COST</td>
<td>$</td>
<td></td>
</tr>
</tbody>
</table>

I certify that I have:
- Inspected the plans the subject of the application for development consent;
- Prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors;
- Calculated the development costs in accordance with the definition of development costs in clause 25J of the Environmental Planning and Assessment Regulations 2000 at current prices;
- Included GST in the calculation of development cost, and
- Measured Gross Floor Areas in accordance with the Method of Measurement of Building Areas in the AICS Cost Management Manual Volume 1, Appendix A2.

Signature: ____________________________________________ Date: ____________________________
Position and Qualifications: ____________________________________________
I, the Minister for Planning, under section 94E of the Environmental Planning and Assessment Act 1979 (‘the Act’), direct consent authorities that:

(1) The maximum percentage of the levy for development under section 94A of the Act, having a proposed cost within the range specified in the Table to Schedule A, is to be calculated in accordance with that Table.

(2) Despite subclause (1), a levy under section 94A of the Act cannot be imposed on development:
   a) for the purpose of disabled access,
   b) for the sole purpose of affordable housing,
   c) for the purpose of reducing the consumption of mains-supplied potable water, or reducing the energy consumption of a building,
   d) for the sole purpose of the adaptive reuse of an item of environmental heritage, or
   e) other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out.

In this direction words and expressions used have the same meaning as they have in the Act. The term “item” and “environmental heritage” have the same meaning as in the Heritage Act 1977.

This direction does not apply to development applications and applications for complying development certificates finally determined before 1 December 2006.

FRANK SARTOR, M.P.,
Minister for Planning,
Sydney.
[Dated: 10 November 2006]

SCHEDULE A

<table>
<thead>
<tr>
<th>Proposed cost of the development</th>
<th>Maximum percentage of the levy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to $100,000</td>
<td>Nil</td>
</tr>
<tr>
<td>$100,001–$200,000</td>
<td>0.5 percent</td>
</tr>
<tr>
<td>More than $200,000</td>
<td>1.0 percent</td>
</tr>
</tbody>
</table>
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Revocation of Direction in force under section 94E
And Direction under section 94E

I, the Minister for Planning:

1. Pursuant to sections 4(8) and 94E of the Environmental Planning and Assessment Act 1979 ("the Act"), revoke the direction in force under section 94E of the Act made by Craig Knowles, the former Minister for Infrastructure and Planning, on 6 November 2000, in relation to development applications to carry out development under State Environmental Planning Policy No 5 – Housing for Older People or People with a Disability ("SEPP 5"). This revocation applies to development applications made on or after commencement of State Environmental Planning Policy (Seniors Living) 2004 (Amendment No 2) ("the SEPP").

2. Pursuant to section 94E of the Act, direct consent authorities that there are no public amenities or public services in relation to which a condition under Division 6 of Part 4 of the Act may be imposed on the class of development consents identified in Schedule A granted to a social housing provider as defined in the SEPP. This direction applies to development applications made by such a social housing provider on or after commencement of the SEPP.

Schedule A

Development consents to carry out development for the purposes of any form of seniors housing as defined in State Environmental Planning Policy (Seniors Living) 2004.

Minister for Planning

Sydney, 14 Sep 2007.
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

DIRECTION UNDER SECTION 94E

I, the Minister for Planning ("Minister"), being the Minister administering the Environmental Planning and Assessment Act 1979 ("the Act"), pursuant to s94E of the Act, direct consent authorities that:

(1) A condition pursuant to section 94A of the Act cannot be imposed in respect of any component of a school development that is a BER Project.

(2) There are no public amenities or public services in relation to which a condition pursuant to section 94 of the Act may be imposed in respect of any component of a school development that is a BER Project.

Notes do not form part of this Direction.

Definitions:

(1) Words and expressions used in this Direction have the same meaning as in the Act, except where otherwise indicated.

(2) The following definitions apply in this Direction:

"BER Project" means a Building the Education Revolution project undertaken pursuant to the Building the Education Revolution program and funded by the Commonwealth under the Nation Building and Jobs Plan, Appropriation (Nation Building and Jobs) Act (No.1) 2008 - 2009 and the Appropriation (Nation Building and Jobs) Act (No.2) 2008 - 2009.

"School" means a government school or non-government school within the meaning of the Education Act 1990.

[Signature]
Minister for Planning

Dated 9 September 2009

Notes:

1. Section 94EC(1A) of the Act provides as follows:

The imposition of a condition by an accredited certifier as authorised by a contributions plan is subject to compliance with any directions given under section 94E (1) (a), (b) or (d) with which a council would be required to comply if issuing the complying development certificate concerned.
Report Requiring Determination
No. CRD.57/14

Subject:  Planning Proposal to amend Clause 6.7 of the Waverley Local Environmental Plan 2012 (Overshadowing Clause)

Trim File No.:  PP-1/2014
Author:  Alex Beers, Strategic Planner – Shaping Waverley Sub-Program

Recommendation: That Council:

1.  Supports the Planning Proposal to amend Clause 6.7 of the Waverley Local Environmental Plan 2012 (WLEP);

2.  Agrees to place the Planning Proposal on public exhibition in accordance with the Gateway Determination if required; and

3.  Resolves to make the amendment to the WLEP if supported at the Gateway.

1.  Executive Summary

The introduction of Clause 6.7 – Solar access to public places in Bondi Junction (the clause) into WLEP has unreasonably restricted development potential on key sites in Bondi Junction. Sites fronting Oxford Street Mall and Rowe Street are unable to achieve any additional height above existing buildings where Council has envisaged significant future public domain works including the Bondi Junction Town Square and Bondi Junction Interchange. A Planning Proposal has been prepared to correct this by removing two items from the clause: Oxford Street Mall and Rowe Street (see Attachment 1). In addition, a sub-clause has been added to change the classification of the clause from a prohibition to a development standard to permit appropriate variations that will be assessed under the criteria in Clause 4.6.

Oxford Street Mall will retain significant solar access as a height plane has been accounted for through LEP building height development standards. The clause will retain solar access to the other public places listed in the clause.

2.  Introduction/Background

On 13 June 2014, the WLEP was amended (Amendment No 2) with changes for Bondi Junction, as well as other general housekeeping amendments. The changes to the WLEP in relation to Bondi Junction were implemented in response to recommendations from the Bondi Junction Urban Design Review Report (BJUDRR) conducted by City Plan Pty Ltd in 2012. The BJUDRR investigated how additional development could be achieved to meet State Government employment and housing targets whilst producing a high quality built environment throughout Bondi Junction.

One of the recommendations of the BJUDRR included the introduction of a Local Provision within Part 6 of the LEP to protect solar access in public parks and plazas: Clause 6.7, outlined below:
6.7 Solar access to public spaces in Bondi Junction

(1) The objective of this clause is to ensure that buildings are designed to maximise sunlight access to the public places set out in this clause.

(2) Despite any other provisions of this Plan, development consent must not be granted unless the consent authority is satisfied that there is no additional shadow impact at 12 noon on 21 June on the following:

(a) Clemenston Park,
(b) Waverley Street Mall,
(c) Eora Park,
(d) Norman Lee Place (Boot Factory),
(e) Oxford Street Mall (between Bronte Road and Newland Street),
(f) Rowe Street (between Oxford Street Mall and Grosvenor Lane).

(3) In this clause additional shadow impact means any overshadowing caused by the proposed development that is additional to the amount of shadow cast by existing buildings as at the date of commencement of this provision.

However, the report did not adequately foresee the unintended constraints such a clause would place on land surrounding these public places. Sites to the north of two of the sites listed in the clause, Oxford Street Mall, and Rowe Street, have been especially constrained to the point that any development over what currently exists on the sites is unachievable.

Previous Council Resolutions

<table>
<thead>
<tr>
<th>Council or Committee Meeting &amp; Date</th>
<th>Resolution No.</th>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. FESP Meeting 5 March 2012</td>
<td>F-1303.5</td>
<td>See Attachment 2</td>
</tr>
</tbody>
</table>

3. Discussion

Objective of the Planning Proposal

The objective of the Planning Proposal is to remove two sites listed in Clause 6.7 of WLEP which imposes onerous development constraints on a number of other sites within the Bondi Junction Centre. The two sites to be removed are Oxford Street Mall (between Bronte Road and Newland Street) and Rowe Street (between Oxford Street Mall and Grosvenor Lane).

The proposal also aims to change the clause from a prohibitive clause to a development standard. This is to allow for reasonable exceptions to be made to the clause in line with the objectives of Clause 4.6 (Exceptions to development standards).

The original intent of the clause was to maximise solar access to public spaces in the middle of the winter solstice. The final wording of the clause defines additional shadow impact to be “any overshadowing caused by the proposed development that is additional to the amount of shadow cast by existing buildings as at the date of commencement of this provision”. This results in certain sites being unable to realize any additional height.
This planning proposal has been prepared in response to an anomaly arising out of the drafting process of Amendment 2 which was gazetted on 13 June 2014. The planning proposal seeks to correct this oversight by removing the two sites listed above to facilitate reasonable development on sites which are considered strategically critical to the role of Bondi Junction as a Major Centre.

**Explanation**

Clause 6.7 unreasonably inhibits the growth of Bondi Junction and will result in parts of the Centre left undeveloped in locations where Council envisages critical improvements to public amenity and accessibility. For example, the ability to develop the Bondi Junction Town Square along Oxford Street Mall and Rowe Street is a key strategic direction which is now hindered by the provisions of this clause and is counterintuitive to the main aims of the BJUDRR. In addition, the subsequent improvements to the access into the Bondi Junction Transport Interchange are a significant public benefit which is now unachievable under Clause 6.7.

**Oxford Street Mall**

The inclusion of Oxford Street Mall (the Mall) in the clause unreasonably restricts land to the north. This was not the intention of the BJUDRR which aimed to investigate areas where additional development could be accommodated, especially within the Commercial Core. Solar access to the Mall has already been addressed by the LEP building heights that step back on its northern side to create a height plane. As an east-west running street, any development on the north side of Oxford Street Mall will overshadow the Mall to some extent. The building heights have been set so that the facades on the south side of the Mall will still receive sunlight in mid-winter.

It is unreasonable to completely restrict development along Oxford Street Mall, especially considering the public benefits associated with the envisaged Bondi Junction Town Square and improvements to access for the Bondi Junction Transport Interchange. The WLEP includes a form of building envelopes, expressed through specific height and floor space ratio variations along Oxford Street Mall and Rowe Street, which aim to facilitate the expansion of a significant public space in the Bondi Junction Town Square.

