



W A V E R L E Y
COUNCIL

COUNCIL MEETING

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

7.00 PM, TUESDAY 21 NOVEMBER 2023

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

Emily Scott
General Manager

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Statement of Ethical Obligations

Councillors are reminded of their oath or affirmation of office made under section 233A of the Act and their obligations under Council's code of conduct to disclose and appropriately manage conflicts of interest.

Live Streaming of Meetings

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

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

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager will read the following Opening Prayer:

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

The Mayor will read the following Acknowledgement of Indigenous Heritage:

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

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9. Questions with Notice

Nil

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11. Closed Session 203

The following matters are proposed to be dealt with in closed session and have been distributed to Councillors separately with the agenda:

CM/11.1/23.11	CONFIDENTIAL REPORT - Pedestrian Laneway between Dickson Lane and Belgrave Street, Bronte
CM/11.2/23.11	CONFIDENTIAL REPORT - Commercial Waste - Fees and Charges 2024
CM/11.3/23.11	CONFIDENTIAL REPORT - Shops 2 and 3, 276 Bronte Road, Waverley - Lease
CM/11.4/23.11	CONFIDENTIAL REPORT - 194-214 Oxford Street and 2 Nelson Street, Bondi Junction - Use of Council Land
CM/11.5/23.11	CONFIDENTIAL REPORT – Flickerfest 2024 – Financial Assistance

At the time of issuing the agenda, the Flickerfest 2024 report was not available. It will be issued to Councillors under separate confidential cover prior to the meeting.

12. Resuming in Open Session 205

13. Meeting Closure

OBITUARIES CM/3/23.11

Subject: Obituaries
Author: Emily Scott, General Manager



The Mayor will ask Councillors for any obituaries.

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

CONFIRMATION AND ADOPTION OF MINUTES CM/5.1/23.11



Subject: Confirmation of Minutes - Council Meeting - 17 October 2023

TRIM No: SF23/16

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That the minutes of the Council meeting held on 17 October 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of Council meetings must be confirmed at a subsequent meeting of Council, in accordance with section 375 of the *Local Government Act 1993*.

Attachments

1. Council Meeting Minutes - 17 October 2023 .



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 17 OCTOBER 2023**

Present:

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Ludovico Fabiano (Deputy Mayor)	Waverley Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Elaine Keenan	Lawson Ward
Councillor Steven Lewis	Hunter Ward
Councillor Tim Murray	Waverley Ward
Councillor Will Nemesh	Hunter Ward
Councillor Dominic Wy Kanak	Bondi Ward

Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Fletcher Rayner	Director, Planning, Sustainability and Compliance
Teena Su	Acting Director, Corporate Services
Ben Thompson	Director, Community, Culture and Customer Experience

At the commencement of proceedings at 7.04 pm, those present were as listed above.

Crs Burrill, Keenan and Wy Kanak attended the meeting by audio-visual link.

At 8.32 pm, following the vote on item CM/10.1/23.10, the meeting adjourned for a short break.

At 8.40 pm, the meeting resumed.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

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

The Mayor read the following Acknowledgement of Indigenous Heritage:

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our local government area.

1. Apologies/Leaves of Absence

Apologies were received from Cr Michelle Gray.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Goltsman declared a less than significant non-pecuniary interest in item CM/7.7/23.10 – Small Grants Program 2023-24 - Round 1 and informed the meeting that he has volunteered for COA.

3. Obituaries

Aunty Esme Timberly

Martin Lipschitz

Sarah Keenan

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

4. Addresses by Members of the Public

- 4.1 J Gazecki (on behalf of Southern Land Productions Pty Ltd) – CM/7.8/23.10 – High Impact Event – Bondi Beach Volleyball Festival.
- 4.2 M Merten (on behalf of Bondi Beach Precinct) – CM/7.8/23.10 – High Impact Event – Bondi Beach Volleyball Festival.
- 4.3 B Jackson (on behalf of Bondi Surf Bathing Life Saving Club) – CM/7.8/23.10 – High Impact Event – Bondi Beach Volleyball Festival.

- 4.4 D Mitchell – CM/8.1/23.10 – Pedestrian Laneway between Dickson Lane and Belgrave Street, Bronte.
- 4.5 A Cameron – CM/8.1/23.10 – Pedestrian Laneway between Dickson Lane and Belgrave Street, Bronte.
- 4.6 E Voukidis – CM/8.1/23.10 – Pedestrian Laneway between Dickson Lane and Belgrave Street, Bronte.
- 4.7 A Pouloukefalos – CM/8.1/23.10 – Pedestrian Laneway between Dickson Lane and Belgrave Street, Bronte.
- 4.8 N Pouloukefalos – CM/8.1/23.10 – Pedestrian Laneway between Dickson Lane and Belgrave Street, Bronte.

ITEMS BY EXCEPTION

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Fabiano

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

- CM/5.1/23.10 Confirmation of Minutes – Council Meeting – 12 September 2023.
- CM/5.2/23.10 Adoption of Minutes – Waverley Traffic Committee Meeting – 28 September 2023.
- CM/7.1/23.10 Public Interest Disclosure Policy – Adoption.
- CM/7.2/23.10 Annual Returns Disclosing Interests of Councillors and Designated Persons.
- CM/7.3/23.10 Investment Portfolio Report – August 2023.
- CM/7.4/23.10 Investment Portfolio Report – September 2023.
- CM/7.5/23.10 Arts, Culture and Creativity Advisory Committee – Membership
- CM/7.6/23.10 Annual Venue Hire Grants 2024.
- CM/7.7/23.10 Small Grants Program 2023-24 – Round 1.

5. Confirmation and Adoption of Minutes

CM/5.1/23.10 Confirmation of Minutes - Council Meeting - 12 September 2023 (SF23/16)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Fabiano

That the minutes of the Council meeting held on 12 September 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

**CM/5.2/23.10 Adoption of Minutes - Waverley Traffic Committee Meeting - 28 September 2023
(SF23/19)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Fabiano

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 28 September 2023 be received and noted, and that the recommendations contained therein be adopted.

6. Mayoral Minutes**CM/6.1/23.10 Customer Experience Improvements (A21/0289)****MOTION**

Mover: Cr Masselos

That Council:

1. Acknowledges and promotes the new Customer Service Charter.
2. Acknowledges and promotes the new online service for booking 'your call' bulk waste collections.
3. Continues to transform the customer experience for Waverley residents, as informed by the Customer Experience Strategy.

Background

As Mayor, I have championed and placed significant focus on Council transforming the customer experience for residents, ratepayers and visitors.

In 2022, Council embarked on a journey to develop and deliver a Customer Experience Strategy that would transform how Council:

- Is perceived by the community it serves.
- Services its residents, visitors, businesses, partners and stakeholders.
- Tracks the customer journey during the planning, consultation and decision-making processes.
- Establishes a service-focused culture cultivating great customer experiences.
- Reimagines the way services are delivered through technology, automation and continuous improvement.

I am very pleased to acknowledge recent advancements made by Council towards achieving this strategy.

Customer Service Charter

Council's new Customer Service Charter outlines to the community what they can expect when interacting with Council, how Council will deliver on the charter, and the numerous channels available to our residents including the Spring Street Customer Service Centre, the Bondi Pavilion Welcome Centre, our Call Centre, email, online and Snap Send Solve.

Banners have been placed in our public customer service locations to advertise and publicise our commitment to Customer Service, and our residents. Council will undertake a process to inform residents of the new Customer Service Charter, and training for Council officers.

Online 'your call' bulk waste service

Previously, a resident was required to call our Customer Service team to book a bulk waste collection. This was inconvenient for customers, only available during office hours, and amounted to a great amount of manual administration work by Council officers across multiple teams.

As of last week, we now have an automated online service, available to residents 24/7 at their convenience to book their bulk waste service collections. This will also lead to greater efficiencies internally as the process is fully automated including an artificial intelligence integration to suggest optimal collection routes, also taking into account anticipated traffic.

I encourage residents to make use of this great new service and look forward to further improvements like this to benefit our residents.

Our new online service was built in-house by Council Officers, utilising native applications. This is a significant achievement by Council, which also demonstrates the capability of our officers, and the sound financial management of Council.

I request Council publicises these advances in our Customer Experience transformation and continues to deliver on the Customer Experience Strategy.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 1.

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

UNANIMOUS DECISION

That Council:

1. Acknowledges and promotes the new Customer Service Charter, which is as follows:

Waverley Council provides a vast array of services from childcare, planning, roads, infrastructure, libraries, art, and theatre spaces, to parks, beaches, and bushland. Our customers include residents, ratepayers, and businesses as well as visitors. There are many reasons why our customers contact us and many different ways to reach us. We strive to provide a responsive and friendly service every time.

Our Vision and Values

We keep our community at the centre of everything we do and we strive for excellence.

- Care.
- Respect.
- Integrity.
- Innovation.
- Collaboration.

We will:

- Understand your needs and communicate clearly in return.
- Answer enquiries in a timely manner and resolve enquiries as soon as possible.
- Give timeframes for requests that need more investigation.
- Provide the tools to help you interact with us easily.

- Offer innovative and flexible service.
 - Respect and protect your privacy.
 - Be friendly, courteous and respectful, always.
 - Create an inclusive environment and celebrate our diversity.
2. Acknowledges and promotes the new online service for booking ‘your call’ bulk waste collections.
3. Continues to transform the customer experience for Waverley residents, as informed by the Customer Experience Strategy.

7. Reports

CM/7.1/23.10 Public Interest Disclosure Policy - Adoption (A23/0504)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
 Seconder: Cr Fabiano

That Council adopts the Public Interest Disclosure Policy attached to the report.

**CM/7.2/23.10 Annual Returns Disclosing Interests of Councillors and Designated Persons
(A23/0171)**

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
 Second: Cr Fabiano

That Council notes the returns of Councillors and designated persons disclosing interests for the period 30 June 2022 to 30 June 2023.

CM/7.3/23.10 Investment Portfolio Report - August 2023 (A03/2211)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
 Seconder: Cr Fabiano

That Council:

1. Notes the Investment Summary Report for August 2023 attached to the report.
2. Notes that the Executive Manager, Finance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

CM/7.4/23.10 Investment Portfolio Report - September 2023 (A03/2211)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Fabiano

That Council:

1. Notes the Investment Summary Report for September 2023 attached to the report.
2. Notes that the Executive Manager, Finance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

CM/7.5/23.10 Arts, Culture and Creativity Advisory Committee - Membership (A23/0398)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Fabiano

That Council appoints the following individuals to the Arts, Culture and Creativity Advisory Committee for a term of two years, from November 2023 to October 2025:

1. Members:
 - (a) Aleema Ash.
 - (b) Michaela Boland.
 - (c) Alex Bowen.
 - (d) Nerida Campbell.
 - (e) Donna Hewitt.
 - (f) Isabel Hudson.
 - (g) Sam Marshall.
 - (h) Antonia Pesenti.
 - (i) Dr Benjamin Schostakowski.
2. Reserve members:
 - (a) Helen Vatsikopoulos.
 - (b) Emma Pask.
 - (c) Megan Fizell.
 - (d) Moira Blumenthal.
 - (e) Anne-Marie Te Whiu.

CM/7.6/23.10 Annual Venue Hire Grants 2024 (A23/0654)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Fabiano

That Council, in accordance with section 356 of the *Local Government Act* and the Venue Hire Grants Program 2024, grants \$11,965.80 in financial assistance to the community organisations and groups as set out in the attachment to the report.

CM/7.7/23.10 Small Grants Program 2023-24 - Round 1 (A23/0314)

Cr Goltsman declared a less than significant non-pecuniary interest in this item and informed the meeting that he has volunteered for COA.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Fabiano

That Council, under the Small Grants Program 2023–24 (Round 1), grants \$45,042 to the individuals and organisations as recommended in Table 1 of the report, subject to any conditions specified in Attachment 1 of the report.

CM/7.8/23.10 High Impact Event - Bondi Beach Volleyball Festival (A23/0011)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Murray

That Council notes that the applicant has withdrawn their High Impact event application for the Bondi Beach Volleyball Festival.

J Gazecki (on behalf of Southern Land Productions Pty Ltd), M Merten (on behalf of Bondi Beach Precinct) and B Jackson (on behalf of Bondi Surf Bathing Life Saving Club) addressed the meeting.

CM/7.9/23.10 Amended Voluntary Planning Agreement - 194-214 Oxford Street and 2 Nelson Street, Bondi Junction (SF21/3455)**MOTION / DECISION**

Mover: Cr Masselos
Seconder: Cr Murray

That Council:

1. Approves the amended planning agreement attached to the report applying to land at 194–214 Oxford Street and 2 Nelson Street, Bondi Junction, offering a total contribution of \$7.45 million, comprising a \$1.15 million in-kind contribution (a through site link and a public plaza on the development site) and a \$6.3 million cash contribution to be allocated to the items set out in schedule 1 of the planning agreement, in accordance with Council's Planning Agreement Policy.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

Division**For the Motion:** Crs Betts, Burrill, Goltsman, Kay, Keenan, Lewis, Masselos, Murray and Nemesh.**Against the Motion:** Crs Fabiano and Wy Kanak.**CM/7.10/23.10 Petition - Resident Parking Scheme - Jackaman Street, Bondi (A16/0643)****MOTION**

Mover: Cr Kay

Seconder: Cr Fabiano

That Council:

1. Considers the petition requesting business hours parking assistance for the staff of London Carriage Preschool and Nursery at 23 Jackaman Street, Bondi, in the recently implemented Resident Parking Scheme (RPS Area 15, east section) as part of the wider RPS review scheduled to commence in the first half of 2024.
2. Officers investigate and implement short-term measures, as appropriate, to assist the staff of London Carriage with their on-street parking issues during operating hours of the preschool and nursery until the RPS review recommendations are actioned.

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

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

UNANIMOUS DECISION

That Council:

1. Considers the petition requesting business hours parking assistance for the staff of London Carriage Preschool and Nursery at 23 Jackaman Street, Bondi, in the recently implemented Resident Parking Scheme (RPS Area 15, east section) as part of the wider RPS review scheduled to commence in the first half of 2024.
2. Officers investigate short-term measures, as appropriate, to assist the staff of London Carriage with their on-street parking issues during operating hours of the preschool and nursery until the RPS review recommendations are actioned.
3. Officers prepare a report to Council with recommendations as a matter of urgency.

CM/7.11/23.10 Tender Evaluation - Bondi Beach Mobile Vendor Licences - Refreshments and/or Beach-Related Services (A23/0230)**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis

Seconder: Cr Murray

That Council:

1. Treats the tender evaluations attached to the report as confidential in accordance with section 11(3)

of the *Local Government Act 1993*, as they relate to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The evaluations contain commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.

2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2021*:
 - (a) Accepts the preferred tenderer Special Events and Venue Catering for the supply of beach refreshment services at Ramp 2, Bondi Beach, for the sum of \$125,476 (excluding GST) over the initial three-year term of the licence.
 - (b) Accepts the preferred tenderer David Pearson for the supply of beach refreshment services at Ramp 6, Bondi Beach, for the sum of \$46,209 (excluding GST) over the initial three-year term of the licence.
 - (c) Accepts the preferred tenderer RMMD Pty Ltd for the supply of beach refreshment services at Ramp 7, Bondi Beach, for the sum of \$805,373 (excluding GST) over the initial three-year term of the licence.
3. Authorises the General Manager or delegate to enter into contract on behalf of Council with the preferred tenderers above for three years with two one-year options.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2021*.

CM/7.12/23.10 Tender Evaluation - Bondi Beach Mobile Vendor Licence - Beach Equipment Hire (A23/0229)

MOTION / UNANIMOUS DECISION

Mover: Cr Murray

Seconder: Cr Keenan

That Council:

1. Treats the tender evaluation attached to the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The evaluation contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2021*, accepts the preferred tenderer Let's Go Surfing for the supply of beach equipment hire services at Bondi Beach for the sum of \$215,149 (excluding GST) over the initial three-year term of the licence.
3. Authorises the General Manager or delegate to enter into contract on behalf of Council with the preferred tenderer for three years with two one-year options.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2021*.

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

8. Notices of Motions**CM/8.1/23.10 Pedestrian Laneway between Dickson Lane and Belgrave Street, Bronte (A17/0243)**

Council dealt with this item in closed session.

MOTION

Mover: Cr Kay
Seconder: Cr Betts

That Council urgently:

1. Researches the history and current ownership and operational status of the drainage reserve or laneway between 28 and 32 Belgrave Street, the properties to the immediate west and east of the laneway respectively, noting that it is used by local residents for pedestrian access between Dickson Lane and Belgrave Street, Bronte.
2. Takes necessary and appropriate steps to ensure public laneway access is retained until a proper investigation into the matter (clause 3 below) has taken place.
3. Assuming that the laneway is privately owned and therefore not owned by Council, investigates options for Council to ensure public laneway access into the future, such as purchasing the laneway or placing a caveat or easement over the title.
4. Receives a report on the above research, actions and investigation, including a recommendation on Council's legislative and consultative processes and actions to ensure the laneway retains its public right of way status, noting that this report may need to be placed in Council's confidential agenda due to matters being of a commercial and in-confidence nature, and how the laneway's amenity could be better maintained.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSES 2–4.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED UNANIMOUSLY.

UNANIMOUS DECISION

That Council urgently:

1. Researches the history and current ownership and operational status of the drainage reserve or laneway between 28 and 32 Belgrave Street, the properties to the immediate west and east of the laneway respectively, noting that it is used by local residents for pedestrian access between Dickson Lane and Belgrave Street, Bronte.
2. Investigates any possible steps to ensure public laneway access is retained until a proper investigation into the matter (clause 3 below) has taken place.
3. Investigates options for Council to ensure public laneway access into the future.
4. Receives a report on the above research, actions and investigations, including a recommendation on Council's legislative and consultative processes and actions to ensure the laneway retains its public right of way status, noting that this report may need to be placed in Council's confidential agenda due to matters being of a commercial and in-confidence nature, and how the laneway's amenity could be better maintained.

D Mitchell, A Cameron, E Voukidis, A Pouloukefalos and N Pouloukefalos addressed the meeting.

CM/8.2/23.10 Bondi Bowling Club (SF19/2991)

MOTION

Mover: Cr Betts

Seconder: Cr Kay

That Council:

1. Requests the Mayor to write to the Premier, the Hon Chris Minns MP and the Minister for Lands and Property, the Hon Stephen Kamper MP, requesting reconsideration of the over 400% increase in rent being imposed on the Bondi Bowling Club by the Minns Government without consultation with the club or community.
2. Investigates options for Council to offer to take over the management of this parcel of Crown land from the State Government, after consultation with the Bondi Bowling Club and works with club to see if Council could assist it raising funds by Council leasing the club premises for events.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSES 1 AND 2.

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

UNANIMOUS DECISION

That Council:

1. Notes that the Mayor has written to the Minister for Lands and Property, the Hon Stephen Kamper MP, requesting reconsideration of the over 400% increase in rent being imposed on the Bondi Bowling Club by the Minns Government without consultation with the club or community, and seeking a meeting.
2. Investigates options for Council to offer to take over the management of this parcel of Crown land from the State Government, after consultation with the Bondi Bowling Club and works with the club to see if Council could assist it raising funds by Council leasing the club premises for events, with a report to be prepared to Council.

CM/8.3/23.10 First Nations Sovereignty (A18/0112)

MOTION (WITHDRAWN)

That Council:

1. Reconfirms its discussions to place 'Welcome to Country' signs in Waverley.
2. Post-referendum, continues to take a sovereignty/'sovereignty' and treaty approach to its engagement with First Nations peoples.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business**CM/10.1/23.10 Supporting the Jewish Community (A23/0698)**

The Chair ruled that this matter was urgent.

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh

Seconder: Cr Lewis

That Council deals with this matter as urgent business.

MOTION

Mover: Cr Nemesh

Seconder: Cr Lewis

That Council:

1. Condemns the horrific terrorist attack on the citizens of Israel perpetrated by the proscribed and listed terror organisation Hamas.
2. Expresses deep sympathy and condolences to the families and friends of the dead and injured.
3. Notes that:
 - (a) These attacks represent the largest number of Jewish people murdered in a single day since the Holocaust.
 - (b) Waverley has the largest number of Jewish residents of any local government area within NSW.
 - (c) Waverley is a safe, peaceful and tolerant multicultural society and condemns the acts of antisemitism and hate speech perpetrated in Sydney on the evening of Monday, 9 October 2023.
4. Acknowledges the ongoing heartbreak and trauma resulting from more than 200 innocents kidnapped in Israel and held hostage by Hamas in Gaza.
5. Acknowledges the tragic loss of civilian lives in Israel and Gaza as a direct consequence of Hamas's terrorist attack.
6. Offers financial and in-kind support to the Jewish community of Waverley in any way it can including, but not limited to, a budget of \$10,000 funded from the General Manager's operational budget which Jewish community organisations within Waverley can access to support their work in offering social services to those impacted by the recent attacks.
7. Writes to the Premier of NSW, Chris Minns, calling on the NSW Government to take all steps necessary to ensure the safety of the NSW Jewish community.
8. Writes to Jewish community and faith organisations to inform them of this motion.

AMENDMENT 1 (RULED OUT OF ORDER)

Mover: Cr Wy Kanak

Seconder: Cr Fabiano

That the following clause be added to the motion:

‘That anyone present in the public gallery who wishes to do so be allowed to address Council on the motion.’

AT THIS STAGE IN THE PROCEEDINGS, CR WY KANAK MOVED A MOTION OF DISSENT ON THE CHAIR’S RULING THAT THE AMENDMENT DID NOT RELATE TO THE MOTION.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

Division**For the Motion of Dissent:** Cr Fabiano and Wy Kanak.**Against the Motion of Dissent:** Crs Betts, Burrill, Goltsman, Kay, Keenan, Lewis, Masselos, Murray and Nemesh.**AMENDMENT 2**

Mover: Cr Wy Kanak

Seconder: Cr Fabiano

That clause 1 be amended to read as follows:

‘Condemns war crimes perpetrated by Hamas, including the premeditated targeting of Israeli civilians, the war crimes perpetrated by a right-wing Israeli government, including the bombing of Palestinian civilians, and calls for all perpetrators to be held accountable for their actions in accordance with international law and an immediate ceasefire between all parties and an end to the war in Gaza.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division**For the Amendment:** Crs Fabiano and Wy Kanak.**Against the Amendment:** Crs Betts, Burrill, Goltsman, Kay, Keenan, Lewis, Masselos, Murray and Nemesh.**AMENDMENT 3**

Mover: Cr Wy Kanak

Seconder: Cr Fabiano

That clause 7 be amended to read as follows:

‘Writes to the Premier of NSW, Chris Minns, calling on the NSW Government to take all steps necessary to ensure the safety of the NSW Jewish community and all communities impacted by these events.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division**For the Amendment:** Crs Fabiano and Wy Kanak.**Against the Amendment:** Crs Betts, Burrill, Goltsman, Kay, Keenan, Lewis, Masselos, Murray and Nemesh.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Condemns the horrific terrorist attack on the citizens of Israel perpetrated by the proscribed and listed terror organisation Hamas.
2. Expresses deep sympathy and condolences to the families and friends of the dead and injured.
3. Notes that:
 - (a) These attacks represent the largest number of Jewish people murdered in a single day since the Holocaust.
 - (b) Waverley has the largest number of Jewish residents of any local government area within NSW.
 - (c) Waverley is a safe, peaceful and tolerant multicultural society and condemns the acts of antisemitism and hate speech perpetrated in Sydney on the evening of Monday, 9 October 2023.
4. Acknowledges the ongoing heartbreak and trauma resulting from more than 200 innocents kidnapped in Israel and held hostage by Hamas in Gaza.
5. Acknowledges the tragic loss of civilian lives in Israel and Gaza as a direct consequence of Hamas's terrorist attack.
6. Offers financial and in-kind support to the Jewish community of Waverley in any way it can including, but not limited to, a budget of \$10,000 funded from the General Manager's operational budget which Jewish community organisations within Waverley can access to support their work in offering social services to those impacted by the recent attacks.
7. Writes to the Premier of NSW, Chris Minns, calling on the NSW Government to take all steps necessary to ensure the safety of the NSW Jewish community.
8. Writes to Jewish community and faith organisations to inform them of this motion.

Division

For the Motion: Crs Betts, Burrill, Goltsman, Kay, Keenan, Lewis, Masselos, Murray and Nemesh.

Against the Motion: Crs Fabiano and Wy Kanak.

11. Closed Session**CM/11.1/23.10****Closed Session****MOTION / DECISION**

Mover: Cr Masselos

Seconder: Cr Kay

That:

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

CM/8.1/23.10

Pedestrian Laneway between Dickson Lane and Belgrave Street, Bronte

This matter is considered to be confidential in accordance with section 10A(2)(g) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CM/11.1/23.10 CONFIDENTIAL REPORT - Flickerfest 2024 - Financial Assistance - Consultation Outcomes

This matter is considered to be confidential in accordance with section 10A(2)(c) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

CM/11.2/23.10 CONFIDENTIAL REPORT - Waverley Park Cafe - Lease

This matter is considered to be confidential in accordance with section 10A(2)(c) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

CM/11.3/23.10 CONFIDENTIAL REPORT - Shop 3, Bondi Pavilion - Lease - Amendment

This matter is considered to be confidential in accordance with section 10A(2)(g) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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

At 9.04 pm, Council moved into closed session.

CM/11.1/23.10 CONFIDENTIAL REPORT - Flickerfest 2024 - Financial Assistance - Consultation Outcomes (A22/0540)**MOTION**

Mover: Cr Murray
Seconder: Cr Lewis

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Approves Option 1, as set out in the report and in accordance with section 356 of the *Local Government Act 1993*, as the level of financial assistance to Flickerfest Pty Ltd to support the cost of Flickerfest, subject to Flickerfest being responsible for the following items:
 - (a) Daily event venue cleaning to the value of \$1,430.
 - (b) Remediation of Bondi Pavilion's Garu Courtyard grass post-event to the value of \$5,100.
 - (c) Installation and deinstallation of Flickerfest-provided promotional banners to the value of \$3,360.
3. Authorises the General Manager or delegate to execute an event licence with Flickerfest Pty Ltd to deliver Flickerfest 2024, subject to the provision of audited financials including itemised salaries of directors and key management personnel by Flickerfest Pty Ltd.
4. Officers review the operation of Flickerfest and Council's support for the long-term.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSE 3.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Approves Option 1, as set out in the report and in accordance with section 356 of the *Local Government Act 1993*, as the level of financial assistance to Flickerfest Pty Ltd to support the cost of Flickerfest, subject to Flickerfest being responsible for the following items:
 - (a) Daily event venue cleaning to the value of \$1,430.
 - (b) Remediation of Bondi Pavilion's Garu Courtyard grass post-event to the value of \$5,100.
 - (c) Installation and deinstallation of Flickerfest-provided promotional banners to the value of \$3,360.

3. Authorises the General Manager or delegate to execute an event licence with Flickerfest Pty Ltd to deliver Flickerfest 2024, subject to Flickerfest Pty Ltd providing audited financials to Council, including itemised salaries of directors and key management personnel, by 5 pm on 21 November 2023.
4. Officers review the operation of Flickerfest and Council's support for the long-term.

Division

For the Motion: Crs Betts, Goltsman, Fabiano, Kay, Keenan, Lewis, Masselos, Murray and Nemesh.

Against the Motion: Crs Burrill and Wy Kanak.

CM/11.2/23.10 CONFIDENTIAL REPORT - Waverley Park Cafe - Lease (A23/0635)**MOTION / UNANIMOUS DECISION**

Mover: Cr Murray

Seconder: Cr Lewis

That Council:

1. Treats the report as confidential as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
2. Grants a lease to Arrow 45 Pty Ltd for Waverley Park Café for two years with one three-year option, on the terms and conditions set out in the report.
3. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

CM/11.3/23.10 CONFIDENTIAL REPORT - Shop 3, Bondi Pavilion - Lease - Amendment (A21/0511)**MOTION / DECISION**

Mover: Cr Lewis

Seconder: Cr Keenan

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Amends its lease with Glorietta Pty Ltd for Shop 3, Bondi Pavilion, to permit the sale of liquor.
3. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

Crs Burrill and Wy Kanak requested that their votes against the motion be recorded in the minutes.

12. Resuming in Open Session**CM/12.1/23.10 Resuming in Open Session****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

That Council resumes in open session.

*At 10.25 pm, Council resumed in open session.****Resolutions from closed session made public****In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumed in open session the chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.***13. Meeting Closure****THE MEETING CLOSED AT 10.33 PM.**

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SIGNED AND CONFIRMED
MAYOR
21 NOVEMBER 2023

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/23.11



Subject: Confirmation of Minutes - Extraordinary Council Meeting -
26 October 2023

TRIM No: SF23/16

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That the minutes of the extraordinary Council meeting held on 26 October 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of Council meetings must be confirmed at a subsequent meeting of Council, in accordance with section 375 of the *Local Government Act 1993*.

Attachments

1. Extraordinary Council Meeting Minutes - 26 October 2023 .



**MINUTES OF THE WAVERLEY EXTRAORDINARY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
THURSDAY, 26 OCTOBER 2023**

Present:

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Ludovico Fabiano (Deputy Mayor)	Waverley Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Elaine Keenan	Lawson Ward
Councillor Steven Lewis	Hunter Ward
Councillor Tim Murray	Waverley Ward
Councillor Will Nemesh	Hunter Ward
Councillor Dominic Wy Kanak	Bondi Ward

Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czinner	Director, Corporate Services
Fletcher Rayner	Director, Planning, Sustainability and Compliance
Ben Thompson	Director, Community, Culture and Customer Experience

At the commencement of proceedings at 6.32 pm, those present were as listed above, with the exception of Cr Burrill who arrived at 6.36 pm during addresses by members of the public and Cr Kay who arrived at 8.15 pm during item CM/4.1/23.10E.

Crs Burrill and Kay attended the meeting by audio-visual link.

At 7.42 pm, during addresses by members of the public, the meeting was adjourned due to disorder. The meeting resumed at 7.49 pm.

At 7.59 pm, during addresses by members of the public, the meeting was adjourned due to disorder. The meeting resumed at 8.04 pm.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

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

The Mayor read the following Acknowledgement of Indigenous Heritage:

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our local government area.

1. Apologies/Leaves of Absence

Apologies were received from Cr Michelle Gray.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Goltsman declared a less than significant non-pecuniary interest in item CM/4.1/23.10 – Deputy Mayor and informed the meeting that he may know some of the people who petitioned and wrote to Council.

3. Addresses by Members of the Public

- 3.1 D Rod – CM/4.1/23.10E – Deputy Mayor.
- 3.2 S Corne – CM/4.1/23.10E – Deputy Mayor.
- 3.3 A Stone – CM/4.1/23.10E – Deputy Mayor.
- 3.4 J Pinczewski – CM/4.1/23.10E – Deputy Mayor.
- 3.5 K Samuel – CM/4.1/23.10E – Deputy Mayor.
- 3.6 O Birenbaum – CM/4.1/23.10E – Deputy Mayor.
- 3.7 S Elias – CM/4.1/23.10E – Deputy Mayor.
- 3.8 B Klein – CM/4.1/23.10E – Deputy Mayor.
- 3.9 M Guttman-Jones – CM/4.1/23.10E – Deputy Mayor.
- 3.10 V Solomon – CM/4.1/23.10E – Deputy Mayor.

- 3.11 A resident – CM/4.1/23.10E – Deputy Mayor.
- 3.12 G Stricker-Phelps – CM/4.1/23.10E – Deputy Mayor.
- 3.13 A Resident – CM/4.1/23.10E – Deputy Mayor.
- 3.14 L Spitzer – CM/4.1/23.10E – Deputy Mayor.
- 3.15 C Maltby – CM/4.1/23.10E – Deputy Mayor.
- 3.16 V Porzsolt (on behalf of Jews Against the Occupation) – CM/4.1/23.10E – Deputy Mayor.
- 3.17 P Slezak – CM/4.1/23.10E – Deputy Mayor.
- 3.18 M Berkon – CM/4.1/23.10E – Deputy Mayor.
- 3.19 D Rod – CM/4.2/23.10E – Appointment of Councillors to Committees.
- 3.21 J Pinczewski – CM/4.2/23.10E – Appointment of Councillors to Committees.
- 3.22 B Klein – CM/4.2/23.10E – Appointment of Councillors to Committees.
- 3.23 A resident – CM/4.2/23.10E – Appointment of Councillors to Committees.
- 3.24 V Porzsolt (on behalf of Jews Against the Occupation) – CM/4.2/23.10E – Appointment of Councillors to Committees.

4. Notices of Motions

CM/4.1/23.10E Deputy Mayor (SF23/196)

Cr Goltsman declared a less than significant non-pecuniary interest in this item and informed the meeting that he may know some of the people who petitioned and wrote to Council.

MOTION

Mover: Cr Nemesh

Seconder: Cr Lewis

That Council:

1. Amends the term of office of the Deputy Mayor from up to and including 13 September 2024 to up to and including 26 October 2023.
2. Notes that this motion would declare the position of Deputy Mayor as vacant.

AT THIS STAGE IN THE PROCEEDINGS, CR WY KANAK MOVED A MOTION OF DISSENT ON THE CHAIR'S RULING THAT THE MOTION WAS LAWFUL.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

Division

For the Motion of Dissent: Cr Fabiano and Wy Kanak.

Against the Motion of Dissent: Crs Betts, Burrill, Goltsman, Kay, Keenan, Lewis, Masselos, Murray and

Nemesh.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Amends the term of office of the Deputy Mayor from up to and including 13 September 2024 to up to and including 26 October 2023.
2. Notes that this motion would declare the position of Deputy Mayor as vacant.

Division

For the Motion: Crs Betts, Burrill, Goltsman, Kay, Keenan, Lewis, Masselos, Murray and Nemesh.

Against the Motion: Crs Fabiano and Wy Kanak.

D Rod, S Corne, A Stone, J Pinczewski, K Samuel, O Birenbaum, S Elias, B Klein, M Guttman-Jones, V Soloman, G Stricker-Phelps, L Spitzer, C Maltby, V Porzsolt, P Slezak, M Berkon and two residents addressed the meeting.

CM/4.2/23.10E Appointment of Councillors to Committees (SF23/196)

MOTION

Mover: Cr Goltsman
Seconder: Cr Betts

That Council:

1. Removes Crs Fabiano and Wy Kanak from the following committees:
 - (a) Traffic Committee.
 - (b) Audit, Risk and Improvement Committee.
 - (c) Multicultural Advisory Committee.
2. Removes Cr Wy Kanak as chair of the Finance, Operations and Community Services Committee.
3. Removes Cr Fabiano as deputy chair of the Strategic Planning and Development Committee.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 1, THE DELETION OF CLAUSE 1(c) AND THE ADDITION OF A NEW CLAUSE.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED

DECISION

That Council:

1. Removes Crs Fabiano and Wy Kanak as voting members of the following committees:
 - (a) Traffic Committee.

(b) Audit, Risk and Improvement Committee.

2. Removes Cr Fabiano as deputy chair of the Multicultural Advisory Committee.
3. Removes Cr Wy Kanak as chair of the Finance, Operations and Community Services Committee.
4. Removes Cr Fabiano as deputy chair of the Strategic Planning and Development Committee.

Division

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

Against the Motion: Crs Fabiano, Keenan, Masselos, Murray and Wy Kanak.

D Rod, J Pinczewski, B Klein, V Porzsolt and a resident addressed the meeting.

5. Urgent Business

There was no urgent business.

6. Meeting Closure

THE MEETING CLOSED AT 9.22 PM.

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SIGNED AND CONFIRMED
MAYOR
21 NOVEMBER 2023

CONFIRMATION AND ADOPTION OF MINUTES CM/5.3/23.11



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 26 October 2023

TRIM No: SF23/19

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That Part 1 of the minutes of the Waverley Traffic Committee meeting held on 26 October 2023 be received and noted, and that the recommendations contained therein be adopted.

Introduction/Background

The Waverley Traffic Committee (WTC) is a committee of Council that operates under guidelines from Transport for NSW (TfNSW), an agency of the NSW Government. It is advisory-only and has no decision-making powers.

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

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

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

Attachments

1. Waverley Traffic Committee Minutes - 26 October 2023 .

**MINUTES OF THE WAVERLEY TRAFFIC COMMITTEE
MEETING HELD VIA VIDEO CONFERENCE ON
THURSDAY, 26 OCTOBER 2023**



Voting Members Present:

Cr P Masselos	Waverley Council – Chair
Mr D Gojak	Representing Kellie Sloane MP, Member for Vaucluse
Mr V Le	Transport for NSW – Network and Safety Officer
Sgt A Leeson	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Ms R Roelandts	Representing Marjorie O’Neill MP, Member for Coogee

Also Present:

Mr B Gidies	Transdev John Holland – Traffic and Events Manager
Ms L Cook	Transport for NSW – Senior Transport Operations Planner
Ms K Lewis	Transport for NSW – Manager, Communication and Stakeholder Engagement
Mr P Short	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Cr T Kay	Waverley Council – Deputy Chair
Mr N Zervos	Waverley Council – Executive Manager, Infrastructure Services
Mr S Samadian	Waverley Council – Manager, Asset Systems and Planning
Mr A Karki	Waverley Council – Traffic Engineer
Mr K Magistrado	Waverley Council – Traffic Engineer
Mr M Soomro	Waverley Council – Traffic Engineer

At the commencement of proceedings at 10.00 am, those present were as listed above.

At 10.09 am, Mr D Gojak left the meeting and did not return.

At 10.40 am, during the consideration of item TC/V.01/23.10, Cr P Masselos left the meeting. Cr T Kay chaired the meeting until Cr P Masselos returned at 10.45 am.

Apologies

Apologies were received from Mr P Pearce (representing Marjorie O’Neill MP, Member for Coogee).

Declarations of Interest

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

Adoption of Previous Minutes by Council - 28 September 2023

The recommendations contained in Part 1 – Matters Proposing that Council Exercise its Delegated Functions – of the minutes of the Waverley Traffic Committee meeting held on 28 September 2023 were adopted by Council at its meeting on 17 October 2023.

ITEMS BY EXCEPTION

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

- TC/V.02/23.10 97 O'Brien Street, North Bondi – 1/4P Parking Restriction Removal.
- TC/V.03/23.10 Ramsgate Avenue and Campbell Parade, Bondi Beach – 'No Stopping' Zone Modification.
- TC/V.04/23.10 3 Military Road, North Bondi – Construction Zone.
- TC/V.05/23.10 122 Brighton Boulevard, North Bondi – Construction Zone.
- TC/V.06/23.10 178 Hastings Parade, North Bondi – Construction Zone.

PART 1 – MATTERS PROPOSING THAT COUNCIL EXERCISE ITS DELEGATED FUNCTIONS

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

TC/C STATE ELECTORATE OF COOGEE**TC/C.01/23.10 Bourke Street, Queens Park - Upgrade (A11/0612)****COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Upgrades Bourke Street, Queens Park, including the installation of a separated uphill bike path, in accordance with the design attached to the report (Attachment 1).
2. Delegates authority to the Executive Manager, Infrastructure Services, to modify the design should on-site circumstances warrant changes.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

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

That Council:

1. Upgrades Bourke Street, Queens Park, as per Option 1 of the report, including the installation of a

separated uphill bike path, in accordance with the design attached to the report (Attachment 1).

2. Undertakes a community education program on safety issues regarding bike lanes.
3. Delegates authority to the Executive Manager, Infrastructure Services, to modify the design should on-site circumstances warrant changes.

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

TC/C.02/23.10 Farrellys Avenue, Tamarama - Raised Pedestrian Crossing (A20/0069)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs a raised pedestrian crossing in Farrellys Avenue, Tamarama, on the western side of the intersection with Illawong Avenue, in accordance with the design attached to the report (Attachment 1).
2. Delegates authority to the Executive Manager, Infrastructure Services, to modify the design should on-site circumstances warrant changes.
3. Applies for relevant grant funding opportunities in the 2023-24 financial year, and if unsuccessful allocates sufficient funds in the Long Term Financial Plan to deliver the safety improvements.
4. Notes that:
 - (a) The proposed right turn ban into Bondi Road from Boonara Avenue and Imperial Avenue would have a negligible impact on traffic movements in Farrellys Avenue.
 - (b) The speed limit in Farrellys Avenue will change to 40 km/h as part of the area-wide speed limit changes to local roads due to be implemented in 2023.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to amendments to clauses 1 and 4 and the addition of clauses 4(c), (d) and two new clauses such that the recommendation now reads as follows:

That Council:

1. Installs a raised pedestrian crossing in Farrellys Avenue, Tamarama, on the western side of the intersection with Illawong Avenue, in accordance with the design attached to the report (Attachment 1), subject to the installation of a dashed centre line in Illawong Avenue at the intersection of Farrellys Avenue.
2. Changes traffic priority at the intersection of Farrellys Avenue and Illawong Avenue by replacing the 'Stop' sign/lines on Illawong Avenue with a 'Give Way' sign/lines on Farrellys Avenue, west of Illawong Avenue.
3. Delegates authority to the Executive Manager, Infrastructure Services, to modify the design should on-site circumstances warrant changes.

4. Applies for relevant grant funding opportunities in the 2023-24 financial year, and if unsuccessful allocates sufficient funds in the Long Term Financial Plan to deliver the safety improvements.
5. Monitors the site after installation to ensure pedestrian safety and visibility at the pedestrian crossing and the east-west crossing on Illawong Avenue at the intersection of Farrellys Avenue.
6. Notes that:
 - (a) The proposed Left Turn Only restriction into Bondi Road from Boonara Avenue and Imperial Avenue would have a negligible impact on traffic movements in Farrellys Avenue.
 - (b) The speed limit in Farrellys Avenue will change to 40 km/h as part of the area-wide speed limit changes to local roads due to be implemented in 2023–24 financial year.
 - (c) New ground cover will ensure visibility of small children by drivers.
 - (d) An investigation into large vehicles accessing Farrellys Avenue will be undertaken as part of a larger review of large vehicle access in the area within the current financial year.

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

TC/C.03/23.10 Leichhardt Street and Macpherson Street, Bronte - Intersection Upgrade (SF22/2623)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Upgrades the pedestrian crossing facilities at the western and northern approaches of the intersection of Leichhardt Street and Macpherson Street, Bronte, in accordance with the design attached to the report (Attachment 1).
2. Delegates authority to Executive Manager, Infrastructure Services, to modify the design should on-site circumstances warrant changes.
3. Notes that the pedestrian crossing facilities at the eastern and southern approaches will be assessed independently and a proposal will be reported to a future meeting of the Traffic Committee.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to an amendment to clause 3 such that the recommendation now reads as follows:

That Council:

1. Upgrades the pedestrian crossing facilities at the western and northern approaches of the intersection of Leichhardt Street and Macpherson Street, Bronte, in accordance with the design attached to the report (Attachment 1).
2. Delegates authority to Executive Manager, Infrastructure Services, to modify the design should on-

site circumstances warrant changes.

3. Notes that the pedestrian crossing facilities at the eastern and southern approaches will be assessed independently in financial year 2024–25 and a proposal will be reported to a future meeting of the Traffic Committee.

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

TC/V STATE ELECTORATE OF VAUCLUSE

TC/V.01/23.10 Resident Parking Scheme Area 26 - Extension (A02/0750)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs '2P, 8 am–6 pm, All Days, Permit Holders Excepted Area 26' parking restrictions in New Street and Flood Street, Bondi, as shown in Figure 1 of the report.
2. Retains existing parking restrictions in the rest of Area 26.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to an amendment to clause 1 and the addition of a new clause 3 such that the recommendation now reads as follows:

1. Installs '2P, 8 am–10 pm, All Days, Permit Holders Excepted Area 26' parking restrictions in New Street, Bondi, as shown in Figure 1 of the report.
2. Retains existing parking restrictions in the rest of Area 26.
3. Notes that the response rate in Flood Street was insufficient to substantiate support for the implementation of a resident parking scheme in the street.

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

TC/V.02/23.10 97 O'Brien Street, North Bondi - 1/4P Parking Restriction Removal (A14/0145)

COUNCIL OFFICER'S PROPOSAL:

That Council removes the '1/4P, 8 am–6 pm' parking zone in front of 97 O'Brien Street, North Bondi.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.03/23.10 Ramsgate Avenue and Campbell Parade, Bondi Beach - 'No Stopping' Zone Modification (A14/0145)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Shortens the 'No Stopping' zone on the eastern side of Ramsgate Avenue, Bondi Beach, north of Campbell Parade, from 20 metres to 10 metres.
2. Notes that the installation a parklet in front 110–114 Ramsgate Avenue will be considered under delegation by the Executive Manager, Infrastructure Services.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.04/23.10 3 Military Road, North Bondi - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 9 metre 'No Parking, 7 am–5 pm Mon–Fri, 8 am–3 pm Sat, Council Authorised Vehicles Excepted' construction zone in front of 3 Military Road, North Bondi.
2. Requires the applicant to notify residents in the vicinity of the construction zone prior to it being installed.
3. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the construction zone as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.05/23.10 122 Brighton Boulevard, North Bondi - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 12 metre 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Sat, Council Authorised Vehicles

Excepted' construction zone in front of 122 Brighton Boulevard, North Bondi.

2. Requires the applicant to notify residents in the vicinity of the construction zone prior to it being installed.
3. Delegates authority to the Executive Manager, Infrastructure Services to adjust the length and duration of, or remove, the construction zone as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.06/23.10 178 Hastings Parade, North Bondi - Construction Zone (A03/2514-04)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs a 9 metre 'No Parking, 7 am–5 pm Mon–Fri, 8 am–3 pm Sat, Council Authorised Vehicles Excepted' construction zone in front of 178 Hastings Parade, North Bondi.
2. Requires the applicant to notify residents in the vicinity of the construction zone prior to it being installed.
3. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the construction zone as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE

Nil.

THE MEETING CLOSED AT 11.01 AM.

.....
SIGNED AND CONFIRMED
MAYOR
21 NOVEMBER 2023

:

MAYORAL MINUTES CM/6/23.11

Subject: Mayoral Minutes

Author: Mayor of Waverley, Cr Paula Masselos



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

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

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

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

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

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

REPORT CM/7.1/23.11



Subject: Annual Report 2022-23

TRIM No: A21/0035

Manager: Meredith Graham, Executive Manager, Organisational Strategy and Improvement

Director: Emily Scott, General Manager

RECOMMENDATION:

That Council notes the Annual Report 2022–23 attached to the report.

1. Executive Summary

The purpose of this report is to present Council's Annual Report 2022–23 for submission to the Minister of Local Government by 30 November 2023.

The Annual Report comprises four parts. The first three parts are published in one volume. Part 4, the Audited Financial Statements, is published separately.

2. Introduction/Background

Section 428 of the *Local Government Act 1993* requires that, within five months after the end of each financial year, a council must prepare a report (its annual report) for that year. The annual report highlights achievements in implementing the delivery program and the effectiveness of the principal activities undertaken in achieving the objectives. An annual report must be prepared in accordance with the guidelines under section 406 (which outlines the requirements for Integrated Planning and Reporting) and must contain a copy of the council's audited financial statements prepared in accordance with the Local Government Code of Council Accounting Practice and Financial Reporting published by the Office of Local Government.

A copy of Council's annual report must be posted on Council's website and provided to the Minister and such other persons and bodies as the regulations may require by 30 November each year.

3. Relevant Council Resolutions

Nil.

4. Discussion

The attached Annual Report 2022–23 provides an overview of Council's performance over the past financial year. The Annual Report forms an important component of the Integrated Planning and Reporting (IP&R) Model as it 'closes the loop' in keeping the community informed of achievements in implementing the Delivery Program and Operational Plan.

The Annual Report is a key point of accountability between Council and its community. Its main focus is to report on progress of the Delivery Program and Operational Plan as these documents are within Council's responsibility to deliver.

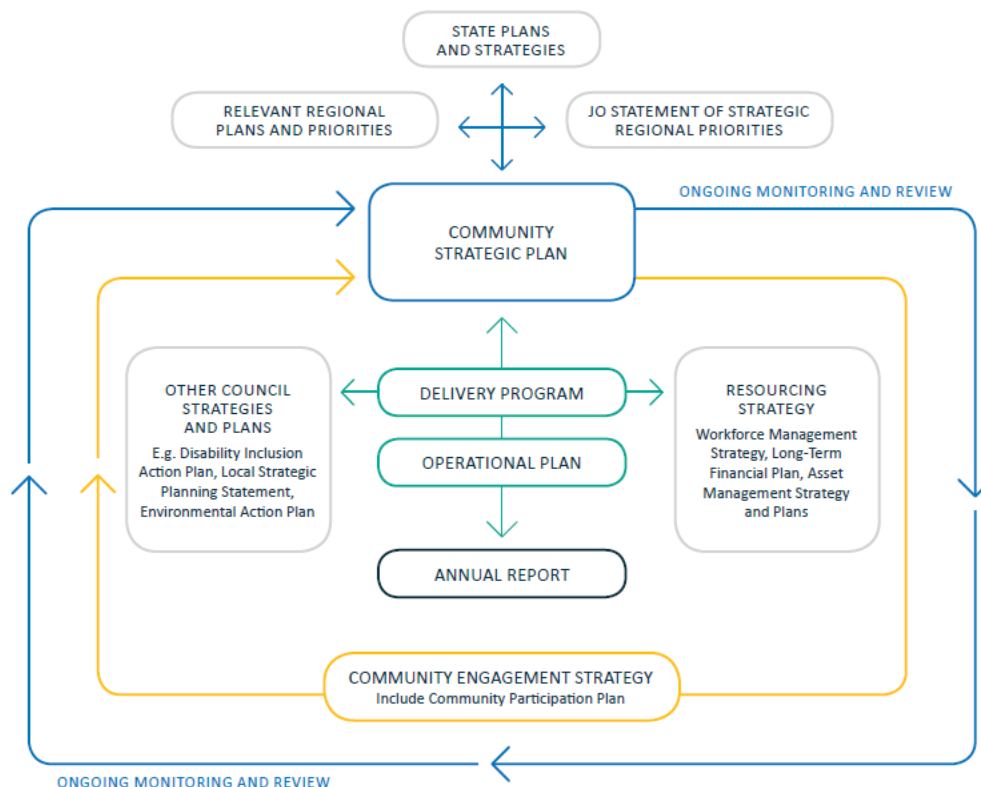


Figure 1. The Integrated planning and reporting framework.

The Annual Report 2022–23 is structured around the three themes in the Community Strategic Plan 2022–2032. This is the first report based on the Community Strategic Plan 2022–2032, the Delivery Program 2022–26 and the Operational Plan 2022–23.

Of the total 160 actions in the Operational Plan 2022–23, 86% (137) of the actions in the Operational Plan were completed, 13% (21) are in progress, and 1% (two) were delayed due to operational reasons.

5. Financial impact statement/Time frame/Consultation

The actions in the Operational Plan 2022–23 were included in the budget and work program when the Operational Plan was adopted by Council in June 2022. Funding to implement the Delivery Program over its term is based on the Long Term Financial Plan that supports the Delivery Program. The Annual Report 2022–23 covers the period 1 July 2022 to 30 June 2023 and must be submitted to the Minister for Local Government by 30 November 2023.

6. Conclusion

The Annual Report 2022–23 provides a snapshot of Council’s performance against the deliverables detailed in the Delivery Program 2022–26. The Annual Report 2022–23 is prepared in compliance with section 428 of the *Local Government Act 1993* and Office of Local Government Circular No 23-10 (14 August 2023) on the Annual Report Checklist 23-10 End of Year Reporting Requirements for 2022–23 and Additional Information for 2023–24.

7. Attachments

1. Annual Report 2022-23 (under separate cover) .

**REPORT
CM/7.2/23.11****Subject:** Quarterly Budget Review (Q1) - September 2023**TRIM No:** SF23/1717**Manager:** Teena Su, Executive Manager, Finance**Director:** Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. Notes that the Executive Manager, Finance, as the responsible accounting officer, advises that the projected financial position of Council is satisfactory.
2. Adopts the variations to the 2023–24 Operating and Capital budgets in accordance with the attachments to the report.

1. Executive Summary

The Council continues to be affected by capacity constraints, higher costs due to ongoing high inflation, and a tight labour market. The Q1 review reassesses the budget requirements for delivering the Operational Plan 2023-24 and other strategic priorities within the broader Delivery Program 2022-2026.

Following the Q1 2023–24 budget review, Council's Q1 proposed budget is forecasted to generate a total income of \$171.71 m and to spend \$195.57 m, which resulted in the use of reserves totalling \$23.86 m to deliver the planned expenditure program within a balanced budget for 2023–24 financial year.

The following amendments are proposed:

- Increased operating income by \$3.48 m to \$154.33 m.
- Increased operating expenses by \$2.96 m to \$134.31 m.
- Increased capital income by \$2.89 m to \$17.38 m.
- Increased capital expenses by \$13.46 m to \$60.79 m.
- Increased reserve requirement of \$10.05 m to \$23.86 m.

The Q1 budget review maintains a balanced budget and a zero operating performance ratio for the 2023-24 financial year.

2. Introduction/Background

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

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

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

The Council's original 2023-24 budget was adopted at the 27 June 2023 meeting. On 15 August 2023, the Council approved the 2022-23 incomplete projects budget for completion in the 2023-24 financial year.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 15 August 2023	CM/7.2/23.08	That Council carries over \$4,802,397 from the 2022-23 financial year budget to 2023-24, as set up in Attachment 1 of the report.
Strategic Planning and Development Committee 7 November 2023	PD/7.1/23.11	That Council: <ol style="list-style-type: none"> 1. Treats the report as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2)(d)(i) of the Local Government Act 1993. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 2. Notes the project update on the Boot Factory and Mill Hill Community Centre (including Norman Lee Place) and Tamarama Surf Life Saving Club, as set out in the report. 3. Notes that the quarterly budget review (Q1) will detail the proposed funding strategy to address the financial impacts of the projects. 4. Holds an urgent Councillor briefing to discuss the proposed Q1 funding strategy.

4. Discussion

The September Quarterly Budget Review forecasts an increase in income by \$6.38 m to \$171.71 m. It comprises of \$3.48 m increase in operating income and a \$2.89 m increase in capital income. It also forecasts a total increase of \$16.42 m in expenses, this comprises of \$2.96 m increase in operating expenses, \$13.41m increase from the capital works program and a \$0.05 m increase from other capital expenses. These have revised the expense program total to \$195.10 m (\$195.57 m including loan principal repayment) for financial year 2023-24.