The Mall should therefore be taken out of the clause so that development is not unduly restricted on these sites and the establishment of the Bondi Junction Town Square can be facilitated.

**Rowe Street**

The section of Rowe Street between Oxford Street Mall and Grosvenor Lane is currently a pedestrian ramp that provides access to the Bondi Junction Transport Interchange. Under WLEP the land is zoned B3 Commercial Core and has a height limit of 32m, but as a result of Clause 6.7, no additional height can be achieved as any development proposed would overshadow the area. This is an unintended sterilization of the site’s development potential and was not the objective of the BJUDRR.

The site should therefore be taken out of the clause to enable development in line with the LEP development standards which already account for overshadowing. Overshadowing will be assessed as part of any development application that is lodged for the site.

**Change to development standard**

In its current form, Clause 6.7 is a local provision that overrides any applicable development standard and therefore permits no additional shadow impact in any instance. Local provisions are intended to be consistent with the provisions of a Local Environmental Plan. Therefore, in this instance the clause should provide a reasonable level of flexibility to allow minor additional overshadowing in cases where a better built form outcome may be achieved on a site. Changing the clause from a prohibitive clause to a development standard would keep the clause in effect, but allow for some variation in...
exceptional circumstances under Clause 4.6, similar to building heights and floor space ratios. This will result in a better built form and public domain for Bondi Junction.

4. Conclusion

Clause 6.7 of the WLEP is significantly restraining growth in Bondi Junction around the sites mentioned. Facilitating the growth of the centre, especially through the development of the Bondi Junction Town Square and Bondi Junction Interchange access improvements will strengthen its role as a key transport interchange, a focal point for commercial and retail activity, and a destination for tourists. Oxford Street Mall will retain significant solar access as a height plane has been accounted for through LEP building height development standards and DCP controls. The clause will retain solar access to the other public places listed in the clause. Changing the clause to a development standard creates the potential for developments to seek variations from the clause in a minor way in certain circumstances under Clause 4.6 including consideration of the public benefit.

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

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

Direction: L1 Waverley’s economy is vibrant and robust and supports the creation of a variety of jobs and business opportunities.
Strategy: L1a reinforce Bondi Junction’s role as a regional centre with a mix of residential, retail, hospitality, business, commercial, professional services and entertainment activities.
Deliverable: Well utilised, integrated and welcoming public and private domains in Bondi Junction achieved through the development approval process, and Initiatives implemented to encourage visitation and stimulate economic activity

6. Financial impact statement/Timeframe/Consultation

There will be no direct financial impact for Council as a result of this Planning Proposal.

Due to the minor nature of the amendment and given that the planning proposal seeks to correct an anomaly made in the drafting of Clause 6.7, the Planning Proposal will request that no community consultation be required as part of the proposal. Waiving the public exhibition will expedite the correction of the anomaly and enable the establishment of the Bondi Junction Town Square and Bondi Junction Transport Interchange access improvements.

If the Gateway Determination agrees to waive the public exhibition it is expected that the amendment to the WLEP can be completed by mid October. Otherwise the amendment is expected to be made in December 2014.

7. Attachment/s:

Attachment 1: Planning Proposal to amend Clause 6.7 - Issued Separately
Attachment 2: FESP Meeting 5 March 2012 Resolution F-1303.5 - Issued Separately
Report Requiring Determination
No. CRD.58/14

Subject: Appointment of Community Engagement Consultancy – Bondi Junction
Trim File No.: A13/0135
Author: Peter Monks, Director Waverley Futures Program

Recommendation: That Council:

Engages Roberta Ryan from the Centre for Local Government at the University of Technology Sydney to undertake the following exercises:

a) A review of Council’s current Community Engagement Guidelines.


1. Executive Summary

Associate Professor Roberta Ryan and staff from the Centre for Local Government at the University of Technology Sydney (UTS) have been assisting Council in reviewing community engagement and consultation approaches undertaken by Waverley Council.

As part of this review, Ms Ryan has been requested to provide advice in regard to the following:-

1. Reviewing Council’s current community engagement and consultation guidelines;

2. Preparing the community engagement approaches for the Council’s Bondi Junction Vision project; and

3. Preparing the community engagement approach for the Bondi Junction Civic Precinct Masterplan.

In order to enable Council to progress these matters expeditiously, it is proposed that Ms Ryan and the UTS be appointed to act as Council’s community engagement consultant to undertake these exercises.

Under Council’s Purchasing Policy, consultancies between $50-149,000 may be appointed by the General Manager after the seeking of three quotes from respective suppliers. Given the quality of work undertaken by Ms Ryan and her team in assisting in the progression of community engagement methodologies for the above projects and given the importance of progressing these projects immediately, it is recommended that Council vary its Purchasing Policy and appoint Ms Ryan and the University of Technology Sydney to undertake the community engagement component of the above projects.
2. **Introduction/Background**

Waverley Council has a long standing commitment of engaging with its community in the preparation of any project, strategy or programme being undertaken by Council. Ms Ryan and the UTS have provided advice to Council on these matters over many years and especially so recently in the Council's consideration of how to engage with the community as part of the Bondi Junction Vision 2013 project and the Civic Precinct project as well as undertaking a review of Council’s overall community engagement/consultation guidelines.

The most recent relevant Council resolutions relating to this are as follows:

<table>
<thead>
<tr>
<th>Council or Committee Meeting date</th>
<th>Resolution No</th>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations Committee Meeting</td>
<td>OCRD.22/14</td>
<td>A Masterplan for a new Civic Precinct in Bondi Junction (A13/0135)</td>
</tr>
<tr>
<td>5 August 2014</td>
<td></td>
<td><strong>Point 2 of the Resolution</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>That the Committee:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Agrees that as a first step in the Masterplanning exercise process, Council undertakes community engagement to help formulate the study brief. The outcomes of this engagement be reported to Council in November 2014 for endorsement along with further information on the project timetable and budget.</td>
</tr>
<tr>
<td>Council Meeting</td>
<td>CRD.51/14</td>
<td>Bondi Junction 2030 Vision (A13/0135)</td>
</tr>
<tr>
<td>15 July 2014</td>
<td></td>
<td>That Council:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1. Receives and notes the Draft Bondi Junction 2030 Vision Statement awaiting the outcomes of the community engagement process.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Endorses engagement with the community on its vision for Bondi Junction.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Compares the outcomes of the community engagement process to the draft Bondi Junction 2030 Vision Statement and refers officers to the existing resolution 1202.6.3 of Council on the Creative Economy.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. Prepares a report to Council with recommendations for final vision for Bondi Junction 2030.</td>
</tr>
</tbody>
</table>
3. Discussion

Associate Professor Roberta Ryan is a leading social research and policy, program evaluation and stakeholder engagement practitioner and researcher with over 30 years’ experience. With a strong interest in the relationship between people and places, she has worked in and with local government in areas of community services, land use planning, sustainability, organisational change and development and citizen engagement.

Under the Local Government Act, any consultancy in excess of $150,000 in value is required to be the subject of a tender. Council’s Purchasing Policy sets out the basis for appointments for works valued at less than the tender threshold and in this instance for work valued at between $50-150,000, the Policy recommends that three written quotes be received prior to appointment.

Ms Ryan and her team at the Centre for Local Government at the University of Technology Sydney have significant experience in the progression of community engagement methodologies for a variety of projects over many years. Given the importance of progressing the Bondi Junction projects immediately, it is recommended that Council vary its Purchasing Policy and appoint Ms Ryan and the University of Technology Sydney to undertake the community engagement component of these projects.

There is also particular merit in having the one consultant undertake the two key projects in Bondi Junction. The community engagement approaches for the two projects are being integrated to save costs, time, and to reduce overlap and therefore any sense of confusion that may arise from the community with community engagement occurring on two related but different projects in Bondi Junction.

4. Conclusion

The immediate appointment of Ms Ryan and UTS will enable the immediate commencement of the community engagement component of the respective projects.

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

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

Delivery Program: Accords with the Delivery Program 2013-2017:

- Strategy L1a – “Reinforce Bondi Junctions role as a regional centre with a mix of residential, retail, hospitality, business, commercial, professional services and entertainment activities”.

- Strategy L5d – “Develop a vision for Bondi Junction which creates vibrant and accessible public places through high quality urban design and place making principles”.

- Direction G7 – “In service delivery, sound safety and risk management practices are maintained to protect the community and service agency staff.”
6. **Financial impact statement/Timeframe/Consultation**

The 2014/15 Council budget has an allocation of $250,000 for works associated with the progression of Council’s Investment Strategy.

<table>
<thead>
<tr>
<th>External Services</th>
<th>Probable fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of community engagement/consultation guidelines</td>
<td>$29,550</td>
</tr>
<tr>
<td>Community engagement for Bondi Junction Vision 2030 and Civic Precinct</td>
<td>$120,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$149,550</strong></td>
</tr>
</tbody>
</table>

7. **Attachment/s:**

Nil.
Report Requiring Determination  
No. CRD.59/14

Subject: Request for the Calling of Tenders for Demolition of Portman Street, Zetland Depot Buildings

Trim File No.: A03/2077-02

Author: Peter Cassilles, Acting Executive Manager, Project Waverley Sub-Program

Recommendation:

That Council approves the calling of tenders for the Demolition of Portman Street, Zetland Depot Buildings.

1. Executive Summary

The purpose of this report is to seek Council’s approval for the calling of Tenders for the Demolition of Portman Street, Zetland Depot Buildings.

The project is for the Demolition of Portman Street, Zetland Depot Buildings at current the depot site and is in accordance with the condition of sale with City of Sydney and Bridgehill Group. The site is required for the redevelopment of the Green Square Town Centre.

The demolition of the structures on the site is required to be completed by March, 2015 as part of the condition of sale.

2. Introduction/Background

The processes to enable investigation of the site, including a contamination report and services location, in order to prepare the tender documentation are currently underway.

Council approval is now requested for commencement of a tender process.

3. Conclusion

It is proposed to advertise the tender in September, 2014 and present a report to the November, 2014 Council meeting to enable the demolition to commence in January, 2015. The project is to be completed in March, 2015.