The following table provides a comparison of the Council's forecast position between the current approved budget and Q1 proposed budget and actuals (including commitments) for the first quarter to 30 September 2023.

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

Table 1 - Q1 Proposed Budget - '000	Current Approved Budget	Q1 Amendment	Q1 Proposed Budget	Q1 change %	Actual (Incl. Commitments) 30 September 2023	Note
Estimated Income	165,336	6,375	171,710	3.86%	92,416	
Operating Income	150,850	3,484	154,333	2.31%	90,983	1
Capital Income	14,486	2,891	17,377	19.96%	1,434	2
Estimated Expenses	(179,152)	(16,422)	(195,574)	9.17%	(75,926)	
Operating Expense	(131,350)	(2,959)	(134,308)	2.25%	(45,407)	3
Capital Works Program	(42,418)	(13,409)	(55,827)	31.61%	(26,998)	4
Other Capital Expense	(4,912)	(54)	(4,966)	1.10%	(3,407)	5
Loan Repayment	(472)	0	(472)	-	(115)	
Net Income / (Expenses)	(13,816)	(10,047)	(23,864)	72.72%	16,490	
Reserve Funds	13,816	10,047	23,864	72.72%	(16,483)	6
Net Result - Surplus/(Deficit)	0	(0)	(0)	0.0%	6	

(Excluding depreciation expense)

Operating income

Operating income (excluding capital works income and proceeds from the sale of assets) increased by \$3.48 m, mainly attributed to the following changes:

- Investment income increased by \$1.89 m due to higher interest rates and more cash available than anticipated.
- Income from parking operation and regulatory services increased by \$0.70 m.
- External events income increased by \$0.10 m higher than originally anticipated. The higher income is to offset the higher cost.
- Early Education Centre income increased by \$0.12 m due to higher program grants, rebate subsidies, and enrolment fees. The additional program grant will fund additional educational expenses.
- Cemeteries operating income increased by \$0.19 m.
- Income from roads restoration service utility fees, road opening permits, and bus shelter advertising increased by \$0.20 m.
- Income from plant maintenance cost reimbursement increased by \$0.23 m from another council to align with the anticipated cost.
- \$0.10 m income for compensation premium cost reimbursement 2022-23 from StateCover.
- Financial assistance (FA) grants increased by \$0.19 m higher than initially anticipated. We assume the Federal Government will continue the FA grant advance payment practice this year; if there is any change to this practice, we will revisit and align it during the year.
- The \$0.10 m building & environmental enforcement levy income budget has been removed because the levy is no longer chargeable.

Capital income

Capital income increased by \$2.89 m:

- \$2.95 m increase in grants and contributions to fund the capital works program and other new projects proposed in the Q1 review process.
- \$0.43m decrease in voluntary planning agreement contributions.

- \$0.25m increase in section 7.12 contributions.
- \$0.12m increase in net gains from the disposal of assets.

Income increases will be applied to fund operating and capital expense increase requirements identified in the Q1 review.

Operating expenses

Operating expenses (excluding capital expenditure) increased by \$2.96 m, mainly attributed to:

- In the original budget, a \$2.04 m efficiency target was initiated under the assumption of an estimated vacancy rate for the year and a proposed delay in the recruitment process where possible to reduce costs. As we have seen in the post-COVID environment, there have been inflationary pressures on the labour market - casuals, temporary agency hires, and contract rates to backfill vacant roles are much higher than initially anticipated. Furthermore, there has been a higher-than-expected increase in operational income in the first quarter. Rather than to continue to backfill with higher cost replacements or to hold vacancies, a full reconciliation of the efficiency dividend in the first quarter is recommended.
- Labour costs for casuals, temporary agency hires, and weekend/shift-work requirements increased by \$1.80 m.
- Workers' compensation premium increased by \$0.19 m higher than original estimates.
- Property rates and water rates expense increased by \$0.27m.
- \$2.34 m cost reduction for the ICT modernisation program due to the revised program scope and delivery timeline. This revised program has been designed to manage the risk profile of the program and to limit the impact on delivery of services to the community, minimise the impact of organisational change and address other emerging organisation priorities which will be achieved by extending the delivery timeline and introducing stage gates to build in flexibility. As a result, the expense requirement for the 2023-24 stage is estimated to be \$2.73 m.
- In the original budget, we built a contingency provision for potential variations and undertake agile and resilience activities that may arise during the year. In the Q1 review, we have redistributed this budget to the following project activities:
 - \$0.36 m for cyber and record remediation work (ARIC priority).
 - \$0.16 m for the Summer Safe program.
 - \$0.10 m for the Aboriginal Heritage Study.
 - \$0.08 m for the Emergency Planning review (ARIC priority).
 - \$0.01 m for Jewish community support donation.
- Other new operational projects proposed including the following:
 - HR remediation project to manage and mitigate process risk - \$0.45 m. (ARIC priority).
 - Bicycle strategy and action plan - \$0.20 m, it is fully funded by grant income.
 - Walking strategy and action plan - \$0.15 m, it is fully funded by grant income.
 - Oxford Street Mall Competition - \$0.15 m.
 - Senior technical consultant (A1 - unrestricted) engaged to review fire safety and essential services notices and orders to ensure full compliance - \$0.13 m.
 - Pits and pipes asset condition audit - \$0.05 m.
 - Infor Pathway permits system customer invoicing enhancement - \$0.03 m.
 - Coastal management plan - \$0.03 m.

Capital works program (Attachments 2 and 3)

The Capital Works Program proposes amendments to 66 projects. These amendments will result in a net increase in program expenditure by \$13.41 m to \$55.83 m following a reassessment of the project work delivery schedule and other priorities. The Q1 amendments include a \$5.87 m projects costs deferrals to

the next financial year 2024-25. These projects will be reassessed as part of financial year 2024-25 annual budget preparation.

The Q1 capital works program review resulted in an increase in revenue (\$2.59 m), increase in use of reserves fund (\$11.66 m), and a decrease in the use of general fund (\$0.84 m).

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

Table 2. Expense changes to capital work program.

Capital Works Program - Q1 Amendments '000	No of Projects	Amount \$'000 (Increase)/Decrease)
Project cost reduction	19	2,164
Project cost defer to 2024/25	7	5,868
Project cost increase/Correction	33	(18,159)
New Project	3	(645)
Funds brought forward (LTFP)	4	(2,638)
Total	66	(13,409)

Significant changes to these projects include:

Building infrastructure

\$14.68 m increase in Building Infrastructure projects mainly due to:

- \$9.20 m increase in Boot Factory Restoration and Mill Hill Upgrade.
- \$6.10 m increase in Tamarama SLSC - Building Upgrade.
- \$1.70 m increase in Bronte Surf Club and Community Facilities to \$2.20 m to complete design. documentation to enable construction commencing in early 2024.
- \$2.25 m decrease in Council Chambers Upgrade to \$0.26m deferred to 2024-25 financial year as construction will not commence prior to completion of Boot Factory Restoration and Mill Hill Upgrade.
- \$0.60 m decrease in 2A Edmund Street (social housing) redevelopment to \$0.15 m due to delays in construction commencement.

Tamarama Surf Life Saving Club building upgrade and Boot Factory restoration and Mill Hill upgrade

The previous contractor, Lloyd Group, entered into voluntary administration and subsequently liquidation. Subsequent site audits undertaken by the current contractor Schiavello revealed defective works requiring remediation. New subcontractors have replaced previous contractors whose work was deemed non-compliant. Additional budget is necessary for remedial and final works to complete the project. Below is the table showing funding sources used for the Q1 amendments increase.

Table 3. Funding sources for Q1 amendments increase.

	Tamarama SLSC – Building Upgrade	Boot Factory Restoration and Mill Hill Upgrade	Total
Q1 Budget Amendment	(6,100,000)	(9,200,000)	(15,300,000)
Funding Source			
Contributions to Work - Capital	150,000	373,431	523,431
Carry Over Reserve	146,037	236,092	382,129
Central Reserve	191,083	308,917	500,000
Infrastructure Building Reserve	303,794	491,134	794,928
S7.12 Contributions	1,064,820	1,721,459	2,786,279
Surplus Land Reserve	1,345,549	2,175,305	3,520,854
Investment Strategy Reserve	2,722,148	3,893,662	6,615,810
General Funds	176,569	0	176,569

Living infrastructure

\$0.5 m decrease in living infrastructure mainly due to:

- \$0.5 m decrease in SAMP5 living infrastructure landscaping with the funds allocated to the delivery of individual parks projects within the program.

Public domain infrastructure

\$0.33 m decrease in public domain projects mainly due to:

- \$0.50m decrease in Campbell Parade to Park Drive Access deferred as start date will be winter of 2024.
- \$0.30 m decrease in safety by design in public places due to work being programmed to be delivered in winter 2024.
- \$0.29 m increase in Notts Avenue Boardwalk remediation works to \$0.66 m to reflect expected contract value.
- \$0.15 m increase in SAMP5 – Other (fences, stairs, edging, walls/retaining wall to \$0.23 m), brought forward from 2024-25 to reflect the spending profile for this financial year.

Road infrastructure

\$0.99 m decrease in Road Infrastructure projects mainly due to:

- \$1.00 m increase in 2023 regional and local road rehabilitation for a fully grant funded project.
- \$0.41 m increase in Birrell Street – Rehabilitation to cover final contract costs.
- \$0.37 m increase in York Road Slip Lane to \$1.54 m relating to latent conditions resulting in variations.
- \$0.3 m increase for a new project: Dover Road, Military to dead end.
- \$0.28 m increase in 2020-21 road construction Glenayr Avenue - Blair Street to Hall Street to \$0.36 m to cover increased electrical costs and latent conditions.
- \$0.18 m decrease in 2022-23 kerb and gutter construction - Wairoa Avenue, Ramsgate Avenue to Hastings Parade as the project scheduled for delivery in 2024-25.
- \$0.29 m decrease in project 2023-24 road construction - York Road - York Place to Birrell Street to \$0.01 m as funding not received from Transport for NSW.

- \$0.48 m decrease in project 2021-22 footpath construction - Wairoa Avenue - Ramsgate Avenue to Hastings Parade project scheduled for delivery in 2024-25.
- \$0.60 m decrease of work deferred to next financial year 2024-25 for Curlewis Street Streetscape Upgrade to \$2.20 m, due to construction commencing on the third quarter of 2023-24 year.
- \$1.52 m decrease in Charing Cross Streetscape Upgrade deferring to 2024-25 financial year to reflect projected spend in 2023-24.

Recreational and public spaces

\$0.57 m increase in recreational and public spaces mainly due to:

- \$0.64 m increase in Williams Park Walking Track to \$0.90 m brought forward from 2024-25 and reflecting grant funding to allow completion of Stage 2.
- \$0.10 m increase in Waverley Park Playground and Fitness Station Upgrade to \$2.50 m to cover latent conditions above contingency.
- \$0.10m decrease in public art commissions to \$0.05 m as installation anticipated to start April 2024.

Sustainability infrastructure

\$0.13m increase in sustainability infrastructure projects mainly due to:

- \$0.13m investment in the infrastructure of EV charging stations for Council fleet for the Library.

\$55.83 m of capital works program projects will be delivered in this financial year following the Q1 review. The following table shows how the revised Capital Works Program is funded.

Table 4. Funding of revised capital works program.

Capital Works Program - Funding Sources '000	Current Budget	Q1 Proposed Budget	Q1 Amendments-Increase/(Decrease)
Expenditure	42,418	55,827	13,409
<u>Funding Sources:</u>			
Grants and Contribution	9,413	12,001	2,588
External Restricted Reserves	10,171	11,775	1,604
Internal Restricted Reserves	13,352	23,409	10,057
General Fund	9,482	8,642	(841)
Total Funding Sources	42,418	55,827	13,409

Other capital expense

Other capital expenses increased by \$0.04 m mainly attributed to the following:

- \$0.02 m increase in other capital expenses mainly for hearing augmentation system installation in Bondi Pavilion to enhance venue accessibility.
- \$0.02m increase in other capital purchases for Plant Replacement Program. The amendment is due to two pieces of specialised equipment delivered in financial year 2022-23 and the budget reallocation to align with the passenger vehicle's revised delivery schedule.

The revised Q1 budget anticipated 66 fleet items replacement purchases. As at 30 September 2023, seven items have been purchased, with the remaining 59 items to be purchased.

Table 5. Fleet replacement.

2023/24 Budget Plant Replacement Program	2023/24 Current Approved Budget		Q1 Amendments Additions/Price Upgrade		Sep YTD Act (Inc. Commitments)		2023/24 Q1 Projected Budget	
	Qty	\$	Qty	\$	Qty	\$	Qty	\$
Passenger Vehicle	13	550,474	9	445,218	9	472,129	22	995,692
Light Commercial Vehicle	17	679,443		-	5	229,337	17	679,443
Truck Fleet	7	1,991,316		-	4	2,027,888	7	1,991,316
Specialised Equipment	21	1,439,391	(2)	(425,310)	4	493,891	19	1,014,081
Small Plant	1	10,000		-			1	10,000
Total	59	4,670,624	7	19,908	22	3,223,246	66	4,690,532

Reserves

As a result of the proposed Q1 income and expenditure budget amendments, an increase of \$10.04 m reserve funds requirement is proposed. The reserve amendments are in line with the Reserves Strategy.

A total of \$23.86 m in reserve money has been applied to fund the revised financial year 2023-24 budget. The reserves balance is projected to be \$95.54m as of 30 June 2024.

Financial performance measures

The following financial performance measures indicate that Council meets all six of the OLG Performance Measures from Q1 proposed budget.

Table 6. Financial performance measures

	Forecasted indicator 30-Jun-24	Benchmark
Key Performance Indicators:		
1. Operating Performance Ratio This ratio measures Council's achievement of containing operating expenditure within operating revenue.	0.00% ✓	>0.00%
2. Own source operating revenue ratio This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.	87.24% ✓	>60.00%
3. Unrestricted current ratio To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council	3.81 ✓	>1.50x
4. Debt service cover ratio This ratio measures the availability of operating cash to service debt including interest, principal and lease payments	41.62 ✓	>2.00x
5. Rates, annual charges, interest and extra charge outstanding percentage To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts	4.00% ✓	<5.00%
6. Buildings and Infrastructure renewals ratio To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating	320.25% ✓	>=100.00%
Note. Asset fair valuation adjustment and net gain on asset disposal are excluded in the above calculations.		

Income and expense performance as at 30 September 2023

Figures 1 and 2 below illustrate the income and expense performance for the three months of the year ending 30 September 2023 compared to the Q1 proposed budget for the year ending 30 June 2024.

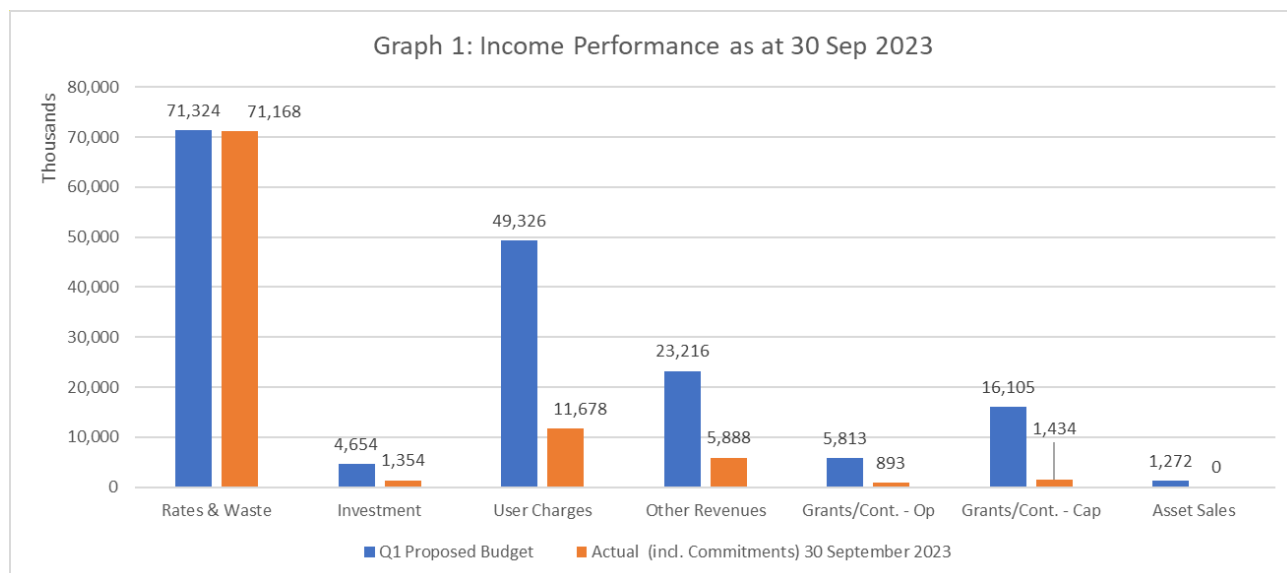


Figure 1. Income performance.

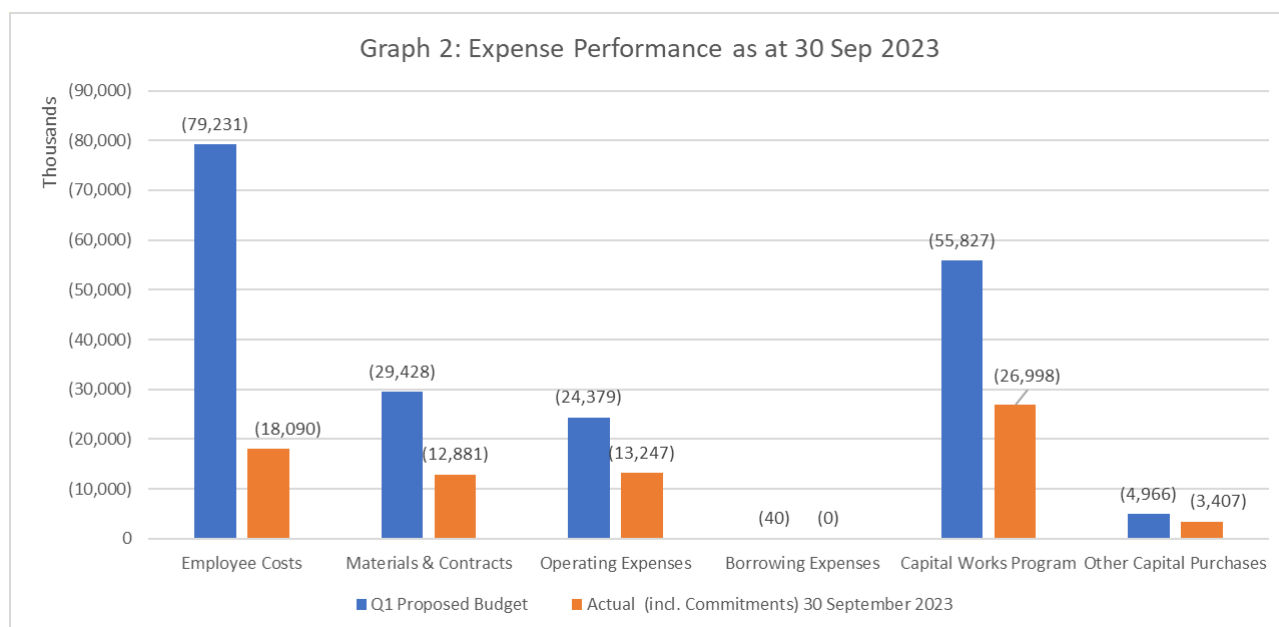


Figure 2. Expense performance.

See Attachment 3 for Directorates' Q1 budget performance as at 30 September 2023.

5. Financial impact statement/Time frame/Consultation

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

6. Conclusion

Council's Executive Manager, Finance, as the responsible accounting officer, advises that Council's overall projected financial position is satisfactory.

7. Attachments

1. Q1 Quarterley Budget Review Statement (QBRs) [↓](#)
2. Q1 Revised Capital Works Program [↓](#)
3. Q1 Revised Capital Works Program funding sources [↓](#)
4. Q1 Budget Statement - Council and by Directorate [↓](#) .

Attachment 1 - Q1 QBRS Statement

Council Meeting 21 Nov 2023

Waverley Council

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

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Attachment 1 - Q1 QBRs Statement

Council Meeting 21 Nov 2023

Waverley Council

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

Report by Responsible Accounting Officer

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

30 September 2023

It is my opinion that the Quarterly Budget Review Statement for Waverley Council for the quarter ended 30/09/23 indicates that Council's projected financial position at 30/6/24 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____

Date:

Teena Su
Responsible Accounting Officer

Attachment 1 - Q1 QBRs Statement

Council Meeting 21 Nov 2023

Waverley Council

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Income & Expenses Budget Review Statement

Budget review for the quarter ended 30 September 2023

Income & Expenses - Council Consolidated

(\$000's)	Original Budget 2023/24	Approved Changes Carry Forwards	Revised Budget 2023/24	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
Income							
Rates and Annual Charges	71,355		71,355	(31)		71,324	71,168
User Charges and Fees	48,552		48,552	774	1	49,326	11,681
Interest and Investment Revenues	2,762		2,762	1,893	2	4,654	1,354
Other Revenues	22,451		22,451	764	3	23,216	5,888
Grants & Contributions - Operating	5,705	24	5,729	84		5,813	893
Grants & Contributions - Capital	11,147	2,185	13,332	2,774	4	16,105	1,434
Net gain from disposal of assets	1,154		1,154	117	5	1,272	
Total Income from Continuing Operations	163,126	2,209	165,336	6,375		171,710	92,416
Expenses							
Employee Costs	76,273		76,273	2,958	6	79,231	17,974
Borrowing Costs	40		40			40	
Materials & Contracts	20,639	4	20,644	1,333	7	21,977	5,246
Depreciation	19,500		19,500			19,500	
Legal Costs	725		725	(115)	8	610	78
Consultants	7,821	20	7,841	(1,000)	9	6,841	541
Other Expenses	24,703		24,703	(217)	10	24,486	7,720
Total Expenses from Continuing Operations	150,825	24	150,850	2,959		153,808	31,560
Net Operating Result from Continuing Operations	12,301	2,185	14,486	3,416		17,902	60,856
Net Operating Result from All Operations	12,301	2,185	14,486	3,416		17,902	60,856
Net Operating Result before Capital Items	1,154		1,154	642		1,797	59,423

Attachment 1 - Q1 QBRs Statement

Council Meeting 21 Nov 2023

Waverley Council

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23**Income & Expenses Budget Review Statement**
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	<p>Favourable change of \$0.8m to User Charges and Fees due to following reasons:</p> <p>\$0.19m increase in Sale of Cemetery Rights and Interment Fees due to better than expected results.</p> <p>\$0.18m increase in Parking Fees based on YTD actual tracking above budget.</p> <p>\$0.15m increase in Service Utility Fees and Road opening permit due to Restoration work contract higher than expected.</p> <p>\$0.14m increase in Rent Ovals, Parks & Open Spaces due to increase in outdoor events and venue hire.</p> <p>\$0.09m increase in License Fees due to YTD actual tracking above budget for residential building waste container.</p> <p>\$0.07m increase in trading right under Waverley facilities administration</p> <p>\$0.05m increase in Sponsorship from bus shelter</p> <p>\$0.1m decrease in building & environmental enforcement levy because it is no longer chargeable.</p>
2	Favourable change of \$1.9m to Interest and Investment revenues due to less than expected cash outflow as well as increases in interest rate by RBA
3	<p>Favourable change of \$0.8m to other revenue due to following reasons:</p> <p>\$0.38m increase in Parking and Health Services Fines due to YTD actual tracking above budget</p> <p>\$0.24m increase in Sundry income to match expenses for Woollahra Council shared expenses</p> <p>\$0.1m increase in Workers Compensation Premium due to 22-23 adjustment rebate</p> <p>\$0.04m increase in Cars Abandoned fee</p>
4	<p>Favourable change of \$2.8m to Grants & Contributions - Capital due to following reasons:</p> <p>\$2.95m increase in Grants and contributions to fund the capital works program and other newly proposed projects.</p> <p>\$0.25m increase in Section 7.12 Contributions.</p> <p>\$0.43m decrease in Voluntary Planning Agreement Contributions.</p>
5	Favourable change of \$0.1m to net gain on disposal of assets
6	<p>Unfavourable change of \$2.96m to Employee Costs is due to following reasons:</p> <p>Due to the tight labour market and ongoing high inflation, the \$2.0m efficiency target on employee costs set in the original budget is removed after thoroughly assessing the 2023-24 labour cost requirement.</p> <p>\$0.3m increase in Casuals</p> <p>\$0.58m increase in Overtime.</p> <p>\$0.19m increase in Workers Compensation as a result of updated premium.</p> <p>\$0.17m decrease in Wages and salaries from vacant positions</p>

Attachment 1 - Q1 QBRs Statement

Council Meeting 21 Nov 2023

- 7 Unfavourable change of \$1.3m to Materials & Contracts is due additions for newly proposed projects, listed as below:
\$0.9m increase in Temps agency hires to backfill vacant positions.
\$0.3m increase in Contractors due to \$0.15m Oxford St Mall Competition, \$0.14m in Compliance across building and health services and \$0.06m Grumpy Sailor variation cost in Bondi Pavilion.
\$0.07m increase in Phone/Mobile expense for new devices for Compliance officers
- 8 Favourable change of \$0.1m to legal costs is saving from DA legal
- 9 Favourable change of \$1m to the Consultants & Technical Assistance mainly due to the reduction of ICT and additions for newly proposed projects
- 10 Favourable change of \$0.2m to other expenses due to following reasons:
\$0.1m increase in waste disposal
\$0.3m increase in external and internal property rates and water rates
\$0.71m decrease in General expense due to the General Manager's contingency fund distribution to Consultants & Technical Assistance

Attachment 1 - Q1 QBRS Statement

Council Meeting 21 Nov 2023

Waverley Council

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Capital Budget Review Statement

Budget review for the quarter ended 30 September 2023

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2023/24	Approved Changes Carry Forwards	Revised Budget 2023/24	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
Capital Expenditure							
New Assets							
- Plant & Equipment	4,981		4,981	36	1	5,017	508
- Land & Buildings		97	97			97	
- Roads, Bridges, Footpaths	187	1,169	1,356			1,356	4
- Other	426	263	689	34	2	723	73
Renewal Assets (Replacement)							
- Plant & Equipment							
- Land & Buildings	10,736	115	10,850	14,690	3	25,540	2,058
- Roads, Bridges, Footpaths	18,512	2,342	20,854	(1,048)	4	19,807	3,037
- Other	7,710	792	8,502	(250)	5	8,253	1,416
Loan Repayments (Principal)	472		472			472	115
Total Capital Expenditure	43,024	4,778	47,802	13,463		61,266	7,211
Capital Funding							
Rates & Other Untied Funding	9,792	902	10,694	(1,297)		9,397	5,430
Capital Grants & Contributions	4,737	1,282	6,020	2,949		8,969	173
Reserves:							
- External Restrictions/Reserves	11,438	1,494	12,932	1,604		14,536	834
- Internal Restrictions/Reserves	15,903	1,099	17,002	10,089		27,091	773
New Loans							
Receipts from Sale of Assets							
- Plant & Equipment	1,154		1,154	117		1,272	
- Land & Buildings							
Total Capital Funding	43,024	4,778	47,802	13,463		61,266	7,211
Net Capital Funding - Surplus/(Deficit)	-	0.00	0.00	0.00		0.00 -	0.00

Attachment 1 - Q1 QBRs Statement

Waverley Council

Council Meeting 21 Nov 2023

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Plant and Equipment New Assets increased by \$36k mainly due to: \$20k increase in Plant replacement program, and \$16k in crease in other capital purchases.
2	Other New Assets increased by \$34k mainly due to: \$130k increase in EV Charging Stations for Council Fleet and \$100k decrease in Public Arts Commission deferred to 2024/25.
3	Land & Buildings Replacement Assets increased by \$14.69m mainly due to: \$9.20m increase in Boot Factory Restoration and Mill Hill Upgrade due to collaps of contractor and defective works requiring remediation \$6.10m increase in Tamarama SLSC – Building Upgrade due to collaps of contractor and defective works requiring remediation \$1.70m increase in Bronte Surf Club & Community Facilities due to construction starting early, bringing budget forward from 2024/25 \$2.25m decrease in Council Chambers Upgrade due to construction starting later in financial year, budget being deferred to 2024/25 \$0.60m decrease in 2A Edmund Street (Social Housing) Redevelopment due to construction starting later in financial year, budget being deferred to 2024/25
4	Roads, Bridges, Footpaths Replacement decrease by \$1.05m mainly due to: \$1.0m increase in 2023 Regional and Local Road Rehabilitation, new project fully grant funded. \$406k increase in Birrell Street - Rehabilitation to cover remaining contract costs \$370k increase in York Road Slip Lane due to latent conditions resulting in variations \$370k increase from new project Dover Road, Military to Dead end \$278k increase in 2020/21 - RC - Glenayr Avenue - Blair St to Hall St to complete final stages. \$215k increase in new project 2021/22 -SWC - Pits/Pipes Various Locations. \$1.52m decrease in Charing Cross Streetscape Upgrade deferred to 2024/25 \$600k decrease in Curlewis St Streetscape Upgrade deferred to 2024/25 \$480k decrease in 2021/22 - FC - Wairoa Ave - Ramsgate Ave to Hastings Pde \$300k decrease in Safety by design in public places deferred to 2024/25. Project not to commence until winter 2024
5	Other Replacement Assets reduced by \$250k mainly due to: \$638k increase in Williams Park Walking Track brought forward from 2024/25. Seperable portion 2 to be completed. \$293k increase in Notts Ave Boardwalk - Remediation Works. Replacement of failed boardwalk \$150k increase in SAMP5 - Other: Fences, Stairs, Edging, walls / Retaining wall, funding to deal with associated risks / damage related to stairs and fencing. \$500k decrease in SAMP5 Living Infrastructure Landscaping \$500k decrease in Campbell Pde to Park Dr Access. Park Drive entrance works not to commence until Winter 2024. \$180k decrease in 2022/23 - KGC - Wairoa Ave, Ramsgate Ave to Hastings Pde, project placed on-hold \$150k decrease in 2021/22 - KGC - Intersection of Hollywood Ave and Allens Pd \$145k decrease in 2021/22 - KGC - Gould Lane , Roscoe St to Hall St (B/S)

Attachment 1 - Q1 QBRs Statement

Council Meeting 21 Nov 2023

Attachment 1 - Q1 QBRS Statement

Council Meeting 21 Nov 2023

Waverley Council

Quarterly Budget Review Statement for the period 01/07/23 to 30/09/23

Cash & Investments Budget Review Statement

Budget review for the quarter ended 30 September 2023

Cash & Investments - Council Consolidated

(\$000's)	Original Budget 2023/24	Approved Changes Carry Forwards & Other	Revised Budget 2023/24	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
Externally Restricted ⁽¹⁾							
Developer Contributions	19,382	(1,490)	17,891	(257)	1	17,635	23,227
Domestic Waste Reserve	18,089		18,089	832	2	18,920	16,551
Unexpended Grant/Subsidy	3,696		3,696	(886)	3	2,810	2,746
Stormwater Management Service Reserve	1,437	(4)	1,433	(493)	4	940	1,387
Total Externally Restricted	42,604	(1,494)	41,110	(804)		40,306	43,911
(1) Funds that must be spent for a specific purpose							
Internally Restricted ⁽²⁾							
Affordable Housing Program	1,401		1,401	416	5	1,816	1,855
Cemetery	2,373		2,373	273	6	2,646	2,317
Centralised - Other	3,077	(841)	2,236	(177)	7	2,059	6,170
Deposits & Bonds	22,717		22,717			22,717	22,717
Election	495		495			495	371
Employees Leave Entitlements	5,208		5,208			5,208	5,208
Property Investment Strategy	8,957	(14)	8,943	(4,672)	8	4,271	13,011
IT Equipment & Upgrade	2,373		2,373			2,373	3,934
Other Internal Restricted	3,774	(50)	3,724	(3,616)	9	108	4,250
Parking - Car Park	2,942		2,942	(30)		2,912	2,535
Parking - Meter	2,450		2,450			2,450	2,240
Plant & Vehicles Replacement	4,616		4,616	(32)		4,583	5,818
SAMP Infrastructure	4,646	(193)	4,452	(1,405)	10	3,047	4,266
Social Housing	545		545			545	591
Unexpended Loans							
Total Internally Restricted	65,572	(1,099)	64,473	(9,243)		55,230	75,282
(2) Funds that Council has earmarked for a specific purpose							
Unrestricted (i.e. available after the above Restrictions)	10,630		10,630			10,630	18,926
Total Cash & Investments	118,806	(2,593)	116,213	(10,047)		106,166	138,119

Attachment 1 - Q1 QBRS Statement

Council Meeting 21 Nov 2023

Waverley Council

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

Cash & Investments Budget Review Statement

Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Decrease in Developer contribution reserve as less contribution expected to receive
2	Increase in Domestic Waste reserve adjusted according to operational requirements
3	Decrease in Unexpended Grant/Subsidy reserve due to capital works program changes
4	Decrease in Stormwater Management service reserve to fund Stormwater Drainage projects
5	Increase in Affordable Housing reserve due to changes in capital project schedule
6	Increase in Cemetery reserve to align capital projects timeline
7	Decrease in Centralised reserve due to capital works program changes
8	Decrease in Property Investment Strategy reserve mainly to fund Boot Factory Restoration and Mill Hill Upgrade and Tamarama SLSC – Building Upgrade
9	Decrease in Other Internal Restricted reserve due to due to capital works program changes
10	Decrease in SAMP Infrastructure reserve to align capital projects timeline

Attachment 1 - Q1 QBRs Statement

Waverley Council

Council Meeting 21 Nov 2023

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

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

Budget review for the quarter ended 30 September 2023

(\$000's)	Current Projection		Original Budget 23/24	Actuals Prior Periods	
	Amounts	Indicator		22/23	21/22
	23/24	23/24			

The Council monitors the following Key Performance Indicators:

1. Operating Performance Ratio

Total continuing operating revenue (1) excluding capital grants and contributions less operating expenses	0
Total continuing operating revenue (1) excluding capital grants and contributions	154,333

0.00%

0.0%

1.7%

-2.6%

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

Note: An estimate of \$0.5m non-capitalisable cost has been considered in the Operating Performance Ratio calculaiton

2. Own source operating revenue ratio

Total continuing operating revenue (1) excluding all grants and contributions	149,792
Total continuing operating revenue (1)	171,710

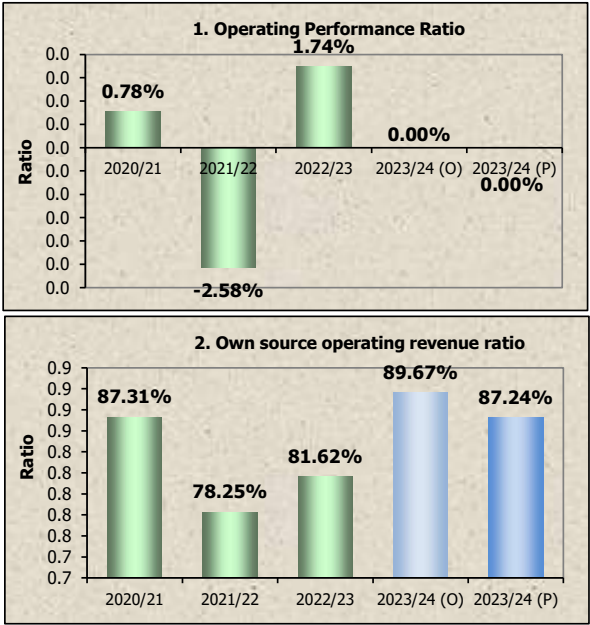
87%

90%

82%

78%

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



Attachment 1 - Q1 QBRs Statement

Waverley Council

Council Meeting 21 Nov 2023

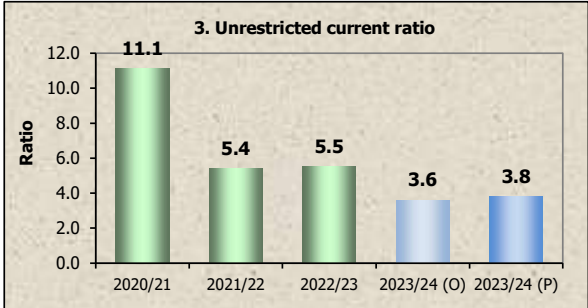
Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

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

Budget review for the quarter ended 30 September 2023

(\$000's)	Current Projection		Original Budget 23/24	Actuals Prior Periods	
	Amounts	Indicator		22/23	21/22
	23/24	23/24			
3. Unrestricted current ratio					
Current assets less all external restrictions (2)	97,812	3.8	3.6	5.5	5.4
Current liabilities less specific purpose liabilities (3, 4)	25,699				

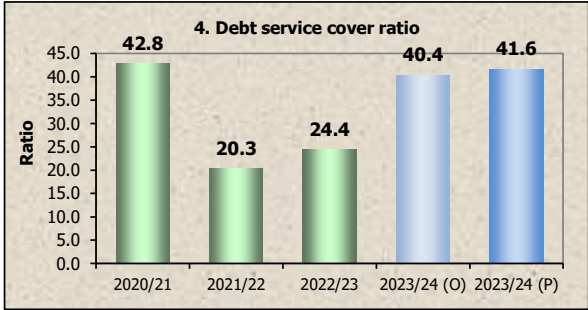
To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.



The Council monitors the following Key Performance Indicators:

4. Debt service cover ratio					
Operating result (1) before capital excluding interest and depreciation/impairment/amortisation	21,337	41.6	40.4	24.4	20.3
Principal repayments (Statement of Cash Flows)	513				
plus borrowing costs (Income Statement)					

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



Attachment 1 - Q1 QBRs Statement

Waverley Council

Council Meeting 21 Nov 2023

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

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

Budget review for the quarter ended 30 September 2023

(\$000's)	Current Projection		Original Budget 23/24	Actuals Prior Periods	
	Amounts	Indicator		22/23	21/22
	23/24	23/24			

5. Rates, annual charges, interest and extra charges outstanding percentage	
Rates, annual and extra charges outstanding	2,903
Rates, annual and extra charges collectible	72,575

4.0%

5%

4%

5%

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

6. Buildings and Infrastructure renewals ratio	
Asset Renewals	53,600
Depreciation, amortisation and impairment	16,737

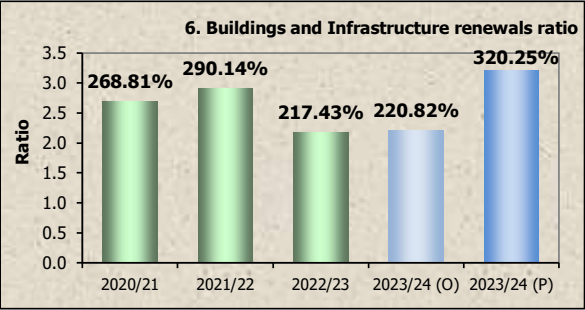
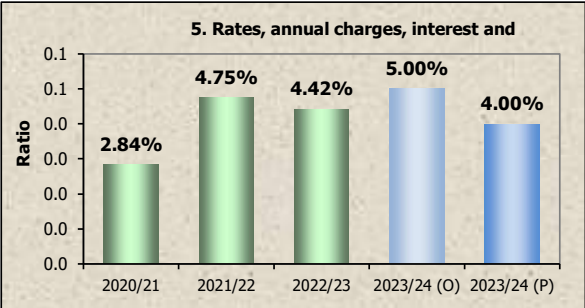
320%

221%

217%

290%

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



Attachment 1 - Q1 QBRs Statement

Council Meeting 21 Nov 2023

Waverley Council

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

Contracts Budget Review Statement

Budget review for the quarter ended 30 September 2023

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

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)
MBM	Bronte SLSC and Community Facilities Upgrade - quantity surveyor	\$ 95,040.00	24/07/2023	2.5 Years	Y
Hector Abraham Architects Pty LTD	Waverley Cemetry Contemplation Shelters restoration and remidiation	\$ 72,736.00	25/07/2023	4 Months	Y
Sullivans Constructions Pty Ltd	Wairoa Hall Remediation and Minor Works Project	\$ 118,459.99	26/07/2023	2 Months	Y
Christina Rainsford	WHS Contractor	\$ 50,000.00	01/09/2023	5 Months	Y
C Powered People Conculting Pty Ltd	Human Resources Management	\$ 170,000.00	24/07/2023	6 months	Y
Prudential Investment Corp	Investment Advisory Services	\$ 89,100.00	11/09/2023	3 Years	Y

Notes:

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

Attachment 1 - Q1 QBRs Statement

Council Meeting 21 Nov 2023

Waverley Council

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	1,541,466	Y
a. Operational	541,367	Y
b. Capital	1,000,099	Y
Legal Fees	78,440	Y
a. Operational	78,110	Y
b. Capital	330	Y

Definition of a consultant:

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



Budget Review Project Expenditure - Capital Works

As at Period 3

Financial Year Ending June 2024

Table 4 - Capital Works Program Q1 Amendments	No of	Amount \$'000	Capital Works Program Q1 Amendments	Amount - \$'000
Project cost reduction	19	2,164	No of Projects	141
Project cost defer to 2024/25	7	5,868	Expenditure	(55,827)
Project cost increase/Correction	33	(18,159)	funding sources:	
New Project	3	(645)	Grants and Contribution	12,001
Funds brought forward (LTFP)	4	(2,638)	External Restricted Reserves	11,775
			Internal Restricted Reserves	23,409
			General Fund	8,642
Total	66	(13,409)		

Project Number	Project Description	Current Budget \$	Q1 Amendment Request \$	Q1 Increase/ (Decrease) %	Proposed Estimate \$	Actuals \$	Commitments \$	YTD (Actuals & Commitments) \$	YTD %	Report Commentary
BUILD 01 - Buildings - Buildings										
C0004	Bondi Bathers SLSC	(250,000)		-	(250,000)	(8,492)	(534,061)	(542,553)	217.02% ▲	Progressing detailed design. Early works (construction) anticipated to commence Feb 2024 pending DA approval and CC. Funding required for documentation to this point. Assume fully funded by grant/BSLSC
C0007	Bronte Surf Club & Community Facilities	(500,000)	(1,700,000)	340.00%	(2,200,000)	(534,392)	(128,915)	(663,307)	30.15%	
C0289	Bronte Pump House Upgrade and Pump Replacement	(173,914)		-	(173,914)	(11,397)	(188,006)	(199,403)	114.66% ▲	Construction commencement will be later in the financial year. Suitable funds allocated to begin project.
C0547	Council Chambers Upgrade	(2,513,050)	2,250,000	(89.53%)	(263,050)	(34,881)	(204,260)	(239,141)	90.91%	Funds required to complete the works. Please refer to 7 Nov SPDC Confidential paper.
C0688	Tamarama SLSC – Building Upgrade	(505,796)	(6,100,000)	1,206.02%	(6,605,796)	(299,709)	(222,878)	(522,587)	7.91%	Construction commencement will be later in the financial year. Suitable funds allocated to begin project.
C0712	2A Edmund Street (Social Housing) Redevelopment	(750,000)	600,000	(80.00%)	(150,000)	(25,475)	(92,642)	(118,117)	78.74%	Funds required to complete the works. Please refer to 7 Nov SPDC Confidential paper.
C0726	Boot Factory Restoration and Mill Hill Upgrade	(3,309,815)	(9,200,000)	277.96%	(12,509,815)	(654,631)	(3,179,148)	(3,833,779)	30.65%	
C0867	Bondi Lifeguard Facilities Upgrade	-	(8,742)	-	(8,742)	(8,742)	-	(8,742)	100.00%	- Project cost increase
C0879	SAMPS Tunnel 1 Feasibility Study and design	(65,000)	(150,000)	230.77%	(215,000)	(4,058)	-	(4,058)	1.89%	B - Consultant fees to put a tender package together.
C0980	Rowe Street Development	(97,016)	(80,984)	83.47%	(178,000)	(29,940)	(257,086)	(287,026)	161.25% ▲	X - Consultant fees for DA preparation.
C1034	Short Term Office Accommodation	(541,238)		-	(541,238)	(167,774)	(344,860)	(512,634)	94.72%	
C1038	Bondi Diggers/Waverley Sub-Depot	(100,000)		-	(100,000)	-	-	-	0	
C1082	Grace Child Care Centre/59 Newland St	(150,000)	-	-	(150,000)	(4,528)	-	(4,528)	3.02%	Works to commence construction over the coming months
Total Buildings - Buildings		(8,955,829)	(14,389,726)	160.67%	(23,345,555)	(1,784,019)	(5,151,856)	(6,935,875)	29.71%	
BUILD 02 - SAMP Amenities										
Total SAMP Childcare Facilities		(85,700)	-	-	(85,700)	(8,942)	-	(8,942)	10.43%	
BUILD 03 - SAMP Carparks										
Total SAMP Carparks		(271,400)	(30,000)	11.05%	(301,400)	(47,976)	(35,858)	(83,834)	27.81%	Adjustment across SAMP category based priority scope requirements
BUILD 04 - SAMP Cemeteries										
Total SAMP Cemeteries		(297,300)	-	-	(297,300)	(10,098)	-	(10,098)	3.40%	
BUILD 05 - SAMP Childcare Facilities										
Total SAMP Childcare Facilities		(427,900)	110,593	(25.85%)	(317,307)	(13,189)	(67,771)	(80,960)	25.51%	Adjustment across SAMP category based priority scope requirements
BUILD 06 - SAMP Community Centres & Halls										
Total SAMP Community Centres & Halls		(324,000)	(123,000)	37.96%	(447,000)	(4,749)	(146,558)	(151,307)	33.85%	Adjustment across SAMP category based priority scope requirements
BUILD 07 - SAMP Community Tenants										
Total SAMP Community Tenants		(167,718)	(20,000)	11.92%	(187,718)	(6,785)	(11,199)	(17,984)	9.58%	Adjustment across SAMP category based priority scope requirements
BUILD 08 - SAMP Council Administration										



Budget Review Project Expenditure - Capital Works

As at Period 3

Financial Year Ending June 2024

Table 4 - Capital Works Program Q1 Amendments	No of	Amount \$'000	Capital Works Program Q1 Amendments	Amount - \$'000
Project cost reduction	19	2,164	No of Projects	141
Project cost defer to 2024/25	7	5,868	Expenditure	(55,827)
Project cost increase/Correction	33	(18,159)	funding sources:	
New Project	3	(645)	Grants and Contribution	12,001
Funds brought forward (LTFP)	4	(2,638)	External Restricted Reserves	11,775
			Internal Restricted Reserves	23,409
			General Fund	8,642
Total	66	(13,409)		

Project Number	Project Description	Current Budget \$	Q1 Amendment Request \$	Q1 Increase/ (Decrease) %	Proposed Estimate \$	Actuals \$	Commitments \$	YTD (Actuals & Commitments) \$	YTD %	Report Commentary
	Total SAMP Council Administration	(98,000)	(6,000)	6.12%	(104,000)	(49,330)	(9,054)	(58,384)	56.14%	
	BUILD 09 - SAMP Residential Lease									
	Total SAMP Residential Lease	(210,774)	-	-	(210,774)	(95,232)	(59,355)	(154,587)	73.34%	
	BUILD 10 - Surf Clubs and Ancillary Coastal Facilities									Adjustment across SAMP category based priority scope requirements
	Total Surf Clubs and Ancillary Coastal Facilities	(65,000)	(218,198)	335.69%	(283,198)	(24,234)	(230,964)	(255,198)	90.11%	
	BUILD 11 - SAMP Commercial Buildings									
	Total SAMP Commercial Buildings	(18,600)	-	-	(18,600)	-	(2,045)	(2,045)	10.99%	
	BUILD 12 - SAMP Social & Affordable Housing									
	Total SAMP Social & Affordable Housing	(198,900)	-	-	(198,900)	(5,043)	-	(5,043)	2.54%	
	LIV 01 - Living - Corridors									
C0041	Thomas Hogan Environmental Restoration Action Pla	(1,181)	(32,000)	2,709.57%	(33,181)	-	(28,454)	(28,454)	85.75%	X - Funds corrected to correct costcode.
C0882	Greening Steep Slopes	(50,000)	-	-	(50,000)	-	(63)	(63)	0.13%	
										C - Funds allocated to the delivery of individual parks projects within the program.
C1087	SAMPs Living Infrastructure _ Landscaping	(500,000)	500,000	(100.00%)	-	-	-	-	0	
	Total Living - Corridors	(551,181)	468,000	(84.91%)	(83,181)	-	(28,517)	(28,517)	34.28%	
	LIV 02 - Living - Trees									
C0186	Planting Street Trees (SAMP 11)	(200,000)	-	-	(200,000)	(13,597)	(11,686)	(25,283)	12.64%	
	Total Living - Trees	(200,000)	-	-	(200,000)	(13,597)	(11,686)	(25,283)	12.64%	
	LIV 04 - Living - Turf									
C0263	Turf improvement program	(300,000)	-	-	(300,000)	(54,892)	(110,962)	(165,854)	55.28%	
C1088	Thomas Hogan Reserve	(32,000)	32,000	(100.00%)	-	-	-	-	0.00%	X - Funds corrected to correct costcode.
	Total Living - Turf	(332,000)	32,000	(9.64%)	(300,000)	(54,892)	(110,962)	(165,854)	55.28%	
	PUB 01 - Public Domain Infrastructure - Lighting / Electrical Equipme									
C0848	SAMPs Lighting & Electrical Infrastructure Renewal	(195,000)	-	-	(195,000)	(80,572)	(107,751)	(188,323)	96.58%	
C0851	Bondi Park Stage 2 Electrical Upgrades	(500,000)	-	-	(500,000)	(84,913)	(24,282)	(109,195)	21.84%	
C1075	SAMPs Bondi Park Lighting	-	-	-	-	(7,108)	(36,819)	(43,927)	0	
	Total Public Domain Infrastructure - Lighting / Electrica	(695,000)	-	-	(695,000)	(172,593)	(168,852)	(341,445)	49.13%	
	PUB 02 - Public Domain Infrastructure - Water Equipment									Completion of works for recycled water system in Bondi Park.
C0849	SAMPs Water Equipment Renewal	(50,000)	(12,435)	24.87%	(62,435)	(52,986)	(9,449)	(62,435)	100.00%	
	Total Public Domain Infrastructure - Water Equipment	(50,000)	(12,435)	24.87%	(62,435)	(52,986)	(9,449)	(62,435)	100.00%	
	PUB 03 - Public Domain Infrastructure - Street Furniture									
C0845	SAMPs - Bus Shelters, Seats and Benches, bike furniti	(307,500)	-	-	(307,500)	(91,125)	(86,050)	(177,175)	57.62%	
C0850	Waverley signage strategy Implementation	(100,000)	-	-	(100,000)	(3,434)	(33,957)	(37,391)	37.39%	



Budget Review Project Expenditure - Capital Works

As at Period 3

Financial Year Ending June 2024

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New Project	3	(645)	Grants and Contribution	12,001
Funds brought forward (LTFP)	4	(2,638)	External Restricted Reserves	11,775
			Internal Restricted Reserves	23,409
			General Fund	8,642
Total	66	(13,409)		

Project Number	Project Description	Current Budget \$	Q1 Amendment Request \$	Q1 Increase/ (Decrease) %	Proposed Estimate \$	Actuals \$	Commitments \$	YTD (Actuals & Commitments) \$	YTD %	Report Commentary
Total Public Domain Infrastructure - Street Furniture		(407,500)	-	-	(407,500)	(94,559)	(120,007)	(214,566)	52.65%	
PUB 04 - Public Domain Infrastructure - Structures										
C0581	Cliff Walk Remediation	(6,656,291)	-	-	(6,656,291)	(560,692)	(6,349,379)	(6,910,071)	103.81% ▲	
C0811	Safety by design in public places	(921,519)	300,000	(32.55%)	(621,519)	(528,199)	(125,739)	(653,938)	105.22% ▲	D - North and South Bondi Safety by design not to commence until Winter 2024.
C0847	Campbell Pde to Park Dr Access	(500,000)	500,000	(100.00%)	-	-	-	-	0	D - Park Drive entrance works not to commence until Winter 2024.
C0883	SAMP5 - Other: Fences, Stairs, Edging, walls / Retaini	(75,340)	(150,000)	199.10%	(225,340)	(40,314)	(64,749)	(105,063)	46.62%	B - Two projects require funding to deal with associated risks / damage related to stairs and fencing.
C0944	Rockfall remediation	(150,000)	2,501	(1.67%)	(147,499)	(26,363)	(56,125)	(82,488)	55.92%	C - Project cost reduction
C0972	South Head Cemetery Retaining wall reconstruction	(21,050)	(52,814)	250.90%	(73,864)	(84,186)	(42,747)	(126,933)	171.85% ▲	I - Remediation of heritage wall.
C0973	Waverley Cemetery Contemplation Shelters Renewal	(250,000)	-	-	(250,000)	(20,898)	(58,372)	(79,270)	31.71%	
C1039	SAMP Promenade Sea Walls	(80,000)	-	-	(80,000)	(272)	-	(272)	0.34%	
C1040	Waverley Cemetery Renewal and enhancements	(520,000)	-	-	(520,000)	(49,442)	(69,043)	(118,485)	22.79%	
C1071	Notts Ave Boardwalk - Remediation Works	(370,000)	(293,376)	79.29%	(663,376)	(19,684)	(595,025)	(614,709)	92.66%	I - Replacement of failed boardwalk. Increased budget to match expected contract value.
C1072	North Bondi Promenade - Remediation Works	(34,418)	34,418	(100.00%)	-	-	-	-	0	X - Works completed.
Total Public Domain Infrastructure - Structures		(9,578,618)	340,729	(3.56%)	(9,237,889)	(1,330,050)	(7,361,179)	(8,691,229)	94.08%	
ROAD 01 - Road Infrastructure - Kerb and Gutter										Adjustment across SAMP category based priority scope requirements
Total Road Infrastructure - Kerb and Gutter		(966,069)	489,056	(50.62%)	(477,013)	(64,155)	-	(64,155)	13.45%	
ROAD 03 - Road Infrastructure - Footpaths										Adjustment across SAMP category based priority scope requirements
Total Road Infrastructure - Footpaths		(1,633,663)	489,056	(29.94%)	(1,699,104)	(1,108,994)	(1,000,751)	(554,493)	32.63%	
ROAD 04 - Road Infrastructure - Stormwater Drainage										Adjustment across SAMP category based priority scope requirements
Total Road Infrastructure - Stormwater Drainage		(303,779)	(228,000)	75.05%	(531,779)	(12,490)	(107,260)	(119,750)	22.52%	
ROAD 05 - Road Infrastructure - Transport										
C0718	Coastal Path Improvements - Notts Ave	(12,000)	12,000	(100.00%)	-	-	(12,000)	(12,000)	0.00%	X - Correction
C0891	Curlew St Streetscape Upgrade	(2,800,000)	600,000	(21.43%)	(2,200,000)	(48,554)	(121,893)	(170,447)	7.75%	D - Adequate funds allocated for expected deliverables in the current financial year.
C0949	Syd Einfeld Drive Bike Parking	(187,254)	-	-	(187,254)	(4,078)	-	(4,078)	2.18%	
C1076	40km/hr speed zone review - signage	(262,085)	-	-	(262,085)	(4,416)	-	(4,416)	1.68%	
Total Road Infrastructure - Transport		(3,261,339)	612,000	(18.77%)	(2,649,339)	(57,048)	(133,893)	(190,941)	7.21%	