4. Financial impact statement/Timeframe/Consultation

Funds have been allocated in Council’s 2014/15 Capital Works Budget.
5. **Consultation**

All relevant departments will have input into the scope of works and specification.

6. **Attachment/s:**

Nil
Report Requiring Determination
No. CRD.60/14

Subject: Performance for a Windy Day - Small Grants Application
Trim File No.: A13/0560
Author: Elizabeth Reidy - Project Officer, Gallery Coordination

Recommendation:

That Council approves $3,000 as a Small Grant for the art project "Performance for a Windy Day", to run as part of Festival of the Winds on 14 September 2014.

1. Executive Summary

- When Council considered the 2013-14 Round 2 Small Grants applications, Council deferred one application, the proposed 'Performance for a Windy Day' performance art project. The project includes four artists conducting various performances, programmed as part of Festival of the Winds.

- Since the last Council report, the project has now been modified. In particular the "I’ll be bound" performance proposed for North Bondi will now be performed seated (rather than the previously proposed suspended on a rope). This significantly reduces risk.

- The project is assessed as meeting cultural criteria for small grants. It’s expected that the community will enjoy and be stimulated by the various performance art projects this grant will fund at Festival of the Winds.

- It is recommended that $3,000 be granted as a Small Grant to the project.

2. Introduction/Background

<table>
<thead>
<tr>
<th>Meeting &amp; Date</th>
<th>Resolution No.</th>
<th>Resolution</th>
</tr>
</thead>
</table>
| Council meeting, 18 March 2014 | CRD.9/14 | That
|                      |                | 1. Council approves the Small Grants Program (Round 2) 2013-2014 grants to the groups and activities as set out in the report, subject to: |
|                      |                | a) The allocation of the $3,000 grant to Performance Art at the Beach be deferred subject to a report being submitted to Council on the performance and its message to the community. |

Council considered small grant applications for Round 2 (2013-14) in March 2014. That Council decided to defer a recommended allocation of $3,000 to ‘Performance Art at the Beach’.
'Performance Art for a Windy Day' is a program of performances to be included as part of the Festival of the Winds 2014 cultural program. As described by curator Martin Renaud:

'We are looking to make an impact on the community of Waverley Council and specifically the culturally and linguistically diverse population attending the Festival of the Wind. We want to create a strong image of contemporary Australian performance in the minds of the public. We would like to show that there is an eclectic and active art community living and working in Bondi who are presenting accessible live performances of high calibre quality on their own home ground'.

Each of the artists in the project lives in Bondi and has exceptional creative credentials as outlined in their biographies below:

- **Richard James Allen** is the founder of The Physical TV Company and is a critically lauded leader in the international dance on screen field.

- **Caterina Mocciola** is an independent Sydney based dancer who has shown nationally and internationally. Caterina migrated to Australia ten years ago and resides in Bondi Beach.

- **Kathryn Puie** has performed nationally and internationally with companies such as Legs on the Wall, De Quincy Co and Brach Nebula. She has collaborated with contemporary choreographers including Martin Del Almo, Dean Walsh and Tess De Quincy. Kathryn resides in Bondi Beach.

- **Martin Renaud** is an artist, curator and producer from Quebec who currently lives in Bondi Beach and works as the Production Manager at Metro Screen in Sydney. Martin is a durational performance artist who has worked widely across Canada and Australia.

### 3. Discussion

Martin Renaud, the curator of the performance program, has provided details of each of the proposed works which summarises the artistic merit of the program for the local community and visiting patrons at Festival of the Winds to be held on Sunday 14 September 2014.

It is acknowledged that the risks identified in each of the performances will require that all appropriate event planning documents including risk management plans be provided to staff for assessment to ensure all necessary standards are complied with during the delivery of performances. All the artists in the proposal have personal Public Liability Cover and are indemnified as professional artists and performers.

**Martin Renaud, I’ll Be Bound**

Martin Renaud will perform a meditation with rope as a durational piece over the period of the festival (11am-4pm). Martin’s performance consists of wrapping his entire body up with rope, in a seated position and hold that position for a long meditation over the afternoon of the Festival of the Wind. He will be performing in the grassy area of North Bondi at the bottom of the curved timber wall in front of the kid’s pool.

Martin has previously presented similar performances in Manly and Dee Why, in pieces commissioned by the Warringah Council for Arts in Odd Places in September 2013. He also presented performances
with rope binding at Tortugas Studio during the Fringe Festival 2011, in Malaysia at the Melaka Arts Festival 2012 and in Indonesia at Survive Garage during a workshop in June 2013.

Martin has previously presented similar performances in Manly and Dee Why, in pieces commissioned by the Warringah Council for Arts in Odd Places in September 2013. He also presented performances with rope binding at Tortugas Studio during the Fringe Festival 2011, in Malaysia at the Melaka Arts Festival 2012 and in Indonesia at Survive Garage during a workshop in June 2013.

**Richard James Allen, The Australian Mongrel Untrue Facts Tour of Bondi Beach**

Richard James Allen’s performances will consist of 4x45min imaginary guided tours which will be programmed to align with the other events in the Festival’s schedule. The tours will be mostly conducted on the promenade and starting in South Bondi where a marquee will be set-up. The marquee will be attended all day by volunteers taking bookings for the next tours.

**Kathryn Puie, Festival of the Winds**

Kathryn will deliver a series of 5 x 20-25 minutes stilt walking acrobatic performances in the North Bondi children’s pool and on the shore of the northern end of Bondi Beach. She will be wearing a costume that will allow her to change into different characters during her performance.

**Caterina Mocciola, Just One More Year**

Caterina’s performance series will be delivered around specific locations which have gained particular meaning amongst the different ethnic communities over the years. She will perform five solo contemporary dance improvisation pieces of about 20-30 minutes each. These performances will organically arrange themselves through the public like a busking performance.

The order and schedule will be determined in relation to the overall program of the Festival of the Winds.

4. **Conclusion**

Staff are believe these performances will be a valuable part of the Festival of the Winds 2014 program. Staff believe the proposed performance pieces will complement the overall program of the Festival of the Winds by adding depth to the artistic content and merit of the Festival delivered to the local community and visitors to Bondi.

The performance program will also highlight the extent of creative talent located in the local community and that Council is helping to make such creative ventures more accessible to the community at large.

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

The ‘Performance for a Windy Day’ program aligns with Waverley Together 3, the Delivery Program 2013-17, the Arts Plus Plan and Waverley’s Public Art Policy as outlined below:
**Waverley Together 3 2013-2025:**

**C6c:** Foster and create opportunities in the creative sector to retain local artists and cultural providers in Waverley.

**Delivery Program 2013-17:**

**C6c:** Deliverable: Support, advice and affordable and accessible venues provided to assist artists and others to hold arts and cultural events and activities.

Outcome: More working space for artists and visibility for Waverley Council’s support of local artists and practitioners

**Arts Plus Plan:**

2.1 Develop a creative industries profile

2.3 Support artist run initiatives

2.4 Facilitate the development of arts groups and organizations in Waverley

**Waverley Public Art Policy:**

Public Art plays a powerful role in Waverley. It engages and promotes dialogue across the community, attracts economic benefit, connects artists with the area, and enhances the overall appreciation of Art. Public Art can be permanent (such as a sculpture) or temporary (such as street art, temporary installations or experimental media).

1.1 Place making (Making Spaces into Places)

Public Art should stimulate the imagination, and encourage creative expression, innovation, and invigoration of space. It should ensure the integration of art into the everyday experience of the area for locals and visitors alike. The relationship between the artwork and the built and open environment, its audience, and other contextual factors all contribute to its impact.

1.2 Artistic Excellence

Public Art in Waverley aspires to qualities of artistic excellence, innovation, creative integrity, and the enrichment of public life. Public Art will be of excellence, both in content and execution, displaying technical skill, craftsmanship and ingenuity, while meeting all deadlines and budgetary requirements.

**6. Financial impact Statement/Timeframe/Consultation**

The application will be funded $3,000 through the small grants fund. No other financial contribution is required from Council. The group has also applied to the National Association of the Visual Arts (NAVA) for a further $2500 to support the project. They will be incorporated into the program for the Festival of the Winds, September 14, 2014 and be promoted through the marketing and advertising campaign for the Festival.

Consultation has occurred amongst relevant staff of the Community & Recreation Services Department and the curator of the proposed works. Ongoing consultation between the performers and Council staff will continue and will include the Risk and Safety team within Council to address risk assessment processes required for the event delivery.

**7. Attachments:**

Nil.
Report Requiring Determination
No. CRD.61/14

Subject: Rescheduling of Council and Operations Committee Meetings

Trim File No.: A04/1869

Author: Michael Simmons – Governance & Integrated Planning Officer

Recommendation: That:

1. The Council Meeting scheduled to be held on 21 October 2014 be brought forward to 14 October 2014, as it currently overlaps with the Local Government NSW Annual Conference.

2. An additional Operations Committee Meeting be scheduled for 2 December 2014, and that Council Meeting scheduled for 9 December be rescheduled to 16 December 2014.

1. Executive Summary

a) The Local Government NSW Annual Conference will be held in Coffs Harbour from 19 October to 21 October; 7 Councillors have been endorsed to attend this conference following on from a decision of Council on the Meeting held on 15 July. As the October council meeting is currently scheduled to be held on 21 October, it is recommended that this Meeting be brought forward to 14 October 2014.

b) On 10 December 2013, the Operations Committee was established on a 12 month trial basis after the adoption of the Schedule of Meeting Dates for Council and its Standing Committees for 2014. In the interests of effective and efficient governance, it is proposed that an additional Operations Committee Meeting be scheduled for 2 December, and that the existing Council Meeting be rescheduled to 16 December.

2. Introduction/Background

a) The Local Government NSW Annual Conference is scheduled to be held in Coffs Harbour from 19 October to 21 October. At the Council Meeting held on 15 July (Item CRD.46/14 - Local Government NSW Annual Conference – Coffs Harbour 19 – 21 October 2014), the following Waverley Councillors were endorsed to attend the conference as voting delegates: Councillors Betts, Burrill, Goltsman, Kay and Mouroukas. Furthermore, Councillors Guttman-Jones and Kanak have been endorsed to attend as observers.