Budget Review Project Expenditure - Capital Works

As at Period 3

Financial Year Ending June 2024

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Funds brought forward (LTFP)	4	(2,638)	External Restricted Reserves	11,775
			Internal Restricted Reserves	23,409
			General Fund	8,642
Total	66	(13,409)		

Project Number	Project Description	Current Budget \$	Q1 Amendment Request \$	Q1 Increase/ (Decrease) %	Proposed Estimate \$	Actuals \$	Commitments \$	YTD (Actuals & Commitments) \$	YTD %	Code	Report Commentary
ROAD 06 - Road Infrastructure - Streetscape Upgrade											
C0717	Charing Cross Streetscape Upgrade	(4,000,000)	1,518,372	(37.96%)	(2,481,628)	(252,016)	(227,772)	(479,788)	19.33%	D	Adequate funds allocated for expected deliverables in the current financial year.
C0889	2020/21 - RC - Glenayr Avenue - Blair St to Hall St	(83,143)	(277,925)	334.27%	(361,068)	(276,506)	(77,961)	(354,467)	98.17%	I	Project completed. Close out of final stages.
C1043	Oxford St Mall Refresh	(850,000)	150,000	(17.65%)	(700,000)	(113,472)	(290,345)	(403,817)	57.69%	X	Split of design competition into a separate cost code within Opex Budget.
C1116	North Bondi Bus Terminus	(200,000)	-	-	(200,000)	(4,231)	-	(4,231)	2.12%		
Total Road Infrastructure - Streetscape Upgrade		(5,133,143)	1,390,447	(27.09%)	(3,742,696)	(646,225)	(596,078)	(1,242,303)	33.19%		
ROAD 07 - Road Infrastructure - Traffic Infrastructure											
C0654	SAMP Street Signage and Linemarking	(100,000)	-	-	(100,000)	(22,577)	(39,987)	(62,564)	62.56%		
C0807	SAMP5 Renewal Roundabouts / Speedhumps Traffic	(100,000)	-	-	(100,000)	(3,397)	-	(3,397)	3.40%		
C1029	York Road Slip Lane	(1,168,695)	(370,000)	31.66%	(1,538,695)	-	(1,212,064)	(1,212,064)	78.77%	I	Latent conditions resulting in variations. Fund allocation to complete project.
Total Road Infrastructure - Traffic Infrastructure		(1,368,695)	(370,000)	27.03%	(1,738,695)	(25,974)	(1,252,051)	(1,278,025)	73.50%		
ROAD 08 - Road Infrastructure - Sealed Roads - Construction											
Total Road Infrastructure - Sealed Roads - Construction		(1,818,279)	(1,504,247)	82.73%	(3,322,526)	(1,056,574)	(941,654)	(1,998,228)	60.14%		Adjustment across SAMP category based priority scope requirements
ROAD 09 - Road Infrastructure - Sealed Roads - R2R construction											
Total Road Infrastructure - Streetscape Upgrade		(163,703)	63,703	(38.91%)	(100,000)	(2,955)	(1,100)	(4,055)	4.06%		Adjustment across SAMP category based priority scope requirements
ROAD 10 - Road Infrastructure - Sealed Roads - Regional Construction											
Total Road Infrastructure - Streetscape Upgrade		(600,000)	144,842	(24.14%)	(455,158)	(29,437)	(360,721)	(390,158)	85.72%		Adjustment across SAMP category based priority scope requirements
RP 01 - Recreational & Public Spaces - Recreational											
C0714	Public Art Commissions	(145,000)	100,000	(68.97%)	(45,000)	(4,478)	(6,300)	(10,778)	23.95%	D	Project cost defer
C0854	Onslow Park and Playground	(4,970)	-	-	(4,970)	-	-	-	0.00%		
C0886	Waverley Park Playground and Fitness Station Upgrade	(2,404,103)	(100,000)	4.16%	(2,504,103)	(492,609)	(1,950,296)	(2,442,905)	97.56%	I	Additional variations triggered by latent conditions. Funding will see project through to close out.
C0975	SAMP5 Park & Playground Planning & Design	(225,500)	-	-	(225,500)	(27,240)	(41,965)	(69,205)	30.69%		
C1032	Williams Park Walking Track	(263,115)	(637,817)	242.41%	(900,932)	(175,317)	(252,870)	(428,187)	47.53%	B	Seperable portion 2 to be completed. Part funded by the LRCI program.
C1042	SAMP5 Park & Playground Renewal and Upgrades	(200,000)	-	-	(200,000)	(6,793)	(1,338)	(8,131)	4.07%		
C1118	Bondi Park Plan of Management	(200,000)	65,000	(32.50%)	(135,000)	-	-	-	0.00%	X	Correction
C1119	Bronte, Tamarama, Williams and Waverley Park Plan	(100,000)	-	-	(100,000)	-	-	-	0.00%	N	Funding required to move the chinup bars to Gaerloch and low benches to Tamarama in accordance with Councillor Motion



Budget Review Project Expenditure - Capital Works

As at Period 3

Financial Year Ending June 2024

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Total	66	(13,409)	Internal Restricted Reserves	23,409
			General Fund	8,642

Project Number	Project Description	Current Budget \$	Q1 Amendment Request \$	Q1 Increase/ (Decrease) %	Proposed Estimate \$	Actuals \$	Commitments \$	YTD (Actuals & Commitments) \$	YTD %	Report Commentary
Total Recreational & Public Spaces - Recreational		(3,542,688)	(572,817)	16.17%	(4,115,505)	(706,437)	(2,252,769)	(2,959,206)	71.90%	
SUS 01 - Sustainability Infrastructure - Renewable Energy										
C0438	Installation of EV charging stations	(310,000)		-	(310,000)	(34,441)	(57,735)	(92,176)	29.73%	
C0812	SAMPS Renewal of Solar Energy Infrastructure	(5,000)		-	(5,000)	(652)	(1,335)	(1,987)	39.74%	
C0978	Facilities Sustainable Energy upgrades (Social Housing)	(40,000)		-	(40,000)	-	-	-	0	
C1120	EV Charging Stations for Council fleet	-	(130,000)	-	(130,000)	-	-	-	0	N - Charging stations for the library for staff.
Total Sustainability Infrastructure - Renewable Energy		(355,000)	(130,000)	36.62%	(485,000)	(35,093)	(59,070)	(94,163)	19.42%	
SUS 03 - Sustainability Infrastructure - Stormwater & Groundwater										
C1117	Water Saving & Quality Improvement Program (South)	(175,000)		-	(175,000)	-	-	-	0	
Total Sustainability Infrastructure - Stormwater & Groundwater		(175,000)	-	-	(175,000)	-	-	-	0	
UNPLANNED - Unplanned Works										
E0005	2022 April Storm Damage	(11,288)	(95,024)	841.81%	(106,312)	(22,055)	(84,257)	(106,312)	100.00%	Project completed. Final variations to close out.
Total Unplanned Works		(11,288)	(95,024)	841.81%	(106,312)	(22,055)	(84,257)	(106,312)	100.00%	
Grand Total		(42,418,066)	(13,409,021)	31.61%	(55,827,087)	(6,534,956)	(19,760,423)	(26,295,379)	47.10%	



Attachment 2 - Capital Works 2023/24 Q1 Amendments

Budget Review Project Expenditure - Capital Works
As at Period 03
Financial Year Ending June 2024

Council Meeting 21 November 2023

		FUNDING SOURCES																						
Project Number	Project Description	Q1 Proposed Budget \$	Total Grant Funding \$	Carry Over Reserve \$	Infrastructure Cemetery Reserve \$	Affordable Housing Contributions Reserve \$	Other Infrastructure Reserve \$	Investment Strategy Reserve \$	Car Parking Reserve \$	57.12 Contributions Reserve \$	Central Reserve \$	Stormwater Management Service Reserve \$	Affordable Housing Program Reserve \$	Social Housing Reserve \$	PA Reserve \$	Neighbourhood Amenity Fund Reserve \$	Plant Reserve \$	Transfer from Reserve - Grants \$	Infrastructure Building Reserve \$	Infrastructure Footpath Reserve \$	Transfer from Surplus Land Sale Reserve \$	Infrastructure Park Open Space Reserve \$	Infrastructure Roads Reserve \$	General Fund \$
BUILD 01 - Buildings - Buildings																								
C0004	Bondi Bathurst SLSC	(250,000)	250,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0007	Bronte Surf Club & Community Facilities	(2,200,000)	2,200,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0289	Bronte Pump House Upgrade and Pump Replacement	(173,914)	-	11,161	-	-	-	-	-	162,753	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0547	Council Chambers Upgrade	(263,050)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0688	Tamarama SLSC – Building Upgrade	(6,605,796)	150,000	651,833	-	-	-	2,722,148	-	1,064,820	191,083	-	-	-	-	-	-	-	303,794	-	1,345,549	-	-	263,050
C0712	2A Edmund Street (Social Housing) Redevelopment	(150,000)	-	-	-	43,188	-	-	-	-	-	-	95,881	10,931	-	-	-	-	-	-	-	-	-	176,569
C0726	Boot Factory Restoration and Mill Hill Upgrade	(12,509,815)	373,431	236,092	-	-	-	6,705,951	-	1,721,459	308,917	-	-	-	497,526	-	-	-	491,134	-	2,175,305	-	-	-
C0867	Bondi Lifeguard Facilities Upgrade	(8,742)	-	-	-	-	-	-	-	-	8,742	-	-	-	-	-	-	-	-	-	-	-	-	-
C0879	SAMP5 Tunnel 1 Feasibility Study and design	(215,000)	-	-	-	-	-	-	-	215,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0980	Rowe Street Development	(178,000)	97,016	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	80,984
C1034	Short Term Office Accommodation	(541,238)	-	-	-	-	-	14,238	-	-	527,000	-	-	-	-	-	-	-	-	-	-	-	-	-
C1038	Bondi Diggers/Waverley Sub-Depot	(100,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	100,000	-	-	-
C1082	Grace Child Care Centre/59 Newland St	(150,000)	-	-	-	-	-	-	-	-	-	-	-	80,000	-	-	-	-	-	-	-	-	-	70,000
Total Buildings - Buildings		(23,345,555)	3,070,447	899,086	-	43,188	-	9,442,337	-	2,949,032	1,250,742	-	95,881	90,931	497,526	-	-	-	794,928	-	3,620,854	-	-	590,603
BUILD 02 - SAMP Amenities																								
C0815	Marks Park Amenities	(28,400)	-	-	-	-	-	-	-	28,400	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0816	North Bondi Amenities	(34,800)	-	-	-	-	-	-	-	34,800	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0818	Tamarama Amenities and Kiosk	(14,300)	-	-	-	-	-	-	-	14,300	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0955	Bronte Park Community Centre	(8,200)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8,200
Total SAMP Childcare Facilities		(85,700)	-	-	-	-	-	-	-	77,500	-	-	-	-	-	-	-	-	-	-	-	-	-	8,200
BUILD 03 - SAMP Carparks																								
C0820	Eastgate Undercover Car Park	(194,500)	-	-	-	-	-	-	194,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0821	Hollywood Ave Undercover Car Park	(65,700)	-	-	-	-	-	-	65,700	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0872	Waverley Library Car Park	(35,000)	-	-	-	-	-	-	35,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1085	Ocean Street (Wellington Place) Car Park	(6,200)	-	-	-	-	-	-	6,200	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total SAMP Carparks		(301,400)	-	-	-	-	-	-	301,400	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BUILD 04 - SAMP Cemeteries																								
C0822	Waverley Cemetery Office	(31,000)	-	-	31,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0823	Waverley Cemetery Out Buildings (Toilet Block)	(41,700)	-	-	41,700	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0824	Waverley Cemetery Residence	(24,600)	-	-	24,600	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1041	Waverley Cemetery Buildings	(200,000)	-	-	200,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total SAMP Cemeteries		(297,300)	-	-	297,300	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BUILD 05 - SAMP Childcare Facilities																								
C0825	Bronte Early Education Centre	(39,600)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	39,600
C0826	Gardiner Early Education Centre	(15,407)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	15,407
C0827	Mill Hill Early Education Centre	(100,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	100,000
C0828	The Terraces - The Terraces	(90,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	90,000
C0829	Waverley Early Education Centre	(72,300)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	72,300
Total SAMP Childcare Facilities		(317,307)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	317,307
BUILD 06 - SAMP Community Centres & Halls																								
C0686	Wairoa Community Centre	(132,100)	25,000	-	-	-	-	-	-	23,000	-	-	-	-	-	-	-	-	-	-	-	-	-	84,100
C0831	Margaret Whitlam Recreation Centre	(77,800)	-	-	-	-	-	-	-	77,800	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0833	Waverley Library - Waverley Library	(157,000)	-	-	-	-	-	-	-	157,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0834	Waverley Woollahra School of Arts	(4,800)	-	-	-	-	-	-	-	4,800	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1036	Hugh Bamford Hall	(3,600)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3,600
C1037	42 Brighton Blvd (Bondi Beach Cottage)	(32,600)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	32,600
C1083	Kimberley Reserve Hall	(39,100)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	39,100
Total SAMP Community Centres & Halls		(447,000)	25,000	-	-	-	-	-	-	262,600	-	-	-	-	-	-	-	-	-	-	-	-	-	159,400
BUILD 07 - SAMP Community Tenants																								
C0875	59 Newland St, Bondi Junction	(5,218)	-	5,218	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0876	63a Wairoa WAYS Youth Centre	(155,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	155,000
C0962	Grace Child Care	(27,500)	-	-	-	-	-	-	-	-	27,500	-	-	-	-	-	-	-	-	-	-	-	-	-
Total SAMP Community Tenants		(187,718)	-	5,218	-	-	-	-	-	-	27,500	-	-	-	-	-	-	-	-	-	-	-	-	155,000
BUILD 08 - SAMP Council Administration																								
C0836	PPC Depot	(8,800)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8,800
C0868	Alexandria Integrated Facility	(35,200)	17,600	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17,600
C0869	Council Chambers	(56,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	56,000
C0870	Customer Service Centre	(4,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4,000
Total SAMP Council Administration		(104,000)	17,600	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	86,400
BUILD 09 - SAMP Residential Lease																								
C0839	Bronte House - Bronte House	(210,774)	-	-	-	-	-	-	-	5,431	76,076	-	-	-	-	-	-	-	-	6,067	-	-	-	123,200
Total SAMP Residential Lease		(210,774)	-	-	-	-	-	-	-	5,431	76,076	-	-	-	-	-	-	-	-	6,067	-	-	-	123,200
BUILD 10 - Surf Clubs and Ancillary Coastal Facilities																								
C0878	Tamarama Lifeguard Tower	(233,198)	-	15,000	-	-	-	-	-	-	175,000	-	-	-	-	-	-	-	-	-	-	-	-	43,198



Attachment 2 - Capital Works 2023/24 Q1 Amendments

Budget Review Project Expenditure - Capital Works
As at Period 03
Financial Year Ending June 2024

Council Meeting 21 November 2023

		FUNDING SOURCES																						
Project Number	Project Description	Q1 Proposed Budget \$	Total Grant Funding \$	Carry Over Reserve \$	Infrastructure Cemetery Reserve \$	Affordable Housing Contributions Reserve \$	Other Infrastructure Reserve \$	Investment Strategy Reserve \$	Car Parking Reserve \$	57.12 Contributions Reserve \$	Central Reserve \$	Stormwater Management Service Reserve \$	Affordable Housing Program Reserve \$	Social Housing Reserve \$	PA Reserve \$	Neighbourhood Amenity Fund Reserve \$	Plant Reserve \$	Transfer from Reserve - Grants \$	Infrastructure Building Reserve \$	Infrastructure Footpath Reserve \$	Transfer from Surplus Land Sale Reserve \$	Infrastructure Park Open Space Reserve \$	Infrastructure Roads Reserve \$	General Fund \$
C0966	Bronte Surf Life Saving Club	(28,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	28,000
C0967	North Bondi Surf Life Saving Club	(22,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	22,000
Total Surf Clubs and Ancillary Coastal Facilities		(283,198)	-	15,000	-	-	-	-	-	-	175,000	-	-	-	-	-	-	-	-	-	-	-	-	93,198
BUILD 11 - SAMP Commercial Buildings																								
C0969	65 Ebley Street, Bondi Junction	(12,600)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	12,600
C1084	Ben Buckler Fishing Club	(6,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6,000
Total SAMP Commercial Buildings		(18,600)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	18,600
BUILD 12 - SAMP Social & Affordable Housing																								
C0959	141 Bronte Rd, Bonte	(20,700)	-	-	-	-	-	-	-	-	-	-	-	20,700	-	-	-	-	-	-	-	-	-	-
C0960	17-23 Victoria Rd	(30,000)	-	-	-	-	-	-	-	-	-	-	-	30,000	-	-	-	-	-	-	-	-	-	-
C0964	Affordable Housing unit portfolio	(100,000)	-	-	-	-	-	-	-	-	-	-	100,000	-	-	-	-	-	-	-	-	-	-	-
C0968	158 Carrington Rd, Charing Cross	(48,200)	-	-	-	-	-	-	-	-	-	-	-	48,200	-	-	-	-	-	-	-	-	-	-
Total SAMP Social & Affordable Housing		(198,900)	-	-	-	-	-	-	-	-	-	-	100,000	98,900	-	-	-	-	-	-	-	-	-	-
LIV 01 - Living - Corridors																								
C0041	Thomas Hogan Environmental Restoration Action Plan regenerat	(33,181)	-	-	-	-	-	-	-	-	33,181	-	-	-	-	-	-	-	-	-	-	-	-	-
C0882	Greening Steep Slopes	(50,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	10,000	-	-	-	-	-	-	-	40,000
C1087	SAMPS Living Infrastructure _ Landscaping	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Living - Corridors		(83,181)	-	-	-	-	-	-	-	-	33,181	-	-	-	-	10,000	-	-	-	-	-	-	-	40,000
LIV 02 - Living - Trees																								
C0186	Planting Street Trees (SAMP 11)	(200,000)	-	-	-	-	-	-	-	15,000	-	-	-	-	125,000	-	-	-	-	-	-	-	-	60,000
Total Living - Trees		(200,000)	-	-	-	-	-	-	-	15,000	-	-	-	-	125,000	-	-	-	-	-	-	-	-	60,000
LIV 04 - Living - Turf																								
C0263	Turf improvement program	(300,000)	-	-	-	-	-	-	-	40,000	-	-	-	-	-	85,000	15,000	-	-	-	-	-	-	160,000
C1088	Thomas Hogan Reserve	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Living - Turf		(300,000)	-	-	-	-	-	-	-	40,000	-	-	-	-	-	85,000	15,000	-	-	-	-	-	-	160,000
PUB 01 - Public Domain Infrastructure - Lighting / Electrical Equipme																								
C0848	SAMPS Lighting & Electrical Infrastructure Renewal	(195,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	195,000
C0851	Bondi Park Stage 2 Electrical Upgrades	(500,000)	-	115,000	-	-	-	-	-	305,000	-	-	-	-	-	-	-	-	-	-	-	-	-	80,000
C1075	SAMPS Bondi Park Lighting	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Public Domain Infrastructure - Lighting / Electrical Equipme		(695,000)	-	115,000	-	-	-	-	-	305,000	-	-	-	-	-	-	-	-	-	-	-	-	-	275,000
PUB 02 - Public Domain Infrastructure - Water Equipment																								
C0849	SAMPS Water Equipment Renewal	(62,435)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	62,435
Total Public Domain Infrastructure - Water Equipment		(62,435)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	62,435
PUB 03 - Public Domain Infrastructure - Street Furniture																								
C0845	SAMPS - Bus Shelters, Seats and Benches, bike furniture, bin	(307,500)	-	-	-	-	-	-	-	57,500	-	-	-	-	-	250,000	-	-	-	-	-	-	-	-
C0850	Waverley signage strategy Implementation	(100,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	100,000	
Total Public Domain Infrastructure - Street Furniture		(407,500)	-	-	-	-	-	-	-	57,500	-	-	-	-	-	250,000	-	-	-	-	-	-	-	100,000
PUB 04 - Public Domain Infrastructure - Structures																								
C0581	Cliff Walk Remediation	(6,656,291)	2,301,649	652,634	-	-	-	-	-	532,460	370,202	-	-	-	1,104,346	-	-	-	-	-	-	-	-	1,695,000
C0811	Safety by design in public places	(621,519)	-	27,109	-	-	-	-	-	-	72,824	-	-	-	521,586	-	-	-	-	-	-	-	-	-
C0847	Campbell Pde to Park Dr Access	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C0883	SAMPS - Other: Fences, Stairs, Edging, walls / Retaining wal	(225,340)	-	-	-	-	-	-	-	-	-	-	-	-	-	200,227	-	-	-	25,113	-	-	-	
C0944	Rockfall remediation	(147,499)	-	32,499	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	63,120	51,880	
C0972	South Head Cemetery Retaining wall reconstruction	(73,864)	-	-	-	73,864	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C0973	Waverley Cemetery Contemplation Shelters Renewal and Enhanc	(250,000)	-	-	-	250,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1039	SAMP Promenade Sea Walls	(80,000)	-	80,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1040	Waverley Cemetery Renewal and enhancements	(520,000)	-	-	-	520,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1071	Notts Ave Boardwalk - Remediation Works	(663,376)	663,376	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
C1072	North Bondi Promenade - Remediation Works	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Public Domain Infrastructure - Structures		(9,237,889)	2,965,025	792,242	843,864	-	-	-	-	532,460	443,026	-	-	-	1,625,932	200,227	-	-	-	25,113	-	63,120	-	1,746,880
ROAD 01 - Road Infrastructure - Kerb and Gutter																								
C1013	2021/22 - KGC - Intersection of Hollywood Ave and Allens Pd	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1016	2021/22 - KGC - Trafalgar Street - Adjacent Cemetery	(36,069)	-	17,313	18,756	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1017	2021/22 - KGC - Miller Street - Castlefield St to Imperial	(200,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1018	2021/22 - KGC - Gould Lane , Roscoe St to Hall St (B/S)	(5,095)	-	5,095	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1058	2022/23 - KGC - Tamarama Marine Drive, adjacent to Pacific D	(30,000)	-	30,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1108	2023/24 - KGC - Onslow St at Old South Head Road	(849)	-	849	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1109	2023/24 - KGC - Carlisle St - Silva to the Dead End	(40,000)	-	40,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1110	2023/24 - KGC - Birrell Street - Outside No.36-40	(20,000)	-	20,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1111	2023/24 - KGC - Taylor Street - Bronte Rd to Rear of 20 Vie	(15,000)	-	15,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1112	2023/24 - KGC - Chesterfield Lane - Chesterfield Pde to Rea	(20,000)	-	20,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1113	2023/24 - KGC - Baronga Ave at York Rd - South Side	(30,000)	-	30,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1114	2023/23 - KGC - Gould Street, Corner of Hastings Parade	(80,000)	-	80,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1115	2022/23 - KGC - Wairoa Ave, Ramsgate Ave to Hastings Pde	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	



Attachment 2 - Capital Works 2023/24 Q1 Amendments

Budget Review Project Expenditure - Capital Works
As at Period 03
Financial Year Ending June 2024