Due to time and travel constraints, it is recommended that the meeting of Council that is currently scheduled to be held on 21 October be brought forward one week to accommodate for Waverley Council’s representation at the Local Government NSW Annual Conference.

b) The Schedule of Meeting Dates for Council and its Standing Committees for 2014 was adopted by Council in its Meeting held on 19 November 2013. At the following Council Meeting on 10 December 2013, the Operations Committee was established on a 12 month trial basis as a replacement of the FESP and CHESPW Committees, and commenced in February 2014.
As the adoption of the Schedule of Meeting Dates for Council and its Standing Committees for 2014 preceded the establishment of the Operations Committee, an Operations Committee was not scheduled for December 2014. In the interests of promoting effective and efficient governance, it is proposed that there be an Operations Committee scheduled for the first Tuesday of December (2 December), and that the Council Meeting currently scheduled for 9 December is rescheduled to 16 December, to allow for any matters arising to be dealt with.

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

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

Direction: G1 - Inspiring community leadership is achieved through decision making processes that are open, transparent, corruption resistant and based on sound integrated planning.

Strategy: G1a – Develop and maintain a framework of plans and policies that ensures open and transparent operations that facilitate equitable benefit sharing and progress towards sustainability.

Deliverable: Regular reporting to Council on progress with implementation of integrated corporate plans.

4. Financial impact statement/Timeframe/Consultation

Nil.

5. Attachment/s:

Nil
Report Requiring Determination  
No. CRD.62/14

Subject: Sculpture Relocation, Calga Reserve  
Trim File No.: A08/0391-02  
Author: Elizabeth Reidy - Project Officer, Gallery Coordination

Recommendation:

That Council endorses the relocation within Calga Reserve of the Keizo Ushio sculpture (on permanent loan from the artist), as shown in Attachment 1.

1. Executive Summary

- In late 2013, the artist Keizo Ushio (through Sculpture by the Sea) generously offered to Waverley Council his granite sculpture "Twice Twist Bands" on a permanent loan basis.

- The sculpture was placed in a particular location in Calga Reserve on a 12 month trial. Community feedback was sought at the beginning of the trial (October 2013) and also in recently about possible relocation (July 2014).

- Earlier in 2014 Council was advised by Sculpture by the Sea that the trial location of the sculpture was not acceptable, and the sculpture needed to be moved.

- This report recommends that the sculpture be relocated within Calga Reserve.

2. Introduction/Background

In October 2012 after the 2012 Sculpture by the Sea exhibition, distinguished Japanese artist Keizo Ushio kindly offered a temporary loan of his granite sculpture 'Twice Twist Bands' for 12 months. This was reported to Council and the sculpture remained in Marks Park for approximately twelve months.

In late September 2013 the Keizo Ushio sculpture was offered on a permanent loan, and Waverley Council had to quickly make the decision whether to accept this or not. Councillors were invited to suggest locations for the sculpture and after discussion by Waverley Public Art Committee, the location of Calga Reserve was proposed for a 12 month trial. Residents were advised and feedback was invited throughout the 12 month trial.

The majority of feedback in October 2013 was welcoming of the sculpture in Calga Reserve. Some feedback suggested the sculpture be put in a more prominent position along the coastal line overlooking the ocean. This was seen as being in keeping with the integrity of the original display of the sculpture in the 2012 Sculpture by the Sea exhibition, and in the temporary location in which it was on display in Marks Park.
2. Discussion

In April 2014 Council Officers were advised by Sculpture by the Sea that the artist was not happy with the location of the work. A new location would allow views of the ocean around and through the sculpture, as it was originally exhibited. Sculpture by the Sea requested that Waverley Council bring forward the end of the trial process to see if the work could be relocated some metres away, to the coastal line in Calga Reserve.

Following the positive feedback received initially in the trial, a second letter was distributed to local residents around Calga Reserve (see Attachment 1). This invited feedback on the proposed new 'permanent' location. Feedback received about the relocation was mixed, with the main concern being not the sculpture itself but that there was too much "clutter" in the park.

Council officers have since removed some signage from the park, a sign prohibiting golfing.

All feedback in 2013 and 2014 is included at Attachment 2, grouped by resident.

Waverley Public Art Committee has broadly considered feedback from Sculpture by the Sea and from the community. Given the circumstances, the Public Art Committee has recommended that the sculpture be relocated as per the proposal in Attachment 1.

3. Conclusion

Taking into consideration the overall feedback, residents concerns for the artistic integrity of the art work, David Handley on behalf of the artist’s concerns the work is not being displayed to the original integrity of the art work, it is recommended that Waverley Council endorse the relocation of the Keizo Ushio sculpture donation to the coastal line in Calga Reserve.

Moving the sculpture within Calga Reserve should not increase the sense of "clutter" overall. However, further consideration should be given to whether there are ways to reduce the sense of 'clutter' there.
4. Relationship to Waverley Together 3 & Delivery Program 2013-17

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

Waverley Together 3 2013-2025:
C6c: Foster and create opportunities in the creative sector to retain local artists and cultural providers in Waverley.

Delivery Program 2013-17:
C6c: Deliverable: Support, advice and affordable and accessible venues provided to assist artists and others to hold arts and cultural events and activities.

Outcome: Opportunities for artists, community cultural engagement, and visibility for Waverley Council’s support of artists and practitioners

Arts Plus Plan:
2.1 Develop a creative industries profile
2.3 Support artist run initiatives
2.4 Facilitate the development of arts groups and organizations in Waverley

Waverley Public Art Policy:
Public Art plays a powerful role in Waverley. It engages and promotes dialogue across the community, attracts economic benefit, connects artists with the area, and enhances the overall appreciation of Art. Public Art can be permanent (such as a sculpture) or temporary (such as street art, temporary installations or experimental media).

1.1 Place making (Making Spaces into Places)
Public Art should stimulate the imagination, and encourage creative expression, innovation, and invigoration of space. It should ensure the integration of art into the everyday experience of the area for locals and visitors alike. The relationship between the artwork and the built and open environment, its audience, and other contextual factors all contribute to its impact.

1.2 Artistic Excellence
Public Art in Waverley aspires to qualities of artistic excellence, innovation, creative integrity, and the enrichment of public life. Public Art will be of excellence, both in content and execution, displaying technical skill, craftsmanship and ingenuity, while meeting all deadlines and budgetary requirements.

5. Financial impact statement/Timeframe/Consultation

Relocation costs are minimal (under $1000) and will be negotiated between Waverley Council and Sculpture by the Sea.

Consultation has taken place with the artist (via Sculpture by the Sea) and with local residents.

6. Attachment/s:

1. Most recent letter to local residents, June 2014
2. Summary of residents’ feedback
Notification of relocation of sculpture – Calga Reserve

Waverley Council is considering feedback on the permanent placement of a sculpture on the coastal side of the coastal walkway, Calga Reserve.

Background
Renowned Japanese artist, Keizo Ushio has generously loaned a sculpture to the community of Waverley. The sculpture has been located in Calga Reserve since October 2013. Waverley Council would like to relocate the work to a more prominent position in Calga Reserve where viewers can gaze through the sculpture out to the ocean, as suggested by community feedback received over the past eight months, and in keeping with the original intention of the sculpture’s design.

The Sculpture was intended to be in the trial location for 12 months however given the volume of positive community feedback for it to be moved to a higher profile location Waverley Council is considering expediting the trial period.

About the artist
Keizo Ushio is an acclaimed sculptor who has exhibited his work on all corners of the globe, achieving international success with his spectacular granite works. Celebrated for his ingenious carving technique, Keizo has exhibited at Sculpture by the Sea since 1999. Keizo is recognised for his mastery of the difficult technique in carving intertwining ribbons of stone and 3D circles, and has achieved celebrity status among many, from mathematicians to sculptors. Keizo has gifted the work Oushi Žokei, Twice Twist Bands as a permanent loan to the community of Waverley following its popularity in Sculpture by the Sea’s 2012 exhibition.

Comment and feedback
Waverley Council welcomes comments from the community regarding the permanent placement of the sculptural work in Calga Reserve.

Please send any feedback by email to visualarts@waverley.nsw.gov.au or call Elizabeth Reidy on 8362 3400 between 9.30am–5.30pm, Monday – Friday.

Feedback is open until Friday 27 June 2014.
### ATTACHMENT 2: Feedback received from residents re sculpture in Calga Reserve