Council Meeting 21 November 2023

		FUNDING SOURCES																						
Project Number	Project Description	Q1 Proposed Budget \$	Total Grant Funding \$	Carry Over Reserve \$	Infrastructure Cemetery Reserve \$	Affordable Housing Contributions Reserve \$	Other Infrastructure Reserve \$	Investment Strategy Reserve \$	Car Parking Reserve \$	57.12 Contributions Reserve \$	Central Reserve \$	Stormwater Management Service Reserve \$	Affordable Housing Program Reserve \$	Social Housing Reserve \$	PA Reserve \$	Neighbourhood Amenity Fund Reserve \$	Plant Reserve \$	Transfer from Reserve - Grants \$	Infrastructure Building Reserve \$	Infrastructure Footpath Reserve \$	Transfer from Suplus Land Sale Reserve \$	Infrastructure Park Open Space Reserve \$	Infrastructure Roads Reserve \$	General Fund \$
Total Road Infrastructure - Kerb and Gutter		(477,013)	-	458,257	18,756	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ROAD 03 - Road Infrastructure - Footpaths																								
C0920	2020/21 - FC - Allens Pde (Hollywood to botany) - (B/S)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C0999	2021/22 - FC - Military Road - East Side - (NEW - Park / SW	(1,189)	-	1,189	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1001	2021/22 - FC - Chris Bang Crescent (NEW - Park Side)	(150,000)	-	13,500	-	-	-	-	-	35,000	-	-	-	-	-	8,500	-	-	-	-	-	-	93,000	
C1005	2021/22 - FC - Gould Street - Hastings Pde to Ramsgate Ave ((100,000)	-	9,000	-	-	-	-	-	23,333	-	-	-	-	-	55,667	-	-	-	-	-	-	12,000	
C1009	2021/22 - FC - Wairoa Ave - Ramsgate Ave to Hastings Pde (S/	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1062	2022/23 - FC - Nelson Street between Oxford Street to Drive	(184,052)	-	91,652	-	-	-	-	-	32,667	45,000	-	-	-	-	7,933	-	-	-	-	-	-	6,800	
C1063	2021/22 - FC - Hollywood Ave at Pine Lane	(399,611)	-	52,486	-	-	-	-	-	151,493	72,255	-	-	-	-	36,577	-	-	-	-	-	-	86,800	
C1102	2023/24 - FC - Chesterfield Pde - Arden St to St Thomas St	(90,000)	-	8,100	-	-	-	-	-	21,000	-	-	-	-	-	5,100	-	-	-	-	-	-	55,800	
C1103	2022/23 - FC - Hall Street at Old South Head Road	(120,000)	-	10,800	-	-	-	-	-	28,000	-	-	-	-	-	6,800	-	-	-	-	-	-	74,400	
C1104	2022/23 - FC - Nelson Street between Oxford Street to Drive	(4,755)	-	4,755	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1106	2022/23 - FC - Newland Street	(20,000)	-	1,800	-	-	-	-	-	4,667	-	-	-	-	-	1,133	-	-	-	-	-	-	12,400	
C1107	2023/24 - FC - Bondi Road at Park Parade	(75,000)	-	6,750	-	-	-	-	-	17,500	-	-	-	-	-	4,250	-	-	-	-	-	-	46,500	
Total Road Infrastructure - Footpaths		(1,144,607)	-	200,032	-	-	-	-	-	313,660	117,255	-	-	-	-	125,960	-	-	-	-	-	-	-	387,700
ROAD 04 - Road Infrastructure - Stormwater Drainage																								
C0771	Raingarden repair/construction	(40,000)	-	-	-	-	-	-	-	-	-	40,000	-	-	-	-	-	-	-	-	-	-	-	
C0993	2021/22 -SWC - Bourke Street	(16,779)	-	-	-	-	-	-	-	-	-	16,779	-	-	-	-	-	-	-	-	-	-	-	
C0996	2021/22 -SWC - Pits/Pipes Various Locations	(215,000)	-	-	-	-	-	-	-	-	-	215,000	-	-	-	-	-	-	-	-	-	-	-	
C1099	2023/24 - SWC - High Street	(60,000)	-	-	-	-	-	-	-	-	-	60,000	-	-	-	-	-	-	-	-	-	-	-	
C1100	2023/24 - SWC - Penkivil St at Bondi Road	(50,000)	-	-	-	-	-	-	-	-	-	50,000	-	-	-	-	-	-	-	-	-	-	-	
C1101	2023/24 - SWC - Oceanview Ave	(150,000)	-	-	-	-	-	-	-	-	-	150,000	-	-	-	-	-	-	-	-	-	-	-	
Total Road Infrastructure - Stormwater Drainage		(531,779)	-	-	-	-	-	-	-	-	-	531,779	-	-	-	-	-	-	-	-	-	-	-	
ROAD 05 - Road Infrastructure – Transport																								
C0718	Coastal Path Improvements - Notts Ave	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C0891	Curlewies St Streetscape Upgrade	(2,200,000)	2,200,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C0949	Syd Einfield Drive Bike Parking	(187,254)	-	-	-	-	-	-	-	187,254	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1076	40km/hr speed zone review - signage	(262,085)	-	262,085	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Road Infrastructure – Transport		(2,649,339)	2,649,339	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
ROAD 06 - Road Infrastructure - Streetscape Upgrade																								
C0717	Charing Cross Streetscape Upgrade	(2,481,628)	-	-	-	-	-	-	-	160,674	-	-	-	-	320,954	-	-	-	-	-	-	-	2,000,000	
C0889	2020/21 - RC - Glenayr Avenue - Blair St to Hall St	(361,068)	80,363	-	-	-	-	-	-	50,000	-	-	-	-	55,000	-	-	-	-	-	-	-	175,705	
C1043	Oxford St Mall Refresh	(700,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	50,000	-	-	-	-	-	-	650,000	
C1116	North Bondi Bus Terminus	(200,000)	-	-	-	-	-	-	-	-	-	-	-	-	200,000	-	-	-	-	-	-	-	-	
Total Road Infrastructure - Streetscape Upgrade		(3,742,696)	80,363	-	-	-	-	-	-	210,674	-	-	-	-	575,954	50,000	-	-	-	-	-	-	175,705	2,650,000
ROAD 07 - Road Infrastructure - Traffic Infrastructure																								
C0654	SAMP Street Signage and Linemarking	(100,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	100,000	
C0807	SAMPs Renewal Roundabouts / Speedhumps Traffic Islands/ Lin	(100,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	30,000	-	-	-	-	-	-	70,000	
C1029	York Road Slip Lane	(1,538,695)	997,288	-	-	-	301,465	-	-	239,942	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Road Infrastructure - Traffic Infrastructure		(1,738,695)	997,288	-	-	-	301,465	-	-	239,942	-	-	-	-	-	30,000	-	-	-	-	-	-	170,000	
ROAD 08 - Road Infrastructure - Sealed Roads - Construction																								
C0985	2021/22 - RC - Miller Street - Imperial Ave to Castlefield S	(70,000)	70,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1044	2022/23 - RC - Heavy Patching program	(281,614)	-	-	-	-	-	-	-	-	-	-	-	-	142,367	-	-	-	-	-	-	139,247	-	
C1045	2022/23 - RC - Crack Sealing	(27,800)	-	27,800	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1081	2023 Regional and Local Road Rehabilitation	(1,335,112)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,335,112	-	-	-	-	-	
C1089	2023/24 - RC - Park Drive South, Bondi Beach - Rounabout to	(250,000)	97,012	33,125	-	-	-	-	-	25,000	-	-	-	-	75,000	-	-	-	-	-	-	-	19,863	
C1090	2023/24 - RC - Heavy Patching program	(350,000)	221,787	46,375	-	-	-	-	-	35,000	-	-	-	-	36,838	10,000	-	-	-	-	-	-	-	
C1091	2023/24 - RC - Crack Sealing	(75,000)	45,062	9,938	-	-	-	-	-	7,500	-	-	-	-	12,500	-	-	-	-	-	-	-	-	
C1092	2023/24 - RC - Chesterfield Parade - St Thomas to Marroo St	(170,000)	170,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1093	2023/24 - RC - Bronte Marine Drive - Hewlett to Bayview	(290,000)	115,406	34,450	-	-	-	-	-	26,000	-	-	-	-	78,000	20,485	-	-	-	-	-	-	15,659	
C1094	2023/24 - RC - Military Road - Douglas Pde to Arthur St	(105,000)	27,163	26,275	-	-	-	-	-	7,000	-	-	-	-	39,000	-	-	-	-	-	-	-	5,562	
C1095	2023/24 - RC - Taylor Street - Bronte Rd to Victoria Street	(68,000)	61,958	6,042	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1121	Dover Road, Military to Dead end	(300,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	300,000	
Total Road Infrastructure - Sealed Roads - Construction		(3,322,526)	808,388	184,005	-	-	-	-	-	100,500	-	-	-	-	383,705	30,485	-	1,335,112	-	-	-	-	139,247	341,084
ROAD 09 - Road Infrastructure - Sealed Roads - R2R construction																								
C1054	2022/23 - RC - Yenda Avenue - Arnold St to Dead End	(100,000)	100,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Road Infrastructure - Streetscape Upgrade		(100,000)	100,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
ROAD 10 - Road Infrastructure - Sealed Roads - Regional Construction																								
C1079	Birrell Street - Rehabilitation	(406,098)	-	-	-	-	-	-	-	-	-	-	-	-	406,098	-	-	-	-	-	-	-	-	
C1080	Queens Park Rd Shared Path	(27,420)	39,000	-	-	-	-	-	-	-	11,580	-	-	-	-	-	-	-	-	-	-	-	-	
C1096	2023/24 - RC - Bronte Road - Pacific Avenue to Calga Place	(4,416)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4,416	
C1097	2023/24 - RC - York Road - York Place to Birrell Street	(11,450)	-	11,450	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C1098	2023/24 - RC - Leichhardt St - Bronte Road to Macpherson Str	(5,774)	-	5,774	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Road Infrastructure - Streetscape Upgrade		(455,158)	39,000	17,224	-	-	-	-	-	-	(11,580)	-	-	-	406,098	-	-	-	-	-	-	-	-	4,416
RP 01 - Recreational & Public Spaces - Recreational																								



Attachment 2 - Capital Works 2023/24 Q1 Amendments

Budget Review Project Expenditure - Capital Works
As at Period 03
Financial Year Ending June 2024

Council Meeting 21 November 2023

		FUNDING SOURCES																							
Project Number	Project Description	Q1 Proposed Budget \$	Total Grant Funding \$	Carry Over Reserve \$	Infrastructure Cemetery Reserve \$	Affordable	Other Infrastructure Reserve \$	Investment Strategy Reserve \$	Car Parking Reserve \$	\$7.12 Contributions Reserve \$	Central Reserve \$	Stormwater	Affordable	Social Housing Reserve \$	PA Reserve \$	Neighbourhood Amenity Fund Reserve \$	Plant Reserve \$	Transfer	Infrastructure Building Reserve \$	Infrastructure Footpath Reserve \$	Transfer	Infrastructure Open Space Reserve \$	Infrastructure Roads Reserve \$	General Fund \$	
						Housing Contributions Reserve \$						Management Service Reserve \$	Housing Program Reserve \$					from Reserve - Grants \$			from Surplus Land Sale Reserve \$				
C0714	Public Art Commissions	(45,000)	-	2,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	42,500
C0854	Onslow Park and Playground	(4,970)	-	-	-	-	-	-	-	2,099	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0886	Waverley Park Playground and Fitness Station Upgrade	(2,504,103)	446,745	446,745	-	-	-	-	-	650,000	-	-	-	-	-	313,123	-	-	-	-	-	-	65,000	-	582,490
C0975	SAMPs Park & Playground Planning & Design	(225,500)	-	-	-	-	-	-	-	225,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1032	Williams Park Walking Track	(900,932)	540,932	-	-	-	-	-	-	-	-	-	-	-	-	-	92,627	-	-	-	-	-	-	-	267,373
C1042	SAMPs Park & Playground Renewal and Upgrades	(200,000)	-	-	-	-	-	-	-	200,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1118	Bondi Park Plan of Management	(135,000)	-	-	-	-	-	-	-	-	-	-	-	-	135,000	-	-	-	-	-	-	-	-	-	-
C1119	Bronte, Tamarama, Williams and Waverley Park Plan of Manager	(100,000)	-	-	-	-	-	-	-	50,000	-	-	-	-	40,000	10,000	-	-	-	-	-	-	-	-	-
Total Recreational & Public Spaces - Recreational		(4,115,505)	987,677	449,245	-	-	-	-	-	1,127,539	-	-	-	-	491,054	102,627	-	-	-	-	-	-	65,000	-	892,363
SUS 01 - Sustainability Infrastructure - Renewable Energy																									
C0438	Installation of EV charging stations	(310,000)	155,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	155,000
C0812	SAMPs Renewal of Solar Energy Infrastructure	(5,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5,000
C0978	Facilities Sustainable Energy upgrades (Social Housing Solar	(40,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40,000
C1120	EV Charging Stations for Council fleet	(130,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	130,000	-	-	-	-	-	-	-	-
Total Sustainability Infrastructure - Renewable Energy		(485,000)	155,000	-	-	-	-	-	-	-	-	-	-	-	-	-	130,000	-	-	-	-	-	-	-	200,000
SUS 03 - Sustainability Infrastructure - Stormwater & Groundwater																									
C1117	Water Saving & Quality Improvement Program (South Bondi WSI	(175,000)	-	-	-	-	-	-	-	-	-	175,000	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Sustainability Infrastructure - Stormwater & Groundwater		(175,000)	-	-	-	-	-	-	-	-	-	175,000	-	-	-	-	-	-	-	-	-	-	-	-	-
UNPLANNED - Unplanned Works																									
E0005	2022 April Storm Damage	(106,312)	106,312	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Unplanned Works		(106,312)	106,312	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Grand Total		(55,827,087)	12,001,439	3,135,309	1,159,920	43,188	301,465	9,442,337	301,400	6,236,838	2,111,200	706,779	195,881	189,831	4,190,269	814,299	130,000	1,335,112	800,995	25,113	3,620,854	128,120	314,952	8,641,786	

Attachment 3 - 2023/24 Q1 Budget Statement by Directorate

Council meeting 21 November 2023

WAVERLEY COUNCIL Q1 FY2023-24 Budget Statement							
	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget		FY2023-24 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges	71,354,982	71,354,982	71,323,827	(31,155)	(0.0%)	71,167,598	99.8%
Investment Income	2,761,652	2,761,652	4,654,218	1,892,566	68.5%	1,353,826	29.1%
User Charges	48,552,163	48,552,163	49,326,257	774,094	1.6%	11,680,638	23.7%
Other Revenues	22,451,388	22,451,388	23,215,592	764,204	3.4%	5,887,835	25.4%
Grants Subsidies & Contributions - Operational	5,704,988	5,729,320	5,813,270	83,950	1.5%	892,617	15.4%
Subtotal - Operating Income	150,825,173	150,849,505	154,333,164	3,483,659	2.3%	90,982,514	59.0%
Grants Subsidies & Contributions - Capital	11,146,936	13,331,713	16,105,374	2,773,661	20.8%	1,433,648	8.9%
Net gains from the disposal of assets	1,154,302	1,154,302	1,271,738	117,436	10.2%		
Subtotal - Capital Income	12,301,238	14,486,015	17,377,112	2,891,097	20.0%	1,433,648	8.3%
Total Income	163,126,411	165,335,520	171,710,276	6,374,756	3.9%	92,416,162	53.8%
Expense and Loans Repayment							
Employee Costs	(76,273,420)	(76,273,420)	(79,231,342)	(2,957,922)	(3.9%)	(17,973,640)	22.7%
Borrowing Expenses	(40,152)	(40,152)	(40,152)			(133)	0.3%
Materials & Contracts	(29,185,564)	(29,209,896)	(29,428,046)	(218,150)	(0.7%)	(5,865,361)	19.9%
Other Operating Expenses	(25,826,037)	(25,826,037)	(25,608,862)	217,175	0.8%	(7,720,485)	30.1%
Subtotal - Operating Expense	(131,325,173)	(131,349,505)	(134,308,402)	(2,958,897)	(2.3%)	(31,559,619)	23.5%
Other Capital Purchases	(4,911,924)	(4,911,924)	(4,966,069)	(54,145)	(1.1%)	(601,408)	12.1%
Capital Works Program	(37,640,000)	(42,418,066)	(55,827,087)	(13,409,021)	(31.6%)	(26,997,683)	48.4%
External Loans Principal Repayment	(472,460)	(472,460)	(472,460)			(114,576)	24.3%
Subtotal - Capital Expense & Loan Repayment	(43,024,384)	(47,802,450)	(61,265,616)	(13,463,166)	(28.2%)	(27,713,668)	45.2%
Total Expense	(174,349,557)	(179,151,955)	(195,574,018)	(16,422,063)	(9.2%)	(59,273,287)	30.3%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	19,500,000	19,500,000	20,024,762	524,762	2.7%	59,422,895	296.7%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(11,223,146)	(13,816,435)	(23,863,741)	(10,047,306)	(72.7%)	33,142,875	(138.9%)
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(16,117,785)	(16,117,785)	(17,254,980)	(1,137,195)	(7.1%)	(18,564,065)	107.6%
Transfer from Reserves	27,340,931	29,934,220	41,118,721	11,184,501	37.4%	2,080,627	5.1%
Total new loan and reserves	11,223,146	13,816,435	23,863,741	10,047,306	72.7%	(16,483,439)	(69.1%)
Budget Result - Surplus/(Deficit)		0	(0)	(0)		16,659,437	

Attachment 3 - 2023/24 Q1 Budget Statement by Directorate

Council meeting 21 November 2023

Community, Culture and Customer Experience Q1 FY2023-24 Budget Statement							
	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget		FY2023-24 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
User Charges	13,034,609	13,034,609	13,195,597	160,988	1.2%	3,293,082	25.0%
Other Revenues	3,383,035	3,383,035	3,385,231	2,196	0.1%	739,612	21.8%
Grants Subsidies & Contributions - Operational	1,008,061	1,008,061	1,087,178	79,117	7.8%	416,064	38.3%
Subtotal - Operating Income	17,425,705	17,425,705	17,670,206	244,501	1.4%	4,446,558	25.2%
Total Income	17,425,705	17,425,705	17,670,206	244,501	1.4%	4,446,558	25.2%
Expense and Loans Repayment							
Employee Costs	(19,640,828)	(19,640,828)	(20,253,569)	(612,741)	(3.1%)	(4,642,043)	22.9%
Materials & Contracts	(4,817,231)	(4,817,231)	(4,896,165)	(78,934)	(1.6%)	(1,193,233)	24.4%
Other Operating Expenses	(5,545,339)	(5,545,339)	(5,671,077)	(125,738)	(2.3%)	(1,551,143)	27.4%
Subtotal - Operating Expense	(30,003,398)	(30,003,398)	(30,820,811)	(817,413)	(2.7%)	(7,386,419)	24.0%
Other Capital Purchases	(241,300)	(241,300)	(261,722)	(20,422)	(8.5%)	(108,401)	41.4%
Subtotal - Capital Expense & Loan Repayment	(241,300)	(241,300)	(261,722)	(20,422)	(8.5%)	(108,401)	41.4%
Total Expense	(30,244,698)	(30,244,698)	(31,082,533)	(837,835)	(2.8%)	(7,494,820)	24.1%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	(12,577,693)	(12,577,693)	(13,150,605)	(572,912)	(4.6%)	(2,939,862)	22.4%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(12,818,993)	(12,818,993)	(13,412,327)	(593,334)	(4.6%)	(3,048,262)	22.7%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(317,459)	(317,459)	(316,562)	897	0.3%	(4,755)	1.5%
Transfer from Reserves			38,888	38,888			
Total new loan and reserves	(317,459)	(317,459)	(277,674)	39,785	12.5%	(4,755)	1.7%
Budget Result - Surplus/(Deficit)	(13,136,452)	(13,136,452)	(13,690,001)	(553,549)		(3,053,017)	

Attachment 3 - 2023/24 Q1 Budget Statement by Directorate

Council meeting 21 November 2023

Planning, Sustainability and Compliance Q1 FY2023-24 Budget Statement
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	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget		FY2023-24 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
User Charges	17,982,520	17,982,520	18,203,746	221,226	1.2%	4,066,291	22.3%
Other Revenues	13,852,280	13,852,280	14,272,994	420,714	3.0%	3,117,990	21.8%
Grants Subsidies & Contributions - Operational	717,000	721,116	406,616	(314,500)	(43.6%)	445,056	109.5%
Subtotal - Operating Income	32,944,608	32,948,724	33,713,763	765,039	2.3%	7,629,337	22.6%
Grants Subsidies & Contributions - Capital	4,849,491	4,849,491	4,673,851	(175,640)	(3.6%)	1,266,957	27.1%
Subtotal - Capital Income	4,849,491	4,849,491	4,673,851	(175,640)	(3.6%)	1,266,957	27.1%
Total Income	37,794,099	37,798,215	38,387,614	589,399	1.6%	8,896,295	23.2%
Expense and Loans Repayment							
Employee Costs	(15,744,998)	(15,744,998)	(16,190,408)	(445,410)	(2.8%)	(3,757,088)	23.2%
Materials & Contracts	(5,433,721)	(5,437,837)	(5,638,310)	(200,473)	(3.7%)	(1,105,424)	19.6%
Other Operating Expenses	(9,613,683)	(9,613,683)	(9,932,575)	(318,892)	(3.3%)	(2,302,306)	23.2%
Subtotal - Operating Expense	(30,792,402)	(30,796,518)	(31,761,293)	(964,775)	(3.1%)	(7,164,818)	22.6%
Capital Works Program	(530,000)	(530,000)	(530,000)			(35,093)	6.6%
Subtotal - Capital Expense & Loan Repayment	(530,000)	(530,000)	(530,000)			(35,093)	6.6%
Total Expense	(31,322,402)	(31,326,518)	(32,291,293)	(964,775)	(3.1%)	(7,199,910)	22.3%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	2,152,206	2,152,206	1,952,470	(199,736)	(9.3%)	464,520	23.8%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	6,471,697	6,471,697	6,096,321	(375,376)	(5.8%)	1,696,384	27.8%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(5,499,795)	(5,499,795)	(5,761,754)	(261,959)	(4.8%)	(1,373,796)	23.8%
Transfer from Reserves	125,346	125,346	101,299	(24,047)	(19.2%)	4,534	4.5%
Total new loan and reserves	(5,374,449)	(5,374,449)	(5,660,455)	(286,006)	(5.3%)	(1,369,262)	24.2%
Budget Result - Surplus/(Deficit)	1,097,248	1,097,248	435,866	(661,382)		327,122	

Attachment 3 - 2023/24 Q1 Budget Statement by Directorate

Council meeting 21 November 2023

Corporate Services Q1 FY2023-24 Budget Statement							
	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget		FY2023-24 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges	51,384,558	51,384,558	51,351,203	(33,355)	(0.1%)	51,178,974	99.7%
Investment Income	1,822,419	1,822,419	3,026,482	1,204,063	66.1%	1,353,540	44.7%
User Charges	581,647	581,647	581,647			179,777	30.9%
Other Revenues	293,170	293,170	395,967	102,797	35.1%	95,550	24.1%
Grants Subsidies & Contributions - Operational	1,824,019	1,844,235	1,985,048	140,813	7.6%	6,497	0.3%
Subtotal - Operating Income	55,905,813	55,926,029	57,340,347	1,414,318	2.5%	52,814,338	92.1%
Total Income	55,905,813	55,926,029	57,340,347	1,414,318	2.5%	52,814,338	92.1%
Expense and Loans Repayment							
Employee Costs	(10,432,289)	(10,432,289)	(11,242,397)	(810,108)	(7.8%)	(2,489,888)	22.1%
Borrowing Expenses	(40,152)	(40,152)	(40,152)			(133)	0.3%
Materials & Contracts	(10,462,413)	(10,482,629)	(8,674,451)	1,808,178	17.2%	(1,763,723)	20.3%
Other Operating Expenses	12,179,285	12,179,285	12,131,200	(48,085)	(0.4%)	2,825,038	23.3%
Subtotal - Operating Expense	(8,755,569)	(8,775,785)	(7,825,800)	949,985	10.8%	(1,428,706)	18.3%
Other Capital Purchases							
External Loans Principal Repayment	(472,460)	(472,460)	(472,460)			(114,576)	24.3%
Subtotal - Capital Expense & Loan Repayment	(472,460)	(472,460)	(472,460)			(114,576)	24.3%
Total Expense	(9,228,029)	(9,248,245)	(8,298,260)	949,985	10.3%	(1,543,283)	18.6%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	47,150,244	47,150,244	49,514,547	2,364,303	5.0%	51,385,631	103.8%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	46,677,784	46,677,784	49,042,087	2,364,303	5.1%	51,271,055	104.5%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(4,342,335)	(4,342,335)	(4,342,335)			(1,085,151)	25.0%
Transfer from Reserves	2,122,379	2,122,379	1,863,172	(259,207)	(12.2%)		
Total new loan and reserves	(2,219,956)	(2,219,956)	(2,479,163)	(259,207)	(11.7%)	(1,085,151)	43.8%
Budget Result - Surplus/(Deficit)	44,457,828	44,457,828	46,562,924	2,105,096		50,185,904	

Attachment 3 - 2023/24 Q1 Budget Statement by Directorate

Council meeting 21 November 2023

Assets and Operations Q3 FY2022-23 Budget Statement							
	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget		FY2023-24 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges	19,970,424	19,970,424	19,970,424			19,990,824	100.1%
Investment Income	546,425	546,425	797,329	250,904	45.9%	286	0.0%
User Charges	16,940,387	16,940,387	17,332,267	391,880	2.3%	4,138,959	23.9%
Other Revenues	4,922,903	4,922,903	5,161,400	238,497	4.8%	1,934,684	37.5%
Grants Subsidies & Contributions - Operational	2,155,908	2,155,908	2,334,428	178,520	8.3%	25,000	1.1%
Subtotal - Operating Income	44,536,047	44,536,047	45,595,848	1,059,801	2.4%	26,089,752	57.2%
Grants Subsidies & Contributions - Capital	6,297,445	8,482,222	11,431,523	2,949,301	34.8%	166,691	1.5%
Net gains from the disposal of assets	1,154,302	1,154,302	1,271,738	117,436	10.2%		
Subtotal - Capital Income	7,451,747	9,636,524	12,703,261	3,066,737	31.8%	166,691	1.3%
Total Income	51,987,794	54,172,571	58,299,109	4,126,538	7.6%	26,256,443	45.0%
Expense and Loans Repayment							
Employee Costs	(27,945,570)	(27,945,570)	(28,996,622)	(1,051,052)	(3.8%)	(6,451,953)	22.3%
Materials & Contracts	(7,886,449)	(7,886,449)	(8,958,743)	(1,072,294)	(13.6%)	(1,717,669)	19.2%
Other Operating Expenses	(23,846,959)	(23,846,959)	(23,843,165)	3,794	0.0%	(6,313,571)	26.5%
Subtotal - Operating Expense	(59,678,978)	(59,678,978)	(61,798,530)	(2,119,552)	(3.6%)	(14,483,193)	23.4%
Other Capital Purchases	(4,670,624)	(4,670,624)	(4,704,347)	(33,723)	(0.7%)	(493,008)	10.5%
Capital Works Program	(37,110,000)	(41,888,066)	(55,297,087)	(13,409,021)	(32.0%)	(26,962,591)	48.8%
Subtotal - Capital Expense & Loan Repayment	(41,780,624)	(46,558,690)	(60,001,434)	(13,442,744)	(28.9%)	(27,455,598)	45.8%
Total Expense	(101,459,602)	(106,237,668)	(121,799,964)	(15,562,296)	(14.6%)	(41,938,791)	34.4%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	(15,142,931)	(15,142,931)	(16,202,682)	(1,059,751)	(7.0%)	11,606,559	(71.6%)
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(49,471,808)	(52,065,097)	(63,500,855)	(11,435,758)	(22.0%)	(15,682,348)	24.7%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(5,942,675)	(5,942,675)	(6,818,808)	(876,133)	(14.7%)	(16,096,484)	236.1%
Transfer from Reserves	25,093,206	27,686,495	39,115,362	11,428,867	41.3%	2,076,092	5.3%
Total new loan and reserves	19,150,531	21,743,820	32,296,554	10,552,734	48.5%	(14,020,392)	(43.4%)
Budget Result - Surplus/(Deficit)	(30,321,277)	(30,321,277)	(31,204,301)	(883,024)		(29,702,740)	

Attachment 3 - 2023/24 Q1 Budget Statement by Directorate

Council meeting 21 November 2023

General Manager Unit Q1 FY2023-24 Budget Statement							
	Original Budget	Current Budget	Q1 Proposed Budget	Change in Q1 budget		FY2023-24 ACTUAL YTD Sep (incl. commitments)	% to Q1 Proposed Budget
				\$	%		
Income							
User Charges	13,000	13,000	13,000			2,529	19.5%
Subtotal - Operating Income	13,000	13,000	13,000			2,529	19.5%
Total Income	13,000	13,000	13,000			2,529	19.5%
Expense and Loans Repayment							
Employee Costs	(2,509,735)	(2,509,735)	(2,548,346)	(38,611)	(1.5%)	(632,667)	24.8%
Materials & Contracts	(585,750)	(585,750)	(1,260,377)	(674,627)	(115.2%)	(85,312)	6.8%
Other Operating Expenses	1,000,659	1,000,659	1,706,755	706,096	70.6%	(378,504)	(22.2%)
Subtotal - Operating Expense	(2,094,826)	(2,094,826)	(2,101,968)	(7,142)	(0.3%)	(1,096,483)	52.2%
Total Expense	(2,094,826)	(2,094,826)	(2,101,968)	(7,142)	(0.3%)	(1,096,483)	52.2%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	(2,081,826)	(2,081,826)	(2,088,968)	(7,142)	(0.3%)	(1,093,954)	52.4%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(2,081,826)	(2,081,826)	(2,088,968)	(7,142)	(0.3%)	(1,093,954)	52.4%
Other Funding Sources from:							
Transfers to Reserves	(15,521)	(15,521)	(15,521)			(3,879)	25.0%
Total new loan and reserves	(15,521)	(15,521)	(15,521)			(3,879)	25.0%
Budget Result - Surplus/(Deficit)	(2,097,347)	(2,097,347)	(2,104,489)	(7,142)		(1,097,833)	

REPORT CM/7.3/23.11



Subject: Audited Financial Statements 2022-23

TRIM No: A23/0026

Manager: Teena Su, Executive Manager, Finance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. In accordance with section 419 of the *Local Government Act 1993*, notes the auditor's report on the 2022–23 Financial Statements (including General and Special Purpose Financial Statements and Special Schedules) included in the attachment to the report.
2. Refers any public submissions on the 2022–23 Financial Statements (including General and Special Purpose Financial Statements and Special Schedules) to the auditor.
3. Notes the presentation to Council of the audited 2022–23 Financial Statements (including General and Special Purpose Financial Statements and Special Schedules) attached to the report.