<table>
<thead>
<tr>
<th>Date</th>
<th>Feedback</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 October 2013</td>
<td>Expressed enthusiasm for the relocation, suggested the sculpture be in a more prominent centralised position to celebrate its beauty, rather than amongst the shrubbery. Was aware of the work and the artist and expressed appreciation of the form and talent of the work. Suggested the sculpture replaced the seat at the top of the Sesquicentenary walkway where everyone in the community could enjoy it and it would be in direct relationship to the cemetery. Was incredibly positive about the relocation and expressed he would be positive in general community discussions and happy to talk to people about it.</td>
</tr>
<tr>
<td>10 October 2013</td>
<td>Following on from our telephone conversation yesterday and my morning constitutional this morning, where I had a good look at the area, my opinion, for what it's worth, is that the location where the &quot;Living on the Edge&quot; info plaque is presently situated would be the ideal spot for such a beautiful sculpture. I also had a look at all the surrounding houses and they are all so elevated that the sculpture couldn't possibly impinge on any views. I would think that Ushio San had a say in the location chosen at the sculpture by the sea event and would have had in mind his piece of art interacting with an open vista. I do think it would be a shame if its elegance were to be compromised by situating it against a backdrop of coastal trees. As I mentioned above, just my opinion, for what it's worth! Though it's not the end of the world (nowhere near it, indeed) I was a bit saddened to see Keizo Ushio's sculpture failed to get poll position... I was also interested to see his face adorning this week's edition of the Wentworth Courier, obviously in town for the installation of this year's SBTS. He might be able to give his thoughts as to where it should be.</td>
</tr>
<tr>
<td>24 October 2013</td>
<td>Thank you for the flyer dated 8 October about the sculpture that council is putting in Calga Reserve next week. I am surprised about the very short timeframe allowed for public comment. While I like the sculpture I do not think that the proposed placement is appropriate. Calga Reserve is a very small park. In the area where you want to put the sculpture the following manmade items are already visible: 1. A drinking fountain with council signage attached. 2. A stone tablet. 3. A wooden seat. 4. A Rubbish bin. 5. A dispenser for bags for dog pooh. 6. A blue sign. Soon there may also be a parking meter in the cutting adjacent to Calga Reserve. This small area of park is already cluttered with manmade objects and this detracts from its natural beauty. Putting the sculpture in the proposed position will add to the sense of clutter and will not enhance the beauty of the sculpture itself. A better position would be on the flat area of the grass on the southern side of the stand of trees. I.e. the spot on the map on the council flyer where the last E is in the word RESERVE. Alternatively, if you want the</td>
</tr>
<tr>
<td>Date</td>
<td>Feedback</td>
</tr>
<tr>
<td>Date</td>
<td>Feedback</td>
</tr>
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<td>------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Resident 5</td>
<td>16 June 2014 I actually think the sculpture is fine where it is. However, if there was community interest in moving it, I suggest you place it on the grass (not on the sandstone rock) about 5-10 metres to left of boardwalk entrance (near the Life on the Edge stone). It would be best if it feels integrated with the boardwalk where people often stop and look at the view and NOT stuck out like a sore thumb to the left of the water fountain. Thank you</td>
</tr>
<tr>
<td>Resident 6</td>
<td>16 June 2014 Re the sculpture on Calga Reserve. I think it looks good where it is, but if it has to be moved, could it be put near the boardwalk entrance on the grass, rather than in such a dominant position on the beautiful sandstone of the cliff? Thanks for consulting with the residents - we look across the Park a lot, and don't want a huge man-made edifice obstructing the view there!</td>
</tr>
<tr>
<td>Resident 7</td>
<td>21 June 2014 My only comment on this &quot;permanent loan&quot; and its placement is that whereas it is good that some art-work can be enjoyed in Waverley, especially when donated presumably without cost, it’s perhaps a pity that the work of art is not Australian. That said, of course, maybe one should not look a gift-horse in the mouth!</td>
</tr>
<tr>
<td>Resident 8</td>
<td>22 June 2014 Thank you for offering the opportunity to provide feedback re the Intended sculpture. While I have no opposition to a sculpture being placed at Calga Reserve, I would have preferred that the chosen sculpture had more cultural significance for the people of the area or indeed Australia. In my opinion, it would have been wonderful to have had a sculpture from an Indigenous Australian.</td>
</tr>
<tr>
<td>Resident 9</td>
<td>25 June 2014 Dear Visual Arts, I wish to object to the proposed replacement of the Sculpture by the Sea sculpture by Keizo Ushio. This sculpture is of interest but it is not to everyone's taste. The beauty of the coastline around Bronte and Clovelly, you will agree, is to everyone's taste and I feel strongly that this coastal visual pleasure should not be compromised by placing a modern sculpture in its way. The current placement of the sculpture enables people who wished to look at it to do so, without disturbing the line of sight of those enjoying the vista out to sea. No good which satisfies most, will be achieved with the replacement of the sculpture. Thank you for consulting with the public who use the coastal walk daily. Unfortunately there is a propensity to place ugly objects around our Bronte coastline with notices and signs jumping up, instructing us what to do and how to do it and overwhelming the simple beauty of the land. An example is the unnecessary eyesore telling us how many car spaces are free in the cutting with a tall sign brightly lit up at night against the calm dark sea background - intruding and spoiling the natural beauty of the beach. Less is more when you are lucky enough to see the Spanish and Italian coastlines where the natural beauty is left alone. Thank you for considering my ideas</td>
</tr>
<tr>
<td>Resident 10</td>
<td>27 June 2014 Thank you Elizabeth Reidy and Waverley Council for the invitation for feedback. If the Community has expressed interest in this Keizo Ushio sculpture being placed in a more prominent location for a longer period then I'm</td>
</tr>
<tr>
<td>Date</td>
<td>Feedback</td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| 27 June 2014 | I’m sending my comments (below) on the relocation of the sculpture. It’s actually an extract from a post I posted on the Residents for Waverley Cemetery group Face book page about the park and the sculpture. I would appreciate it if we could discuss these issues properly. Please let me know if we can. It’s a very fine sculpture but unfortunately the park is already filled with so much clutter that the sculpture can hardly breathe. A decade ago the little park was a lost and forgotten place like the cemetery. Now it has become very busy indeed. At last count there were eight badly placed items the council has added to the park, and more stuff at the edge of it (see pics of the clutter). This stuff includes: - 2 bins - a dog poo bag dispenser - 2 park benches - A sandstone Pedestal and plaque about frogs - an oversized bubbler displaying a Council logo - And the Piece de resistance- a sign imploring people not to play golf in the park So until they remove some of this detritus I don’t really think it matters where the sculpture sits. An art work like this need some breathing space around it. The fact that they have provided information with an inaccurate drawing (the current location indicated is incorrect) does not fill one with confidence that they are capable of sitting it sensitively. If they do place it where they are showing it (where the tip of the arrow is, I presume) then it will have to compete with the monster drinking fountain. This council seems to think that wherever there is an open space they need to fill it up with stuff. Perhaps they should reduce the size of their workforce - then they wouldn't have time to keep dreaming up new projects. Personally, I think council should shrink itself dramatically and do a lot less."
Report for Information  
No. CFI.10/14

Subject: Investment Portfolio Report – June 2014
Trim File No.: A03/2211
Author: Francesco Rombola, Executive Manager – Waverley Financial

Recommendation: That Council:

1. Receives this Investment Portfolio Report – June 2014
2. Notes that all investments have been made in accordance with the requirements of section 625 of the Local Government Act 1993 and directions from the Minister for Local Government, including Ministerial Investment Orders and Council’s Investment Policy.

1. Executive Summary

For June 2014, Council’s investment portfolio generated $155,136 of interest receipts. As of the 30th June interest received is $2,194,802 or 94.0% of the $2,335,000 budget, as previously advised. The forecast was not achieved.

During June Council’s investment portfolio exceeded policy guidelines in regards to individual institution exposures, for 4 days, from the 26th June until month end. Council was overexposed by approximately 2%. The policy does allow for this to happen on a short term basis, so no corrective action was taken. This situation continued until 30th July, when the portfolio was once again in full compliance with our policy.

2. Introduction/Background

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

In the original budget for 2013/14 interest income from Council’s investment portfolio was set at $2,270,000 compared to the actual for 2012/13 of $2,524,895. As part of the Q2 budget review process the budget was increased by $90,000 to $2,335,000.

3. Discussion

Interest Income – Current Month
For the month of June 2014 Council’s cash investment portfolio generated interest earnings of $155,136 bringing total years interest earnings to $2,194,802 or 94.0% of the full year budget of $2,335,000. The reduction is partially due to overall income being down, noting that council’s investment portfolio decreased from a $63,881,491 in April down to $58,031,352 as at 30th June and can be explained further only after the year end review.
On the 25th of June 3 term deposits matured and were not reinvested, 2 x $2,000,000 and 1 x $1,500,000, and on the 26th of June a further $2,000,000 term deposit matured. This affected the exposure limits to each individual institution and resulted in Council’s investment portfolio being overexposed to ME Bank by approximately 2% from the 26th June. The Me Bank term deposit was due to mature on the 30th July, and once it did Council’s investment portfolio would once again be in full compliance with the Investment policy.

As per section 7 of the investment policy this breach of the investment policy’s limits was deemed short term, and the penalty to break the term deposit to onerous, so the term deposit was allowed to run the maturity. This was also the advise form our external Independent investment advisors.

The reduction in the investment portfolio is also cyclical; we have already added a $2.5M term deposit as Council starts to receive income from the first rates installment and are expecting to add an extra $6 to $7.5 M, over the next few weeks, dependant on receipts.

On the positive side Council’s investment portfolio for the last 12 months has consistently out preformed the benchmark rate, 3.80% as compared to 2.68%. The benchmark performance index for the portfolio is the UBS Australian Bank Bill Index.

**Portfolio Value**

Council’s investment portfolio, as at 30 June 2014, has a current market value of $58,031,352 which represents a premium of $664,991 above the $57,366,361 face value of the portfolio with the portfolio generating a 3.5609% average purchase yield.

The table below provides a summary by investment (asset) type.

<table>
<thead>
<tr>
<th>Asset Group</th>
<th>Face Value</th>
<th>Current Market Value</th>
<th>$ Gain/(Loss)</th>
<th>Average Purchase Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Protected Notes</td>
<td>$2,000,000</td>
<td>$1,925,200</td>
<td>($74,800)</td>
<td>0.0000%</td>
</tr>
<tr>
<td>Fixed Rate Bonds</td>
<td>$1,500,000</td>
<td>$1,634,344</td>
<td>$134,343</td>
<td>6.0000%</td>
</tr>
<tr>
<td>Cash Accounts</td>
<td>$7,877,131</td>
<td>$7,877,130</td>
<td>$0</td>
<td>2.6566%</td>
</tr>
<tr>
<td>Floating Rate Notes</td>
<td>$7,000,000</td>
<td>$7,081,305</td>
<td>$57,504</td>
<td>3.9262%</td>
</tr>
<tr>
<td>Managed Funds</td>
<td>$7,189,230</td>
<td>$7,189,230</td>
<td>$0</td>
<td>3.1151%</td>
</tr>
<tr>
<td>Term Deposits</td>
<td>$31,800,000</td>
<td>$32,324,142</td>
<td>$543,862</td>
<td>3.9079%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$57,366,361</td>
<td>$58,031,352</td>
<td>$664,991</td>
<td>3.5609%</td>
</tr>
</tbody>
</table>

Per the table above Council has $2,000,000 invested in Asset Group - Capital Protected Notes which presently has a market value below the face value. This represents a single investment that is due to mature in October 2015 and being capital protected, Council will receive the full $2,000,000 face value of the investment, upon maturity.

**Analysis**

Attached to this report is the Waverley Council – Summary of Investment Portfolio, as prepared by Council’s independent financial advisor, Prudential Investment Services Corp, for the period ending 30 June 2014.
4. **Conclusion**

Council’s investment portfolio has achieved $2,194,802 in interest income and has consistently out
preformed the bench rate over the last 12 months. Council’s investment portfolio did not achieve the
full year budgeted target of $2,335,000.

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

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

**Direction:**  G5 - Waverley is financially sustainable with the revenue and resources required to
support implementation of the community’s plans and to provide the infrastructure performance
and services our community needs.

**Strategy:**  G5a - Promote and advocate the provision of financial reporting systems in an accurate,
timely, transparent and honest manner to ensure sustainability of public assets and resources.

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

including achievement of the stated benchmark measure “*Rate of return on cash exceeds UBS
Warburg AUD Bank Bill Index*” as illustrated in the table below.

<table>
<thead>
<tr>
<th>Month</th>
<th>Portfolio Last 12 months</th>
<th>Benchmark Last 12 months</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jul-13</td>
<td>5.21%</td>
<td>3.24%</td>
<td>1.97%</td>
</tr>
<tr>
<td>Aug-13</td>
<td>5.12%</td>
<td>3.17%</td>
<td>1.95%</td>
</tr>
<tr>
<td>Sep-13</td>
<td>4.92%</td>
<td>3.06%</td>
<td>1.86%</td>
</tr>
<tr>
<td>Oct-13</td>
<td>4.70%</td>
<td>2.98%</td>
<td>1.72%</td>
</tr>
<tr>
<td>Nov-13</td>
<td>4.59%</td>
<td>2.94%</td>
<td>1.65%</td>
</tr>
<tr>
<td>Dec-13</td>
<td>4.43%</td>
<td>2.87%</td>
<td>1.56%</td>
</tr>
<tr>
<td>Jan-14</td>
<td>4.45%</td>
<td>2.82%</td>
<td>1.63%</td>
</tr>
<tr>
<td>Feb-14</td>
<td>4.46%</td>
<td>2.79%</td>
<td>1.67%</td>
</tr>
<tr>
<td>Mar-14</td>
<td>4.27%</td>
<td>2.77%</td>
<td>1.50%</td>
</tr>
<tr>
<td>Apr-14</td>
<td>4.11%</td>
<td>2.72%</td>
<td>1.39%</td>
</tr>
<tr>
<td>May-14</td>
<td>3.62%</td>
<td>2.69%</td>
<td>0.93%</td>
</tr>
<tr>
<td>Jun-14</td>
<td>3.84%</td>
<td>2.71%</td>
<td>1.12%</td>
</tr>
</tbody>
</table>

**Average**  3.80%  2.68%  1.12%

6. **Financial Impact Statement/Timeframe/Consultation**

In the original budget for 2013/14 interest income from Council’s investment portfolio was set at
$2,270,000 compared to the actual for 2012/13 of $2,524,895. As part of the Q2 budget review
process this was increased by $90,000 to $2,335,000. It was expected that this forecast could be
achieved.

This report has been prepared in consultation with Council’s Management and Systems Accountant,
Revenue Accountant and independent financial advisers, Prudential Investment Services Corp.
7. Attachment/s:

Waverley Council
Investment Summary Report
June 2014
## Investment Holdings

<table>
<thead>
<tr>
<th>Alternative Investment</th>
<th>2,000,000.00</th>
<th>1,925,200.00</th>
<th>0.0000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bonds</td>
<td>1,500,000.00</td>
<td>1,634,343.53</td>
<td>6.0000</td>
</tr>
<tr>
<td>Cash</td>
<td>7,877,130.80</td>
<td>7,877,130.80</td>
<td>2.6566</td>
</tr>
<tr>
<td>Floating Rate Note</td>
<td>7,000,000.00</td>
<td>7,081,304.79</td>
<td>3.9262</td>
</tr>
<tr>
<td>Managed Funds</td>
<td>7,189,230.25</td>
<td>7,189,230.25</td>
<td>3.1151</td>
</tr>
<tr>
<td>Term Deposit</td>
<td>31,800,000.00</td>
<td>32,324,142.32</td>
<td>3.9079</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>57,366,361.05</strong></td>
<td><strong>58,031,351.69</strong></td>
<td><strong>3.5609</strong></td>
</tr>
</tbody>
</table>

## Investment Performance

- **Portfolio Annualised Return**
- **UBS BB Index Annualised Return**

## Total Credit Exposure

<table>
<thead>
<tr>
<th>Term to Maturities</th>
<th>Face Value ($)</th>
<th>Policy Max</th>
</tr>
</thead>
<tbody>
<tr>
<td>01. Cash to 1 year</td>
<td>40,066,361.05</td>
<td>70%</td>
</tr>
<tr>
<td>02. 1 year to 3 years</td>
<td>13,300,000.00</td>
<td>23%</td>
</tr>
<tr>
<td>03. 3 years to 10 years</td>
<td>2,000,000.00</td>
<td>3%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>57,366,361.05</strong></td>
<td></td>
</tr>
</tbody>
</table>

## Highest Individual Exposures

- **Waverley Council**

## Term to Maturities
<table>
<thead>
<tr>
<th>Cash Accounts</th>
<th>Institution</th>
<th>Credit Rating</th>
<th>Face Value ($)</th>
<th>Current Yield</th>
<th>Current Value ($)</th>
<th>Deal No.</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commonwealth Bank of Australia</td>
<td>A-1+</td>
<td>6,510,000.00</td>
<td>2.7000%</td>
<td>6,510,000.00</td>
<td>120789</td>
<td>24hr Call</td>
<td></td>
</tr>
<tr>
<td>Commonwealth Bank of Australia</td>
<td>A-1+</td>
<td>167,922.21</td>
<td>2.4500%</td>
<td>167,922.21</td>
<td>120794</td>
<td>General Funds</td>
<td></td>
</tr>
<tr>
<td>Commonwealth Bank of Australia</td>
<td>A-1+</td>
<td>32,975.05</td>
<td>2.4500%</td>
<td>32,975.05</td>
<td>120795</td>
<td>Trust Funds</td>
<td></td>
</tr>
<tr>
<td>Commonwealth Bank of Australia</td>
<td>A-1+</td>
<td>508,558.05</td>
<td>2.4500%</td>
<td>508,558.05</td>
<td>120796</td>
<td>Cemetery Funds</td>
<td></td>
</tr>
<tr>
<td>Commonwealth Bank of Australia</td>
<td>A-1+</td>
<td>577,349.39</td>
<td>2.4500%</td>
<td>577,349.39</td>
<td>120797</td>
<td>Depositor Funds</td>
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</tr>
<tr>
<td>Commonwealth Bank of Australia</td>
<td>A-1+</td>
<td>0.00</td>
<td>2.4500%</td>
<td>0.00</td>
<td>120798</td>
<td>Bondi Beach CP</td>
<td></td>
</tr>
<tr>
<td>Commonwealth Bank of Australia</td>
<td>A-1+</td>
<td>1,379.76</td>
<td>2.4500%</td>
<td>1,379.76</td>
<td>120799</td>
<td>Denison St CP</td>
<td></td>
</tr>
<tr>
<td>Commonwealth Bank of Australia</td>
<td>A-1+</td>
<td>2,988.89</td>
<td>2.4500%</td>
<td>2,988.89</td>
<td>120800</td>
<td>Eastgate CP</td>
<td></td>
</tr>
<tr>
<td>Commonwealth Bank of Australia</td>
<td>A-1+</td>
<td>1,843.12</td>
<td>2.4500%</td>
<td>1,843.12</td>
<td>120801</td>
<td>Hollywood Av CP</td>
<td></td>
</tr>
<tr>
<td>Commonwealth Bank of Australia</td>
<td>A-1+</td>
<td>74,114.33</td>
<td>2.4500%</td>
<td>74,114.33</td>
<td>370151</td>
<td>Library Gift</td>
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<table>
<thead>
<tr>
<th>Managed Funds</th>
<th>Institution</th>
<th>Credit Rating</th>
<th>Fund Name</th>
<th>Face Value ($)</th>
<th>Current Value ($)</th>
<th>Deal No.</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>New South Wales T-Corp</td>
<td>MF</td>
<td>Strategic Cash Facility</td>
<td>2,242,744.96</td>
<td>2,242,744.96</td>
<td>411310</td>
<td>Builder Deposits</td>
<td></td>
</tr>
<tr>
<td>New South Wales T-Corp</td>
<td>MF</td>
<td>Cash Facility</td>
<td>2,269,363.08</td>
<td>2,269,363.08</td>
<td>385047</td>
<td>New Depot</td>
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</tr>
<tr>
<td>New South Wales T-Corp</td>
<td>MF</td>
<td>Strategic Cash Facility</td>
<td>1,938,643.05</td>
<td>1,938,643.05</td>
<td>411311</td>
<td>Parking Services</td>
<td></td>
</tr>
<tr>
<td>New South Wales T-Corp</td>
<td>MF</td>
<td>Cash Facility</td>
<td>220,202.11</td>
<td>220,202.11</td>
<td>388058</td>
<td>Tamarama Beach</td>
<td></td>
</tr>
<tr>
<td>New South Wales T-Corp</td>
<td>MF</td>
<td>Cash Facility</td>
<td>518,277.05</td>
<td>518,277.05</td>
<td>388059</td>
<td>Waverley Pavilion</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Term Deposits</th>
<th>Institution</th>
<th>Credit Rating</th>
<th>Purchase Price ($)</th>
<th>Purchase Date</th>
<th>Current Value ($)</th>
<th>Deal No.</th>
<th>Accrued Interest ($)</th>
<th>Coupon Frequency</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bankwest</td>
<td>A-1+</td>
<td>2,000,000.00</td>
<td>2,006,596.87</td>
<td>27-May-14</td>
<td>452701</td>
<td>6,520.55</td>
<td>AtMaturity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ME Bank</td>
<td>A-2</td>
<td>2,000,000.00</td>
<td>2,032,623.37</td>
<td>29-Jan-14</td>
<td>412901</td>
<td>31,438.36</td>
<td>AtMaturity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Australia Bank</td>
<td>A-1+</td>
<td>2,000,000.00</td>
<td>2,008,287.12</td>
<td>27-May-14</td>
<td>452702</td>
<td>6,712.33</td>
<td>AtMaturity</td>
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<td></td>
</tr>
<tr>
<td>Westpac Group</td>
<td>A-1+</td>
<td>2,000,000.00</td>
<td>2,027,173.35</td>
<td>26-Feb-14</td>
<td>422607</td>
<td>25,000.00</td>
<td>AtMaturity</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Term Deposits