1. Executive Summary

Council's Annual Financial Statements for the year ended 30 June 2023, comprising the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules, have been completed and audited. The Financial Statements and auditor's report (attached to the report) are formally presented to the public through this report.

The financial statements show a net operating result of a \$17.0 m surplus. Council's net assets are valued at \$1.49b and a cash and cash investment balance of \$130.0 m for year ended 30 June 2023.

2. Introduction/Background

The draft Financial Statements 2022-23 were completed and presented to Council at its meeting on 12 September 2023 for referral to Council's auditor, the NSW Auditor General. The audit has now been completed.

The 2022-23 Financial Statements have been prepared in accordance with the applicable Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board, the *Local Government Act 1993* ('the Act') and Regulation, and the Local Government Code of Accounting Practice and Financial Reporting 2022-23 (the Code). Attached to this report are the audited Annual Financial Statements, incorporating the following:

- General Purpose Income Statement.
- General Purpose Statement of Comprehensive Income.
- General Purpose Statement of Financial Position.

- General Purpose Statement of Changes in Equity.
- General Purpose Statement of Cash Flows.
- Special Purpose Income Statement for Council's Other Business Activities.
- Special Purpose Statement of Financial Position for Council's Other Business Activities.
- Special Schedules.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 12 September 2023	CM/7.4/23.09	<p>That:</p> <ol style="list-style-type: none"> 1. Council, in relation to the financial statements required by section 413(2)(c) of the <i>Local Government Act 1993</i>, resolves that in its opinion the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ending 30 June 2023 attached to the report: <ol style="list-style-type: none"> (a) Have been properly drawn up in accordance with the <i>Local Government Act 1993</i>, the <i>Local Government (General) Regulation 2021</i>, the Australian Accounting Standards and professional pronouncements, and the Local Government Code of Accounting Practice and Financial Reporting. (b) To the best of the Council's knowledge and belief, present fairly Council's operating result and financial position for the year and accord with Council's accounting and other records. 2. Council is unaware of any matter that would render the financial statements false or misleading in anyway. 3. The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer sign: <ol style="list-style-type: none"> (a) The Statement by Councillors and management for the General Purpose Financial Statements and Special Purpose Financial Statements on page 6 of the Annual Financial Statements attached to the report. (b) The Statement by Councillors and management for the Special Purpose Financial Statements on page 3 of the Special Purpose Financial Statements attached to the report. (c) The financial statements attached to the report. 4. Council sends the signed financial statements to Council's auditor for final clearance. 5. Council forwards a copy of the audited financial

		statements to the Office of Local Government.
		6. Council gives public notice of the audited financial statements and presents them at a Council meeting, in accordance with sections 418 and 419 of the <i>Local Government Act 1993</i> .

4. Discussion

Following the Council meeting on 12 September 2023, the auditor completed the audit of the 2022-23 Financial Statements and has now provided its report, which is contained in the audited Financial Statements attached to this report. During the audit process, there no material changes to the draft Financial Statements. The changes made were mainly related to presentation and formatting.

The Council's FY 2022-23 performance met all the industry benchmark measures, as illustrated in Table 1 below.

Table 1. Industry benchmark measures.

Indicator Statement	Quantitative Measures	Waverley		Industry	Waverley
Performance Measures		2022-23		Benchmark	2021-22
Operating Performance Ratio	Measures a Council's ability to contain operating expenditure within operating revenue.	1.74%	P	> 0.00%	-2.58%
Own Source Operating Revenue Ratio	Measures the level of a Council's fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.	81.62%	P	> 60%	78.25%
Unrestricted current ratio	The Unrestricted Current Ratio is specific to local government and is designed to represent a Council's ability to meet debt repayments as they fall due.	5.51x	P	> 1.50x	5.42%
Debt Service Cover ratio	This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.	24.41x	P	> 2x	20.30%
Rates and Annual Charges outstanding percentage	This ratio assesses the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.	4.42%	P	< 5.00%	4.75%
Cash expense cover ratio	This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.	9.64 mths	P	> 3 mths	8.89 mths
Infrastructure asset performance indicators		2022-23		Benchmark	2021-22
Building and infrastructure renewals	This ratio compares the proportion spent on infrastructure asset	217.43%	P	>= 100%	290.14%

Indicator	Quantitative Measures	Waverley		Industry	Waverley
ratio	renewals and the asset's deterioration measured by its accounting depreciation. Asset renewal represents the replacement or refurbishment of existing assets to an equivalent capacity or performance as opposed to the acquisition of new assets or the refurbishment of old assets that increase capacity or performance.				
Infrastructure backlog ratio	This ratio shows what proportion the backlog is against total value of a Council's infrastructure.	1.09%	P	< 2%	1.61%
Asset maintenance ratio	Compares actual vs required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the infrastructure backlog growing.	102.90%	P	> 100%	97.34%
Cost to bring assets to agreed service level	This ratio provides a snapshot of the proportion of outstanding renewal works compared to the total value of assets under Council's care and stewardship.	0.33%		N/A	0.27%

The following table contains a summary of the income statement, balance sheet, cash and cash investments balance.

Table 2. Summary of the income statement, balance sheet, cash and cash investments balance.

Income statement - \$million	2022-23	2021-22
• Total income from continuing operations	\$162.4m	\$161.7m
• Total expenses from continuing operations	\$145.5m	\$143.7m
• Operating surplus/(deficit) from continuing operations	\$17.0m	\$18.0m
Balance sheet - \$million	2022-23	2021-22
• Total assets	\$1,548.3m	\$1,392.6m
• Total liabilities	\$56.2m	\$56.7m
• Net assets	\$1,492.1m	\$1,336.0m
Cashflow statements - \$million	2022-23	2021-22
• Net operating cash flow	\$39.6m	\$42.0m
• Net Investment cash flow	(\$32.2m)	(\$47.7m)
• Net financial cash flow	(\$0.7m)	(\$0.9m)
• Net cash movements	\$6.7m	(\$6.6m)
• Total Cash, Cash Investments	\$130.0m	\$127.0m

The auditors attended the ARIC meeting on 3 October 2023 and presented their report on the audit progress. The auditor's report (on page 81 of the attachment) provides detailed comments in relation to the Council's financial position.

5. Financial impact statement/Time frame/Consultation

Council reported a net operating result of a \$17.0 m surplus.

A public notice of the date of the Council meeting for presentation of the audited Financial Statements was placed in the *Wentworth Courier*, with the notice also advising that the Financial Statements and the auditor's report available for viewing on Council's website.

Submissions on the auditor's report and the audited Financial Statements close on 28 November 2023, seven days after this Council meeting in accordance with the *Local Government Act 1993*. Any submissions will be referred to the auditor in accordance with the Act.

6. Conclusion

The attached Financial Statements have been completed. A copy of the Audited Financial Statements was sent to the Office of Local Government on 27 October 2023.

7. Attachments

1. Audited Annual Financial Statements 2022-23 (under separate cover) .

REPORT CM/7.4/23.11



Subject: Investment Portfolio Report - October 2023

TRIM No: SF23/4025

Manager: Teena Su, Executive Manager, Finance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

- Notes the Investment Summary Report for October 2023 attached to the report.
- Notes that the Executive Manager, Finance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy

1. Executive Summary

For the month of October 2023, Council's investment portfolio generated \$458,244 in interest.

The interest on investment budget for the 2023-24 financial year was adopted by Council at this meeting on 27 June 2023 and was set at \$2,761,652. It increased to \$4,654,218 as part of the Q1 budget review proposal.

The interest income for year to date achieved 65.62% (\$1,812,070) of the current approved budget forecast of \$2,761,652. The year-to-date income represents 38.93% of the Q1 proposed budget of \$4,654,218.

2. Introduction/Background

Section 212 of the *Local Government (General) Regulation 2021* requires that Council be provided with a written report setting out details of all money that the Council has invested under section 625 of the *Local Government Act 1993* (the Act) and certifying that these investments have been made in accordance with the Act, regulations, Ministerial Investment Orders and Council's Investment Policy.

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

Table 1. Monthly interest income received by Council.

Month	2023-24 Budget (\$)	Actual Monthly (\$)	Actual YTD (\$)	Tracking Budget (%)	Tracking Q1 proposed Budget (%)
July	2,761,652	363,154	363,154	13.15%	7.8%
August	2,761,652	363,312	726,466	26.31%	15.61%
September	2,761,652	627,360	1,353,826	49.02%	29.09%

Month	2023–24 Budget (\$)	Actual Monthly (\$)	Actual YTD (\$)	Tracking Budget (%)	Tracking Q1 proposed Budget (%)
October	2,761,652	458,244	1,812,070	65.62%	38.93%

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 23 October 2023	CM/7.4/23.10	<p>That Council:</p> <ol style="list-style-type: none"> Notes the Investment Summary Report for September 2023 attached to the report. Notes that the Executive Manager, Finance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the Local Government Act 1993 and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

4. Discussion

As at 31 October 2023, Council's cash investment portfolio for the financial year, generated total interest earnings of \$1,812,070 representing 38.93% of the Q1 proposed budget of \$4,654,218.

Council's investment portfolio posted a marked-to-market return of 2.57% pa for the month versus the bank bill index benchmark return of 4.01% pa.

Without marked-to-market influences, Council's investment portfolio yielded 4.73% pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities and growth fund.

Over the past 12 months, the investment portfolio has returned 4.12%, versus the bank bill index benchmark's 3.66%.

During October, Council had \$6 m in deposits mature with terms of six and 12 months paying an average of 4.62% pa. Council invested \$3 m in a new Westpac Green 12-month term deposit paying 5.24% pa, providing a boost to the portfolio's overall yield.

Table 2. Non-fossil fuel vs fossil fuel ADI deposit rates (invested rates shaded).

Date	Amount	Term (months)	Non-Fossil/Green Deposit Rates	Fossil Fuel ADI Deposit Rates
03-Oct-23	\$3,000,000	12	5.24%	5.30%

As at 31 October 2023, Council's investment portfolio has a current market value of \$137,064,247 which represents a gain of \$1,198,678 on the \$135,865,569 face value of the portfolio. The table below provides a summary by investment (asset) type.

Table 3. Portfolio value – Summary by investment (asset) type.

Asset group	Face Value	Current Value
Cash	\$9,500,683	\$9,500,683
Floating Rate Note	\$24,800,000	\$24,688,409
Managed Funds	\$13,864,886	\$13,864,886
Term Deposit	\$87,700,000	\$89,010,269
Total	\$135,865,569	\$137,064,247

The portfolio represents cash and investment holdings from the external and internal special restricted reserves, and unrestricted funds. The table below provides a summary by holding (reserve) type.

Table 4. Portfolio value – Summary by investment (reserve) type.

Reserves	Value
External Restriction Reserves	\$45,429,219
Internal Restriction Reserves	\$74,656,195
Unrestricted fund	\$15,780,155
Total	\$135,865,569

Analysis

Attached to this report is a summary of the investment portfolio for the month of October. These reports are prepared by Council's independent financial advisor, Prudential Investment Services Corp.

The table below compares Council's portfolio return to the bank bill index benchmark.

Table 5. Portfolio return.

Month	Portfolio return %	Ausbond BB index %	Variance %
Nov-22	6.09	3.07	3.02
Dec-22	-0.06	2.98	-3.04
Jan-23	7.42	3.18	4.24
Feb-23	2.68	3.18	-0.5
Mar-23	4.66	3.39	1.27
Apr-23	5.21	3.77	1.44
May-23	3.18	3.53	-0.35
Jun-23	6.12	3.72	2.4
Jul-23	6.31	4.48	1.83
Aug-23	3.77	4.39	-0.62
Sep-23	1.74	4.18	-2.44
Oct-23	2.57	4.01	-1.44
Average % return over the last 12 months	4.12	3.66	0.48

Council has a well-diversified portfolio invested predominantly among a range of term deposits and senior ranked floating rate notes from highly rated Australian bank issuers. Council also has exposure to growth classes, including listed property and international and domestic shares, via NSW TCorpIM's Long Term Growth Fund. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection and holding the securities for the recommended time horizons of their asset classes.

As at the end of October 2023, 73% of Council's portfolio was invested in non-fossil-fuel-lending authorised deposit-taking institutions (ADIs) and socially responsible investments, while fossil-fuel-lending ADIs (including the daily operation fund) accounted for 17% of the portfolio. The remaining 10% is invested with TCorp.

Over the period of 65 months, from July 2018 to October 2023, Council has reduced its investment in fossil-fuel-lending ADIs from 59% to 17%, as shown in Figure 1 below.

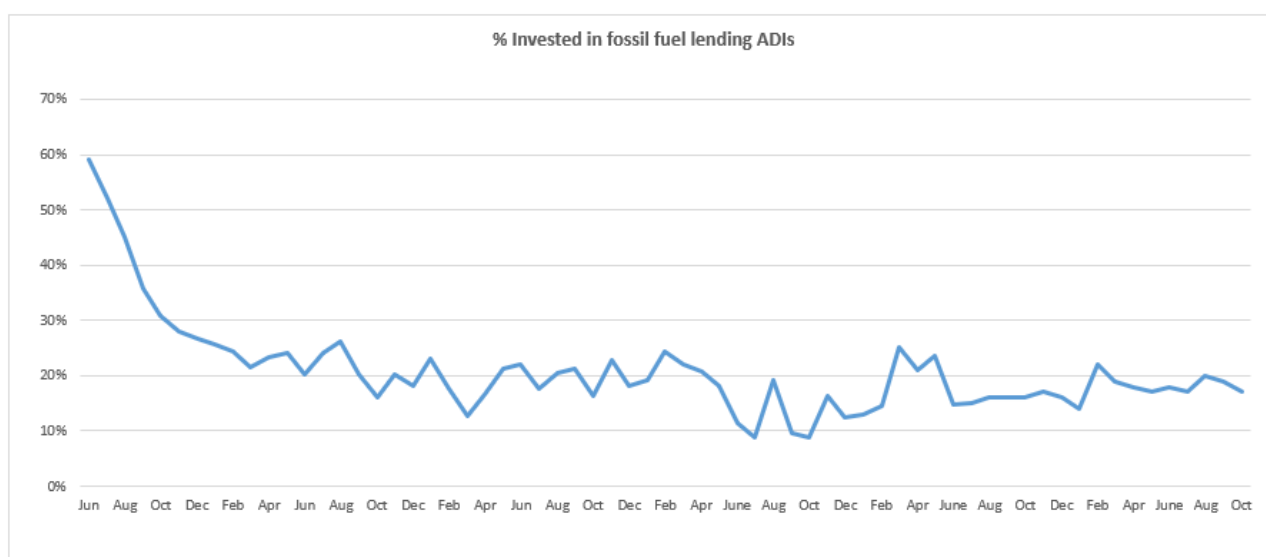


Figure 1. Investments in fossil-fuel-lending ADIs.

When excluding the working capital funds held in the Commonwealth Bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 77.95% of Council's investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, while fossil-fuel-lending ADIs accounted for 10.97% of the portfolio. The remaining 11.08% is invested with TCorp as displayed in Figure 2 below.

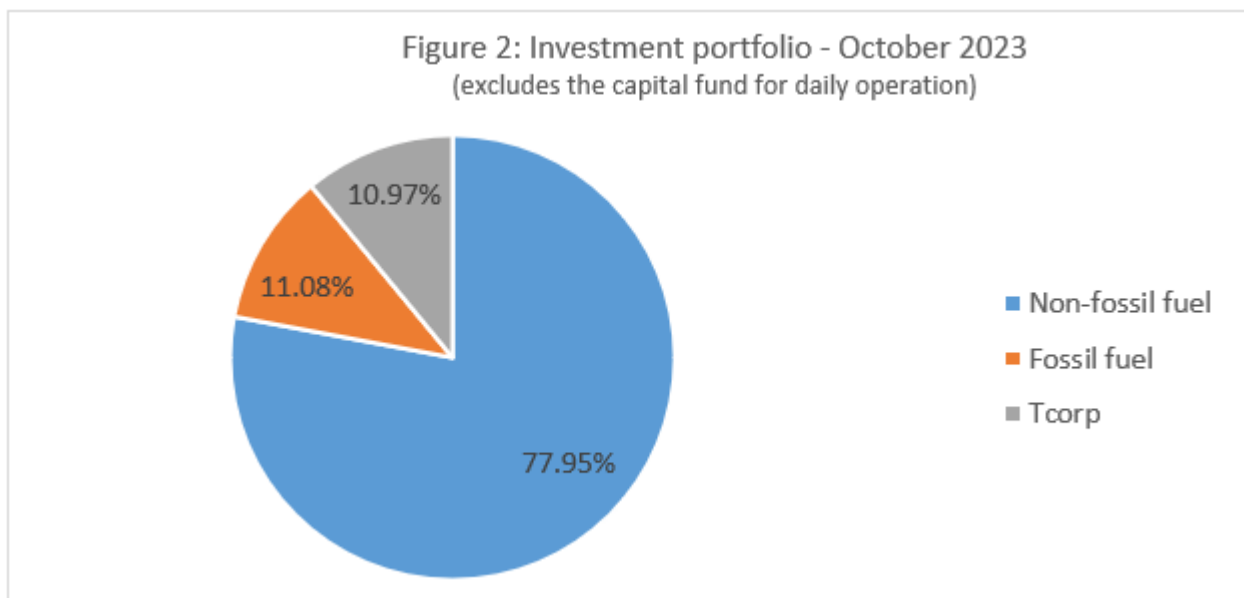


Figure 2. Investment portfolio.

5. Financial impact statement/Time frame/Consultation

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

6. Conclusion

Council's investment portfolio has achieved interest earning of \$1,812,070 for the year to date, representing 65.62% of the approved budget forecast of \$2,761,652. It represents 38.93% of the Q1 proposed budget of \$4,654,218.

7. Attachments

1. Investment Summary Report - October 2023 [↓](#) .



Investment Summary Report October 2023

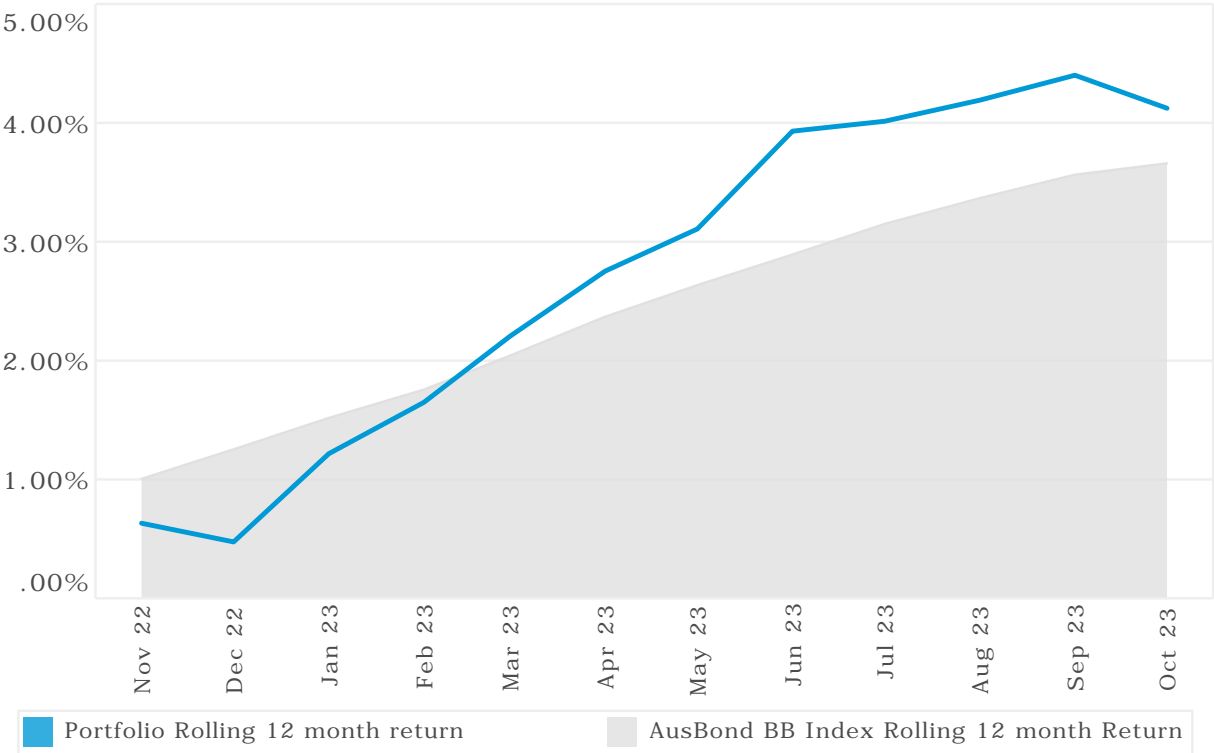
Waverley Council
Executive Summary - October 2023



Investment Holdings

Investment Performance

	Face Value (\$)	Current Value (\$)
Cash	9,500,683	9,500,683
Floating Rate Note	24,800,000	24,688,409
Managed Funds	13,864,886	13,864,886
Term Deposit	87,700,000	89,010,269
	135,865,569	137,064,247

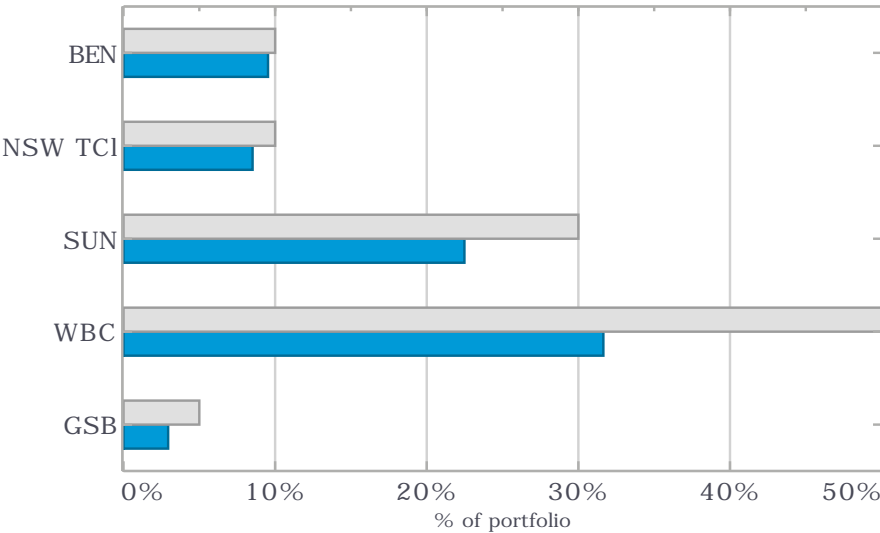
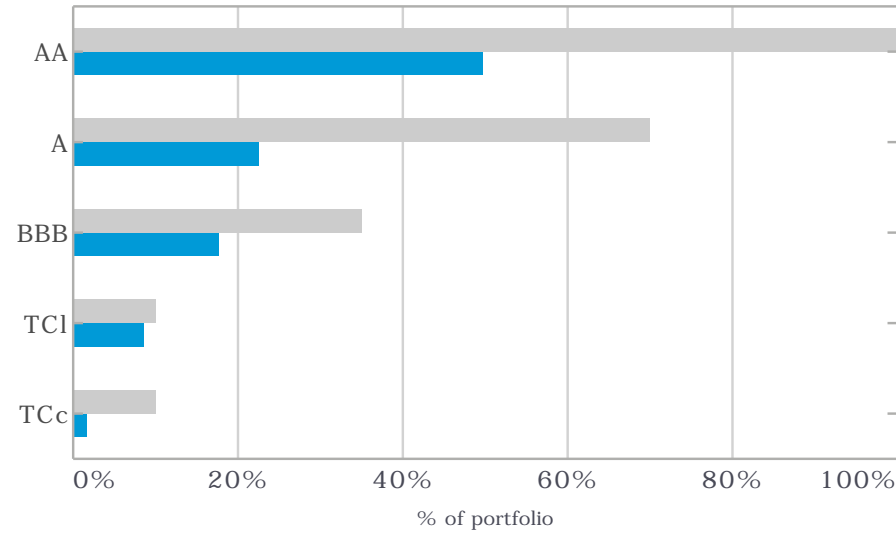


Investment Policy Compliance

Total Credit Exposure

Individual Institutional Exposures

Term to Maturities



	Face Value (\$)		Policy Max	
Between 0 and 1 years	112,565,569	83%	100%	a
Between 1 and 10 year:	23,300,000	17%	70%	a
	135,865,569			

Specific Sub Limits				
Between 3 and 10 year:	5,000,000	4%	50%	a
Between 5 and 10 year:	0	0%	25%	a

Portfolio Exposure

Investment Policy Limit

Waverley Council

Investment Holdings Report - October 2023



Cash Accounts

Face Value (\$)	Current Rate (%)	Institution	Credit Rating		Current Value (\$)	Deal No.	Reference
49.43	0.0000%	Commonwealth Bank of Australia	AA-		49.43	120797	Depositor Funds
9,224.92	0.0000%	Commonwealth Bank of Australia	AA-		9,224.92	120799	Library CP
19,064.49	0.0000%	Commonwealth Bank of Australia	AA-		19,064.49	120800	Eastgate CP
19,935.89	0.0000%	Commonwealth Bank of Australia	AA-		19,935.89	120801	Hollywood Av CP
23,430.75	0.0000%	Commonwealth Bank of Australia	AA-		23,430.75	120795	Trust Funds
52,359.06	0.0000%	Commonwealth Bank of Australia	AA-		52,359.06	370151	Library Gift
81,820.28	0.0000%	Commonwealth Bank of Australia	AA-		81,820.28	120796	Cemetery Funds
3,429,791.86	4.1000%	Commonwealth Bank of Australia	AA-		3,429,791.86	120789	24hr Call
5,865,006.19	0.0000%	Commonwealth Bank of Australia	AA-		5,865,006.19	120794	General Funds
9,500,682.87	1.4801%				9,500,682.87		

Managed Funds

Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name	Current Value (\$)	Deal No.	Reference
2,298,542.99	0.3527%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	2,298,542.99	411310	Builder Deposits
11,566,342.88	-1.4093%	NSW T-Corp (LT)	TCI	Long Term Growth Fund	11,566,342.88	538089	
13,864,885.87	-1.1172%				13,864,885.87		