<table>
<thead>
<tr>
<th>Date</th>
<th>Face Value ($)</th>
<th>Rate</th>
<th>Institution</th>
<th>Credit Rating</th>
<th>Purchase Price ($)</th>
<th>Purchase Date</th>
<th>Current Value ($)</th>
<th>Deal No.</th>
<th>Accrued Interest ($)</th>
<th>Coupon Frequency</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>28-Aug-14</td>
<td>2,000,000.00</td>
<td>4.1500%</td>
<td>Westpac Group</td>
<td>A-1+</td>
<td>2,000,000.00</td>
<td>22-Aug-13</td>
<td>2,074,843.96</td>
<td>396959</td>
<td>71,175.34</td>
<td>AtMaturity</td>
<td>28-Aug-14</td>
</tr>
<tr>
<td>9-Sep-14</td>
<td>2,000,000.00</td>
<td>3.6500%</td>
<td>National Australia Bank</td>
<td>A-1+</td>
<td>2,000,000.00</td>
<td>4-Mar-14</td>
<td>2,026,758.15</td>
<td>430404</td>
<td>23,800.00</td>
<td>AtMaturity</td>
<td>9-Sep-14</td>
</tr>
<tr>
<td>30-Sep-14</td>
<td>2,000,000.00</td>
<td>3.8800%</td>
<td>Westpac Group</td>
<td>A-1+</td>
<td>2,000,000.00</td>
<td>30-Jan-14</td>
<td>2,037,458.40</td>
<td>412908</td>
<td>32,315.62</td>
<td>AtMaturity</td>
<td>30-Sep-14</td>
</tr>
<tr>
<td>5-Nov-14</td>
<td>2,000,000.00</td>
<td>3.7000%</td>
<td>ME Bank</td>
<td>A-2</td>
<td>2,000,000.00</td>
<td>7-May-14</td>
<td>2,016,535.03</td>
<td>450701</td>
<td>11,150.68</td>
<td>AtMaturity</td>
<td>5-Nov-14</td>
</tr>
<tr>
<td>15-Dec-14</td>
<td>500,000.00</td>
<td>3.9000%</td>
<td>ME Bank</td>
<td>A-2</td>
<td>500,000.00</td>
<td>13-Dec-13</td>
<td>512,788.81</td>
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<tr>
<td>15-Dec-14</td>
<td>2,000,000.00</td>
<td>3.8000%</td>
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<td>A-1+</td>
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<td>14-May-14</td>
<td>2,019,445.56</td>
<td>451404</td>
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<td>420407</td>
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<td>21-May-15</td>
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<td>4.3500%</td>
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<td>21-May-13</td>
<td>4,076,506.03</td>
<td>389615</td>
<td>19,545.21</td>
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<td>461203</td>
<td>4,008.22</td>
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<td>12-Jun-15</td>
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<td>19-May-16</td>
<td>1,800,000.00</td>
<td>3.9500%</td>
<td>Bank of Queensland</td>
<td>A-</td>
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<td>21-May-14</td>
<td>1,822,340.67</td>
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<td>7,986.58</td>
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<td>23-May-16</td>
<td>3,000,000.00</td>
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<td>AA-</td>
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<td>3,088,455.53</td>
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<td>14,584.93</td>
<td>Annually</td>
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### Floating Rate Notes

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<th>Face Value ($)</th>
<th>Current Coupon</th>
<th>Security Name</th>
<th>Credit Rating</th>
<th>Purchase Price ($)</th>
<th>Purchase Date</th>
<th>Current Value ($)</th>
<th>Deal No.</th>
<th>Accrued Interest ($)</th>
<th>Next Coupon Date</th>
<th>Reference</th>
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<tbody>
<tr>
<td>28-Nov-16</td>
<td>2,000,000.00</td>
<td>3.9517%</td>
<td>ME Bank Snr FRN (Nov16) BBSW+1.25%</td>
<td>BBB+</td>
<td>2,000,000.00</td>
<td>28-Nov-13</td>
<td>2,016,031.99</td>
<td>402974</td>
<td>7,362.07</td>
<td>28-Aug-14</td>
<td>28-Nov-16</td>
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<td>17-May-17</td>
<td>3,000,000.00</td>
<td>3.8767%</td>
<td>BEN Snr FRN (May17) BBSW+1.20%</td>
<td>A-</td>
<td>3,007,950.27</td>
<td>12-Sep-13</td>
<td>3,036,390.18</td>
<td>398449</td>
<td>13,701.21</td>
<td>18-Aug-14</td>
<td>17-May-17</td>
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<td>14-Nov-18</td>
<td>2,000,000.00</td>
<td>3.9750%</td>
<td>BEN Snr FRN (Nov18) BBSW+1.27%</td>
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<td>2,004,260.00</td>
<td>5-Feb-14</td>
<td>2,028,882.61</td>
<td>420520</td>
<td>10,454.79</td>
<td>14-Aug-14</td>
<td>14-Nov-18</td>
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<td><strong>7,000,000.00</strong></td>
<td><strong>3.9262%</strong></td>
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### Fixed Rate Bonds

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<th>Coupon</th>
<th>Security Name</th>
<th>Credit Rating</th>
<th>Purchase Price ($)</th>
<th>Purchase Date</th>
<th>Current Value ($)</th>
<th>Deal No.</th>
<th>Accrued Interest ($)</th>
<th>Purchase Yield</th>
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<tr>
<td>15-Feb-17</td>
<td>1,500,000.00</td>
<td>6.0000%</td>
<td>NAB Snr Bond (Feb17) 6.00%</td>
<td>AA-</td>
<td>1,483,470.00</td>
<td>15-Feb-12</td>
<td>1,634,343.53</td>
<td>336188</td>
<td>33,041.10</td>
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<td><strong>1,500,000.00</strong></td>
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**Investment Holdings Report**

**Waverley Council**

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**PRUDENTIAL INVESTMENT SERVICES CORP**

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142
<table>
<thead>
<tr>
<th>Maturity Date</th>
<th>Face Value ($)</th>
<th>Security Name</th>
<th>Credit Rating</th>
<th>Purchase Price ($)</th>
<th>Purchase Date</th>
<th>Current Value ($)</th>
<th>Deal No.</th>
<th>Reference</th>
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<tbody>
<tr>
<td>30-Oct-15</td>
<td>2,000,000.00</td>
<td>Octagon Limited Series 2005-3 EMU</td>
<td>AA</td>
<td>2,000,000.00</td>
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<td>1,925,200.00</td>
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## Counterparty Limits

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<tr>
<th>Borrower</th>
<th>Credit Rating Type</th>
<th>Credit Rating</th>
<th>Amount Invested ($)</th>
<th>Amount Allowed ($)</th>
<th>Amount Available ($)</th>
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<tbody>
<tr>
<td><strong>Bank Of Queensland</strong></td>
<td>Long Term</td>
<td>A</td>
<td>1,800,000</td>
<td>8,604,954</td>
<td>6,804,954</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>1,800,000</td>
<td></td>
<td>6,804,954</td>
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<tr>
<td><strong>Bendigo and Adelaide Bank</strong></td>
<td>Long Term</td>
<td>A</td>
<td>5,000,000</td>
<td>8,604,954</td>
<td>3,604,954</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>5,000,000</td>
<td></td>
<td>3,604,954</td>
</tr>
<tr>
<td><strong>Commonwealth Bank of Australia</strong></td>
<td>Short Term</td>
<td>A-1+</td>
<td>9,877,131</td>
<td>20,078,226</td>
<td>10,201,096</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>9,877,131</td>
<td></td>
<td>10,201,096</td>
</tr>
<tr>
<td><strong>Members Equity Bank</strong></td>
<td>Short Term</td>
<td>A-2</td>
<td>7,000,000</td>
<td>8,604,954</td>
<td>-395,046</td>
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<td><strong>Total</strong></td>
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<td>Short Term</td>
<td>A-1+</td>
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<td>20,078,226</td>
<td>14,578,226</td>
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<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>4,000,000</td>
<td></td>
<td>14,578,226</td>
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<tr>
<td><strong>National Australia Bank</strong></td>
<td>Long Term</td>
<td>AA</td>
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<td>12,841,590</td>
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<td></td>
<td>1,500,000</td>
<td></td>
<td>12,841,590</td>
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<tr>
<td><strong>New South Wales T-Corp</strong></td>
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<td>MF</td>
<td>7,189,230</td>
<td>28,683,181</td>
<td>21,493,950</td>
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<td>21,493,950</td>
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<tr>
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<td>AA</td>
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<td>12,341,590</td>
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<td><strong>Total</strong></td>
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<td>2,000,000</td>
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<td>12,341,590</td>
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<tr>
<td><strong>Westpac Group</strong></td>
<td>Short Term</td>
<td>A-1+</td>
<td>14,000,000</td>
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<td>3,078,226</td>
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<td><strong>Total</strong></td>
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<td>14,000,000</td>
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<td>3,078,226</td>
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<tr>
<td><strong>Total</strong></td>
<td></td>
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<td>17,000,000</td>
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<td>3,078,226</td>
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</table>

**Total** 57,366,361
Total Portfolio Exposure

Westpac Group 30%
Commonwealth Bank of Australia 17%
Bendigo and Adelaide Bank 9%
Bank Of Queensland 3%
Members Equity Bank 16%
National Australia Bank 10%
New South Wales T-Corp 13%
Octagon Limited Series 2005-3 EMU 3%
Historical Performance Summary

<table>
<thead>
<tr>
<th></th>
<th>Portfolio</th>
<th>UBS BB Index</th>
<th>Outperformance</th>
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<tr>
<td>Jun 2014</td>
<td>3.84%</td>
<td>2.71%</td>
<td>1.12%</td>
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<tr>
<td>Last 3 Months</td>
<td>4.10%</td>
<td>2.71%</td>
<td>1.39%</td>
</tr>
<tr>
<td>Last 6 Months</td>
<td>3.99%</td>
<td>2.67%</td>
<td>1.32%</td>
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<tr>
<td>Financial Year to Date</td>
<td>3.80%</td>
<td>2.68%</td>
<td>1.12%</td>
</tr>
<tr>
<td>Last 12 months</td>
<td>3.80%</td>
<td>2.68%</td>
<td>1.12%</td>
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Waverley Council
Global Credit Limits Report

### Credit Rating Face Value ($) |
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<th>Policy Max</th>
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<td>Long Term</td>
<td>6,500,000</td>
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<tr>
<td>Short Term</td>
<td>27,877,131</td>
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<tr>
<td>Short Term</td>
<td>7,189,230</td>
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<tr>
<td>Total</td>
<td>41,566,361</td>
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<tr>
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<td>72%</td>
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<tr>
<td>Long Term</td>
<td>6,800,000</td>
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<td>Short Term</td>
<td>7,000,000</td>
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<tr>
<td>Total</td>
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<tr>
<td></td>
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<td>30%</td>
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<td>Total</td>
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<td>3%</td>
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<td>Total</td>
<td>57,366,361</td>
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<td>100%</td>
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<th>Transaction Date</th>
<th>Deal No.</th>
<th>Cashflow Counterparty</th>
<th>Asset Type</th>
<th>Cashflow Description</th>
<th>Cashflow Received</th>
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</thead>
<tbody>
<tr>
<td>7-Jun-14</td>
<td>401839</td>
<td>Westpac Group</td>
<td>Term Deposits</td>
<td>Interest - Received</td>
<td>46,465.75</td>
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<td>Westpac Group</td>
<td>Term Deposits</td>
<td>Maturity Face Value - Received</td>
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<td>Deal Total</td>
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<td>460706</td>
<td>Westpac Group</td>
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<td>Settlement Face Value - Paid</td>
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<td>Day Total</td>
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<td>10-Jun-14</td>
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<td>Westpac Group</td>
<td>Term Deposits</td>
<td>Interest - Received</td>
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<td>Settlement Face Value - Paid</td>
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<td>25-Jun-14</td>
<td>401902</td>
<td>ING Bank (Australia)</td>
<td>Term Deposits</td>
<td>Interest - Received</td>
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<td>Term Deposits</td>
<td>Maturity Face Value - Received</td>
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<td>Interest - Received</td>
<td>20,712.33</td>
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<td>Term Deposits</td>
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<td>Term Deposits</td>
<td>Maturity Face Value - Received</td>
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<td>Deal Total</td>
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<td>Day Total</td>
<td>2,023,671.23</td>
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<td>Net Cash Movement for Period</td>
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## Next Month Cashflows

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<th>Transaction Date</th>
<th>Deal No.</th>
<th>Cashflow Counterparty</th>
<th>Asset Type</th>
<th>Cashflow Description</th>
<th>Cashflow Due</th>
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<tbody>
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<td>25-Jul-14</td>
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<td>Bankwest</td>
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<td>Term Deposit</td>
<td>Maturity Face Value - Received</td>
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<td>2,010,991.78</td>
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<td>Day Total</td>
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<tr>
<td>30-Jul-14</td>
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<td>ME Bank</td>
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**Net Cash Movement for Period**  
4,048,389.04
Waverley Council
Cash Flows Report

Transaction Date

Fri 25-Jul-14
Sat 26-Jul-14
Sun 27-Jul-14
Mon 28-Jul-14
Tue 29-Jul-14
Wed 30-Jul-14

Cashflow

0
500,000
1,000,000
1,500,000
2,000,000
2,500,000

PRUDENTIAL
INVESTMENT SERVICES CORP
**Notice of Motion**
**No. NM.38/14**

**Subject:** Marine Life Protection  
**Trim File No.:** A04/0548  
**Submitted by:** Councillor Masselos

**MOTION**

That Council:

1. Strictly enforces the “no picking” laws of marine life between the high tide and low tide marks and especially in the Bronte rock pools.
2. Officers investigate how these ‘no picking’ laws can be better enforced or improved.
3. Officers report to the September 2014 Council meeting with recommendations and in time for the summer season.
4. Investigates the possibility for funding for a marine life count in and around the protected areas and the Bronte rocks.

**BACKGROUND**

Over the past several years, there has been a steady decrease in marine life visible between the high and low tidemarks. During summer it is not unusual to see visitors to the beach pick over the rocks at low tide with sea urchins, crabs and other marine creatures being collected and taken away.

Anecdotal reports are that the rocks at the Bogey Hole at Bronte are being depleted of marine life.
Notice of Motion  
No. NM.39/14

Subject: Feasibility of Lifeguards during winter
Trim File No.: A07/0046
Submitted by: Councillor Masselos

MOTION

That:

1. Council investigates the feasibility of life guard patrols, based in Bronte, during winter (end May to mid Sept) to patrol both Bronte and Tamarama beaches

2. Council consults with the lifeguards and the community as part of investigating the feasibility of increased patrols

3. Council investigates the additional human and financial resources required to implement this additional patrol period

4. Council identifies a budget allocation for this additional patrol

5. The outcome of clauses 1 to 4 be reported to Council at the September 2014 Council meeting.

BACKGROUND

As a result of the weather staying warmer for longer, and the ocean temperature remaining warmer than usual during the winter months, more people are swimming well into the winter period. This year the air temperature was over 20 degrees through May and June while the water temperature is still near 18 degrees in July. These unseasonably high temperatures are attracting people onto the beach and into the water.
Notice of Motion
No. NM.40/14

Subject: Council Resolutions Review
Trim File No.: A02/0649
Submitted by: Councillor Masselos

MOTION

That the General Manager:

1. Reviews all Council resolutions from the last 5 years to determine which:
   - Are outstanding with no action to date,
   - Have had some action initiated but are not completed; and
   - Have been actioned and completed.

2. Compares resolutions since August 2012 with past resolutions to determine if there is any duplication and to recommend solutions in accordance with the Act.

3. Presents a report to Council for review and action where outstanding resolutions have not been actioned.

4. Develops a system of tracking resolutions to ensure they are acted upon in a timely manner.

BACKGROUND

Recently motions have been accepted by Council where it has been established that similar resolutions had been passed in previous years or were passed by a prior Council, but not necessarily acted upon. Previously, Councillor motions were tracked and Councillors received an update on how Councillor motions were proceeding and whether or not they were superseded by legislative changes etc. The tracking of resolutions passed by Council has not always been efficient; however it cannot be beyond the powers of Council to set up a successful procedure.
Notice of Motion  
No. NM.41/14

Subject: Belgrave & Murray Streets Parks Upgrade  
Trim File No.: A04/1118  
Submitted by: Councillor Strewe

MOTION

That Council prepares a plan, with the local community and Ward Councillors, to upgrade the two small parks on the corners of Belgrave Street and Murray Street to make one a productive garden and the other a safer and more inviting playground.

BACKGROUND
The western corner is the Jessie Street Reserve and this reserve could become a productive garden managed by interested locals, the plan would include fruit trees, small productive garden beds, and some seating. The garden would become more usable and more accessible than it is now.

On the eastern corner behind a wall of paling fence is an area that contains two small pieces of play equipment. It is hardly a playground and is unable to be viewed from the pavement or street. The fence should be renewed in an open style so that it is not so shut off from the street but becomes part of the street activity, and so that there is overview of any activity. It also needs a little more play equipment and some attention to detail.

Consultation was undertaken with residents during the Local Villages planning process on this area.
Notice of Motion
No. NM.42/14

Subject: NSW Civil and Administrative Tribunal
Trim File No.: A04/0104
Submitted by: Councillor Kanak

MOTION

That:

1. Council notes the findings of the Civil and Administrative Tribunal of New South Wales in the matter of Phillips v Director General, Department of Premier and Cabinet - [2014] NSWCA 48 http://www.caselaw.nsw.gov.au/action/PJUDG?jgmtid=171212, relating to the disclosure of supposed confidential information by a Councillor; and in particular paragraphs 40 onward which deal with the process for the handling requests that information provided to Council be kept confidential.

2. A report be prepared for consideration by Council to consider:
   a) The compliance of Council’s confidential information policies with these findings;
   b) The extent to which the requirements in sections 10A, 10B and 10D of the Local Government Act are applied by Council in accordance with these findings, particularly the need for consideration of the public interest when determining matters of confidentiality; and
   c) Recommendations for any amendments that may be deemed desirable to Council’s policies, codes and practices to ensure that Council’s handling of requests for confidentiality is in accordance with these findings.

3. Council includes a Public Consultation phase prior to any resultant amendment to current policy dealing with Confidentiality in relation to the NSW Civil and Administrative Tribunal findings in the Phillips -V- Director General, Department of Premier and Cabinet findings.

BACKGROUND

Clr Max Phillips, a Greens Councillor for Marrickville, was censured for breaching the code of conduct of his council in his handling of information that was requested to be kept confidential. His appeal to the Civil and Administrative Tribunal against the decision by the Division of Local Government to suspend him for 2 months was upheld by the Deputy President of the Tribunal, W. Halen, on the grounds that the information disclosed in relation to a proposed Voluntary Planning Agreement was not confidential, and that Marrickville Council deficiencies in policies and practices were in large part responsible. The failure by the Division of Local Government to investigate the matters of fact material to the complaint against Clr Phillips was also noted.

The findings in the case provide specific guidelines for Councils generally in the ways that confidentiality requests be handled, and note in particular the need for a public interest test to be applied to those requests which may fall within the matters covered in section 10A(2) of the Local Government Act.
Notice of Motion
No. NM.43/14

Subject: Hakoah Club Plaque
Trim File No.: A02/0276 & A03/0176
Submitted by: Councillor Kanak

MOTION

That Council support a public domain visible historical wall plaque in Hall St at Adina, Boheme TOGA building commemorating the contribution of the Bondi Beach Hakoah Club to the Community of Bondi Waverley and Australia.

BACKGROUND

At its full Council Meeting on Tuesday 18 February 2014 Council resolved the following:

"CRD.2/14 - Local History Projects (A03/0176)

MOTION / UNANIMOUS DECISION (Guttman-Jones / Goltsman)

That Council:

1. Proceed with the Jewish Story Telling Project as outlined in the report.

2. Approve in principle the development of the Waverley History Project as a newly commissioned history website project with printable extracts and explore the option of producing a hardcopy history book.

3. Proceed with the Waverley History Project when available funding has been identified in future Council budgets and other external funding sources.

4. Agree to development of a summary timeline of key milestones of Council events from 1960 to the present as a priority project."

During previous Council Consideration of an Historical Hakoah Plaque to be visible from the Public Domain issues were raised against a Public Footpath Plaque perhaps offending the Russian Jewish Community’s cultural sensitivities about footpath plaques being associated with burials/cemeteries. Therefore, with Consideration of that Cultural Sensitivity this Motion now seeks Council's Consideration of a Wall Plaque or other non-offensive placement at the Bondi Beach Hall St old Hakoah Club site location on the ADINA Boheme TOGA building to record and recognize the Community contribution by Hakoah Club to Bondi Waverley and beyond.

I Understand there is broad support for this historical plaque from Hakoah, TOGA, Waverley Historical Society and Jewish Community Organizations fostered through the persistent work of a Local Bondi (Jewish) Constituent, Mr Richard Davis.