Term Deposits

Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
7-Nov-23	3,000,000.00	4.4200%	Westpac Group	AA-	3,000,000.00	9-Nov-22	3,129,693.70	543532	129,693.70	At Maturity	Green
14-Nov-23	2,000,000.00	4.4300%	Suncorp Bank	A+	2,000,000.00	15-Nov-22	2,085,201.64	543558	85,201.64	At Maturity	
19-Dec-23	5,000,000.00	5.1400%	Westpac Group	AA-	5,000,000.00	21-Jun-23	5,093,646.58	544217	93,646.58	At Maturity	Green
23-Jan-24	3,000,000.00	5.4500%	Bendigo and Adelaide Bank	BBB+	3,000,000.00	22-Jun-23	3,059,128.77	544218	59,128.77	At Maturity	
20-Feb-24	2,000,000.00	1.5800%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,007,272.33	542328	7,272.33	Quarterly	Green
27-Feb-24	1,700,000.00	5.1500%	Bendigo and Adelaide Bank	BBB+	1,700,000.00	28-Aug-23	1,715,591.10	544434	15,591.10	At Maturity	
5-Mar-24	4,000,000.00	1.8300%	Westpac Group	AA-	4,000,000.00	9-Mar-22	4,010,227.95	542424	10,227.95	Quarterly	Green

Waverley Council

Investment Holdings Report - October 2023



Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
12-Mar-24	3,000,000.00	4.8500%	Westpac Group	AA-	3,000,000.00	3-Mar-23	3,096,867.12	543890	96,867.12	At Maturity	Green
13-Mar-24	3,000,000.00	4.8000%	Auswide Bank	Baa2	3,000,000.00	14-Mar-23	3,091,528.77	543961	91,528.77	At Maturity	
19-Mar-24	3,000,000.00	4.7200%	Suncorp Bank	A+	3,000,000.00	13-Mar-23	3,090,391.23	543932	90,391.23	At Maturity	
2-Apr-24	3,000,000.00	5.1100%	Suncorp Bank	A+	3,000,000.00	8-Aug-23	3,035,700.00	544363	35,700.00	At Maturity	
9-Apr-24	2,000,000.00	5.4700%	Suncorp Bank	A+	2,000,000.00	18-Jul-23	2,031,770.96	544322	31,770.96	At Maturity	
16-Apr-24	3,000,000.00	4.9500%	Suncorp Bank	A+	3,000,000.00	23-May-23	3,065,909.59	544113	65,909.59	At Maturity	
23-Apr-24	3,000,000.00	5.1700%	Great Southern Bank	BBB	3,000,000.00	25-May-23	3,067,989.04	544129	67,989.04	At Maturity	
30-Apr-24	3,000,000.00	5.2500%	Suncorp Bank	A+	3,000,000.00	22-Aug-23	3,030,636.99	544409	30,636.99	At Maturity	
1-May-24	3,000,000.00	4.4600%	Westpac Group	AA-	3,000,000.00	28-Apr-23	3,068,549.59	544048	68,549.59	At Maturity	Green
15-May-24	3,000,000.00	5.2000%	Suncorp Bank	A+	3,000,000.00	16-Aug-23	3,032,909.59	544398	32,909.59	At Maturity	
28-May-24	1,000,000.00	5.1500%	Bendigo and Adelaide Bank	BBB+	1,000,000.00	24-Aug-23	1,009,735.62	544423	9,735.62	At Maturity	
28-May-24	3,000,000.00	5.1800%	National Australia Bank	AA-	3,000,000.00	31-Aug-23	3,026,396.71	544449	26,396.71	At Maturity	
20-Aug-24	3,000,000.00	5.0900%	Westpac Group	AA-	3,000,000.00	23-Aug-23	3,029,284.93	544416	29,284.93	At Maturity	Green
20-Aug-24	3,000,000.00	5.1600%	Westpac Group	AA-	3,000,000.00	15-Aug-23	3,033,080.55	544392	33,080.55	Quarterly	Green
27-Aug-24	3,000,000.00	5.4100%	Commonwealth Bank of Australia	AA-	3,000,000.00	29-Aug-23	3,028,458.08	544437	28,458.08	At Maturity	
27-Aug-24	4,000,000.00	5.0500%	Westpac Group	AA-	4,000,000.00	24-Aug-23	4,038,186.30	544424	38,186.30	Quarterly	Green
4-Sep-24	4,000,000.00	4.4000%	Westpac Group	AA-	4,000,000.00	2-Sep-22	4,027,967.12	543279	27,967.12	Quarterly	
4-Sep-24	4,000,000.00	5.2500%	National Australia Bank	AA-	4,000,000.00	5-Sep-23	4,032,794.52	544468	32,794.52	At Maturity	
5-Sep-24	2,000,000.00	5.0300%	Westpac Group	AA-	2,000,000.00	5-Sep-23	2,015,710.14	544467	15,710.14	Quarterly	Green
18-Sep-24	3,000,000.00	5.2000%	Suncorp Bank	A+	3,000,000.00	19-Sep-23	3,018,378.08	544580	18,378.08	At Maturity	
24-Sep-24	1,000,000.00	5.2500%	Suncorp Bank	A+	1,000,000.00	26-Sep-23	1,005,178.08	544534	5,178.08	At Maturity	
26-Sep-24	2,000,000.00	5.2200%	Westpac Group	AA-	2,000,000.00	26-Sep-23	2,010,296.99	544533	10,296.99	At Maturity	Green
2-Oct-24	3,000,000.00	5.2400%	Westpac Group	AA-	3,000,000.00	3-Oct-23	3,012,489.86	544556	12,489.86	At Maturity	GREEN
4-Mar-25	2,000,000.00	2.0200%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,009,297.53	542329	9,297.53	Quarterly	Green
87,700,000.00		4.7372%			87,700,000.00		89,010,269.46		1,310,269.46		

Floating Rate Notes

Waverley Council
Investment Holdings Report - October 2023



Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
30-Jul-24	2,500,000.00	5.1218%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,500,000.00	30-Jul-19	2,503,551.62	538331	701.62	30-Jan-24	
24-Oct-24	1,000,000.00	5.3473%	GSB Snr FRN (Oct24) BBSW+ 1.12%	BBB	1,000,000.00	24-Oct-19	1,002,302.01	538604	1,172.01	24-Jan-24	
2-Dec-25	2,250,000.00	4.6450%	BEN Snr FRN (Dec25) BBSW+0.52%	BBB+	2,250,000.00	2-Dec-20	2,244,377.47	540603	16,607.47	4-Dec-23	
24-Feb-26	1,300,000.00	4.5872%	SUN Snr FRN (Feb26) BBSW+0.45%	A+	1,300,000.00	24-Feb-21	1,298,715.20	540958	11,273.20	24-Nov-23	
4-Mar-26	4,000,000.00	4.7550%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB	4,000,000.00	4-Mar-21	3,959,743.56	540983	30,223.56	4-Dec-23	
15-May-26	1,000,000.00	5.4216%	BEN Snr FRN (May26) BBSW+ 1.25%	BBB+	1,000,000.00	8-May-23	1,014,985.88	544084	11,585.88	15-Nov-23	
18-Jun-26	4,000,000.00	4.7694%	BEN Snr FRN (Jun26) BBSW+0.65%	BBB+	4,000,000.00	11-Jun-21	3,976,317.65	541523	22,997.65	18-Dec-23	
15-Sep-26	3,750,000.00	4.6073%	SUN Snr FRN (Sep26) BBSW+0.48%	A+	3,750,000.00	9-Sep-21	3,721,210.08	541877	22,247.58	15-Dec-23	
23-Dec-26	5,000,000.00	4.5488%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	5,000,000.00	21-Sep-21	4,967,205.56	541916	23,055.56	27-Dec-23	
24,800,000.00		4.7624%			24,800,000.00		24,688,409.03		139,864.53		



Waverley Council

Accrued Interest Report - October 2023



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Yield Accrued (\$)	(% pa)
Floating Rate Note									
SUN Snr FRN (Jul24) BBSW+0.78%	538331		2,500,000.00	30-Jul-19	30-Jul-24	31,394.38	31	10,706.42	5.04%
GSB Snr FRN (Oct24) BBSW+ 1.12%	538604		1,000,000.00	24-Oct-19	24-Oct-24	13,806.30	31	4,623.58	5.44%
BEN Snr FRN (Dec25) BBSW+0.52%	540603		2,250,000.00	2-Dec-20	2-Dec-25	0.00	31	8,876.41	4.65%
SUN Snr FRN (Feb26) BBSW+0.45%	540958		1,300,000.00	24-Feb-21	24-Feb-26	0.00	31	5,064.77	4.59%
NPBS Snr FRN (Mar26) BBSW+0.63%	540983		4,000,000.00	4-Mar-21	4-Mar-26	0.00	31	16,153.97	4.75%
BEN Snr FRN (May26) BBSW+ 1.25%	544084		1,000,000.00	15-May-23	15-May-26	0.00	31	4,604.64	5.42%
BEN Snr FRN (Jun26) BBSW+0.65%	541523		4,000,000.00	18-Jun-21	18-Jun-26	0.00	31	16,202.89	4.77%
SUN Snr FRN (Sep26) BBSW+0.48%	541877		3,750,000.00	15-Sep-21	15-Sep-26	0.00	31	14,673.94	4.61%
CBA Green Snr FRN (Dec26) BBSW+0.41%	541916		5,000,000.00	23-Sep-21	23-Dec-26	0.00	31	19,316.82	4.55%
						45,200.68		100,223.44	4.76%
Managed Funds									
NSW T-Corp Defensive Cash Funds	411310				1-Jul-24	0.00	0	8,078.00	4.23%
						0.00		8,078.00	4.23%
Term Deposits									
Suncorp Bank	544049		3,000,000.00	28-Apr-23	31-Oct-23	70,629.04	30	11,391.78	4.62%
Westpac Group	543451		3,000,000.00	30-Sep-22	3-Oct-23	1,518.90	2	759.45	4.62%
Suncorp Bank	543558		2,000,000.00	15-Nov-22	14-Nov-23	0.00	31	7,524.93	4.43%
Westpac Group	543532		3,000,000.00	9-Nov-22	7-Nov-23	0.00	31	11,261.92	4.42%
Westpac Group	544217		5,000,000.00	21-Jun-23	19-Dec-23	0.00	31	21,827.40	5.14%
Bendigo and Adelaide Bank	544218		3,000,000.00	22-Jun-23	23-Jan-24	0.00	31	13,886.30	5.45%
Bendigo and Adelaide Bank	544434		1,700,000.00	28-Aug-23	27-Feb-24	0.00	31	7,435.76	5.15%
Westpac Group	542328		2,000,000.00	9-Feb-22	20-Feb-24	0.00	31	2,683.84	1.58%
Auswide Bank	543961		3,000,000.00	14-Mar-23	13-Mar-24	0.00	31	12,230.14	4.80%
Suncorp Bank	543932		3,000,000.00	13-Mar-23	19-Mar-24	0.00	31	12,026.30	4.72%
Westpac Group	542424		4,000,000.00	9-Mar-22	5-Mar-24	0.00	31	6,216.99	1.83%
Westpac Group	543890		3,000,000.00	3-Mar-23	12-Mar-24	0.00	31	12,357.53	4.85%

Waverley Council

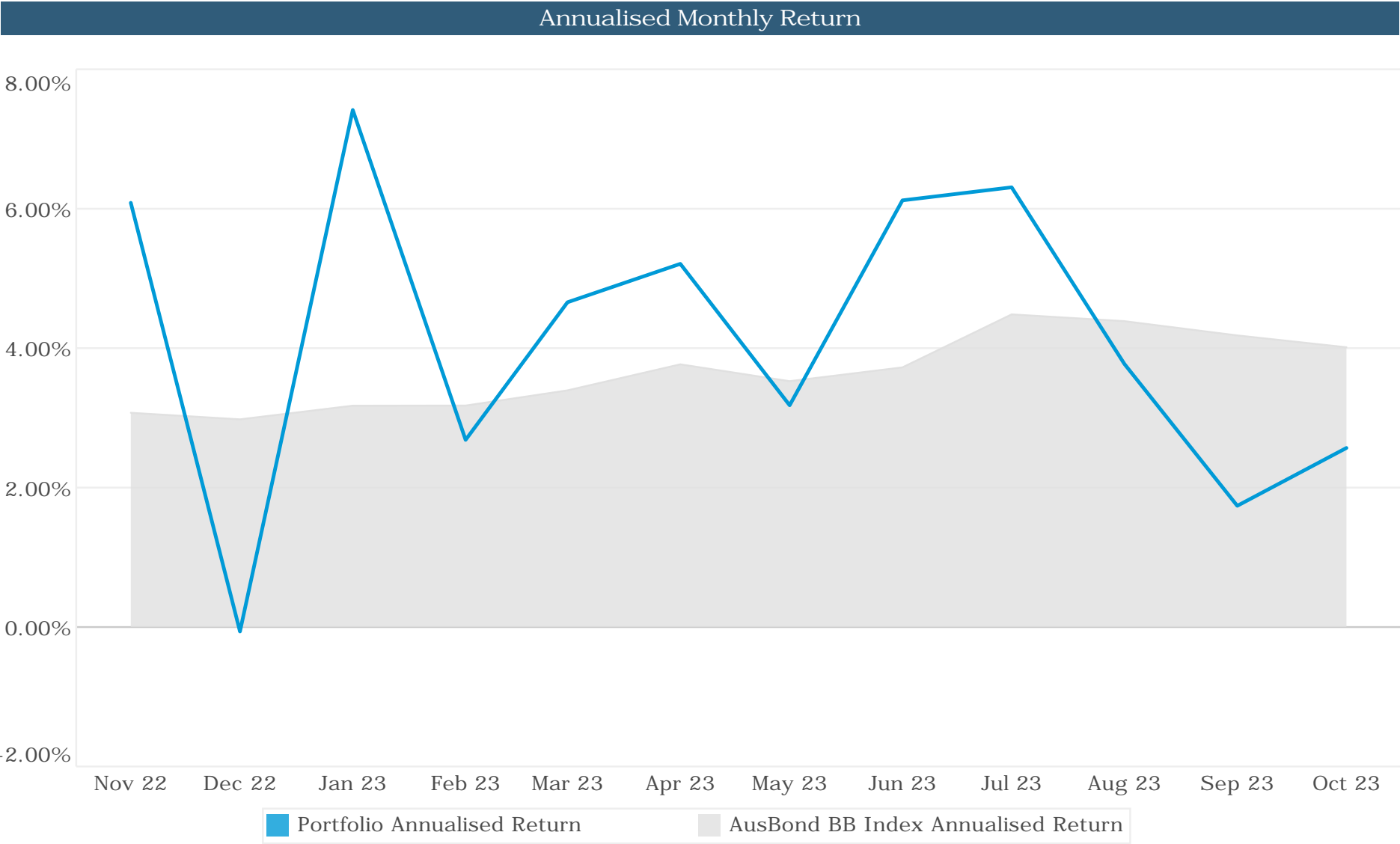
Accrued Interest Report - October 2023



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Yield Accrued (\$)	(% pa)
Great Southern Bank	544129		3,000,000.00	25-May-23	23-Apr-24	0.00	31	13,172.88	5.17%
Suncorp Bank	544113		3,000,000.00	23-May-23	16-Apr-24	0.00	31	12,612.33	4.95%
Suncorp Bank	544322		2,000,000.00	18-Jul-23	9-Apr-24	0.00	31	9,291.51	5.47%
Suncorp Bank	544363		3,000,000.00	8-Aug-23	2-Apr-24	0.00	31	13,020.00	5.11%
Suncorp Bank	544409		3,000,000.00	22-Aug-23	30-Apr-24	0.00	31	13,376.72	5.25%
Bendigo and Adelaide Bank	544423		1,000,000.00	24-Aug-23	28-May-24	0.00	31	4,373.98	5.15%
National Australia Bank	544449		3,000,000.00	31-Aug-23	28-May-24	0.00	31	13,198.35	5.18%
Suncorp Bank	544398		3,000,000.00	16-Aug-23	15-May-24	0.00	31	13,249.32	5.20%
Westpac Group	544048		3,000,000.00	28-Apr-23	1-May-24	0.00	31	11,363.84	4.46%
Commonwealth Bank of Australia	544437		3,000,000.00	29-Aug-23	27-Aug-24	0.00	31	13,784.38	5.41%
Westpac Group	544392		3,000,000.00	15-Aug-23	20-Aug-24	0.00	31	13,147.40	5.16%
Westpac Group	544416		3,000,000.00	23-Aug-23	20-Aug-24	0.00	31	12,969.04	5.09%
Westpac Group	544424		4,000,000.00	24-Aug-23	27-Aug-24	0.00	31	17,156.16	5.05%
National Australia Bank	544468		4,000,000.00	5-Sep-23	4-Sep-24	0.00	31	17,835.62	5.25%
Suncorp Bank	544534		1,000,000.00	26-Sep-23	24-Sep-24	0.00	31	4,458.90	5.25%
Suncorp Bank	544580		3,000,000.00	19-Sep-23	18-Sep-24	0.00	31	13,249.31	5.20%
Westpac Group	543279		4,000,000.00	2-Sep-22	4-Sep-24	0.00	31	14,947.94	4.40%
Westpac Group	544467		2,000,000.00	5-Sep-23	5-Sep-24	0.00	31	8,544.11	5.03%
Westpac Group	544533		2,000,000.00	26-Sep-23	26-Sep-24	0.00	31	8,866.85	5.22%
Westpac Group	544556		3,000,000.00	3-Oct-23	2-Oct-24	0.00	29	12,489.86	5.24%
Westpac Group	542329		2,000,000.00	9-Feb-22	4-Mar-25	0.00	31	3,431.23	2.02%
						72,147.94		364,142.07	4.73%
Grand Totals						117,348.62		472,443.51	4.73%

Waverley Council

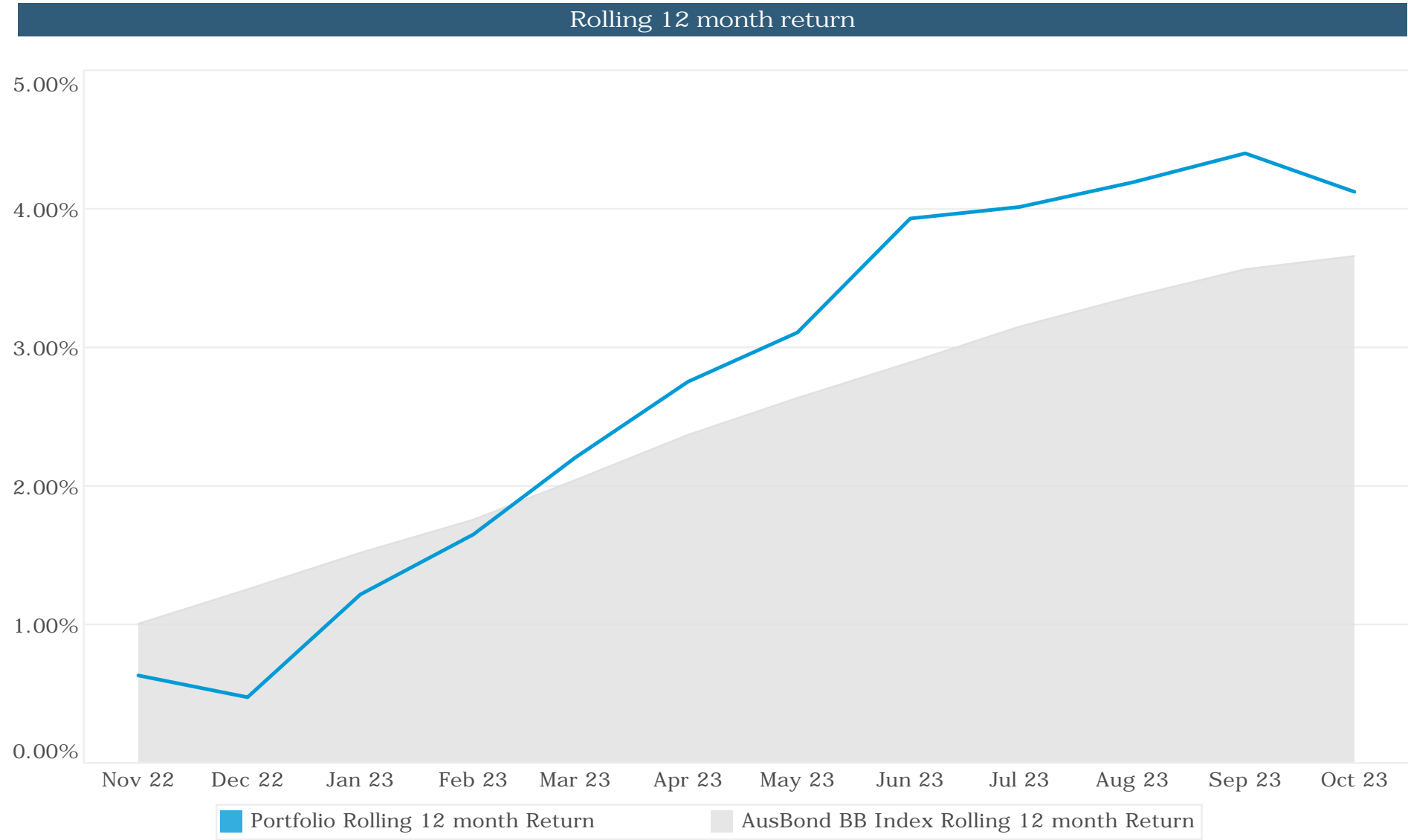
Investment Performance Report - October 2023



Historical Performance Summary (% pa)			
	Portfolio	Annualised BB Index	Outperformance
Oct 2023	2.57%	4.01%	-1.44%
Last 3 months	2.70%	4.19%	-1.49%
Last 6 months	3.93%	4.05%	-0.12%
Financial Year to Date	3.60%	4.27%	-0.67%
Last 12 months	4.12%	3.66%	0.46%

Waverley Council

Investment Performance Report - October 2023



Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
Oct 2023	0.22%	0.33%	-0.11%
Last 3 months	0.67%	1.04%	-0.37%
Last 6 months	1.96%	2.02%	-0.06%
Financial Year to Date	1.20%	1.42%	-0.22%
Last 12 months	4.12%	3.66%	0.46%

Waverley Council

Environmental Commitments Report - October 2023



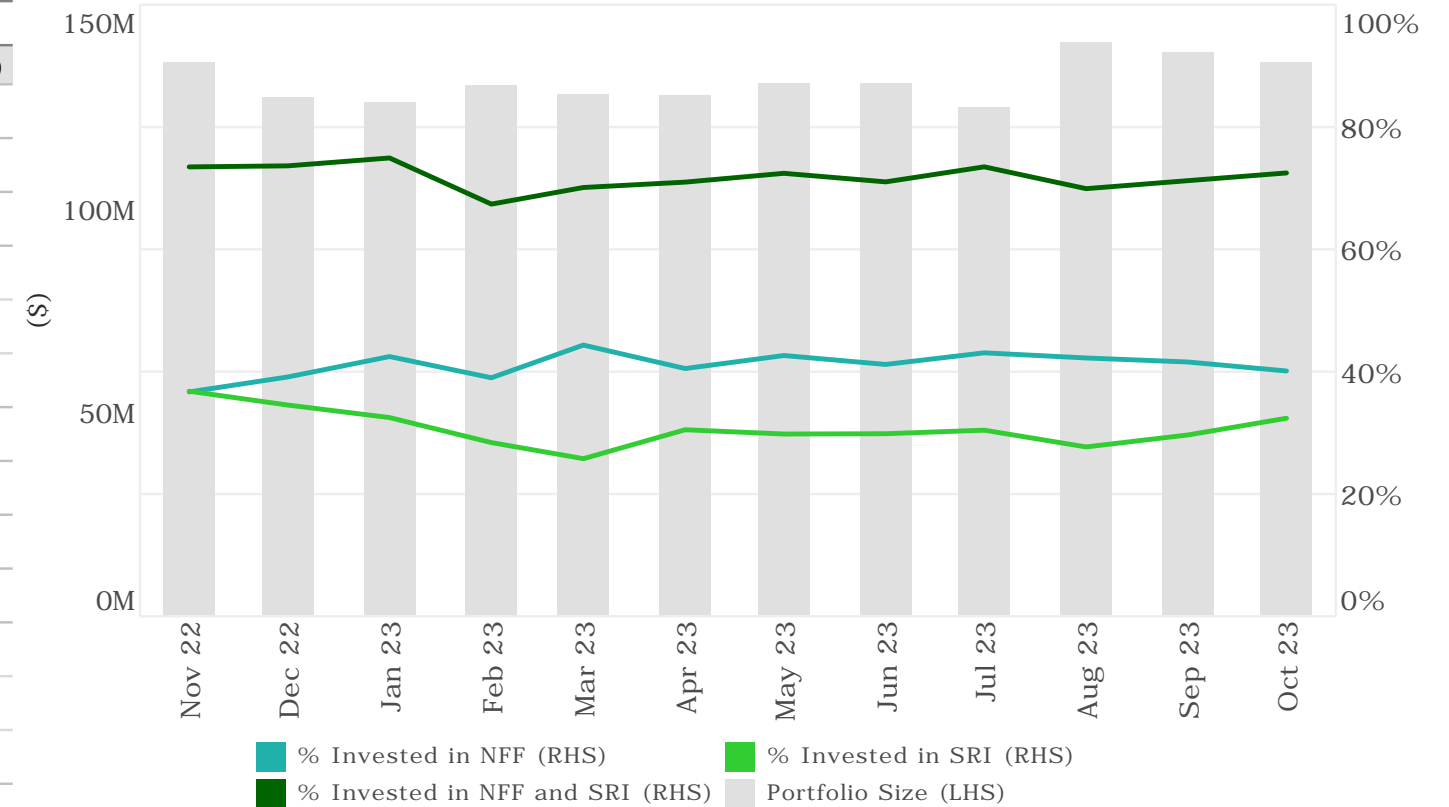
Current Breakdown

ADI Lending Status *	Current Month (\$)		Previous Month (\$)	
Fossil Fuel Lending ADIs				
Commonwealth Bank of Australia	12,500,683		11,748,985	
National Australia Bank	7,000,000		7,000,000	
Westpac Group	4,000,000		7,000,000	
	23,500,683	17%	25,748,985	19%
Non Fossil Fuel Lending ADIs				
Auswide Bank	3,000,000		3,000,000	
Bendigo and Adelaide Bank	12,950,000		12,950,000	
Great Southern Bank	4,000,000		4,000,000	
Newcastle Greater Mutual Group	4,000,000		4,000,000	
Suncorp Bank	30,550,000		33,550,000	
	54,500,000	40%	57,500,000	42%
Other				
NSW T-Corp (Cash)	2,298,543		2,290,465	
NSW T-Corp (LT)	11,566,343		11,731,680	
	13,864,886	10%	14,022,145	10%
Socially Responsible Investment				
CBA (Green)	5,000,000		5,000,000	
Westpac Group (Green TD)	39,000,000		36,000,000	
	44,000,000	32%	41,000,000	30%
	135,865,569		138,271,130	

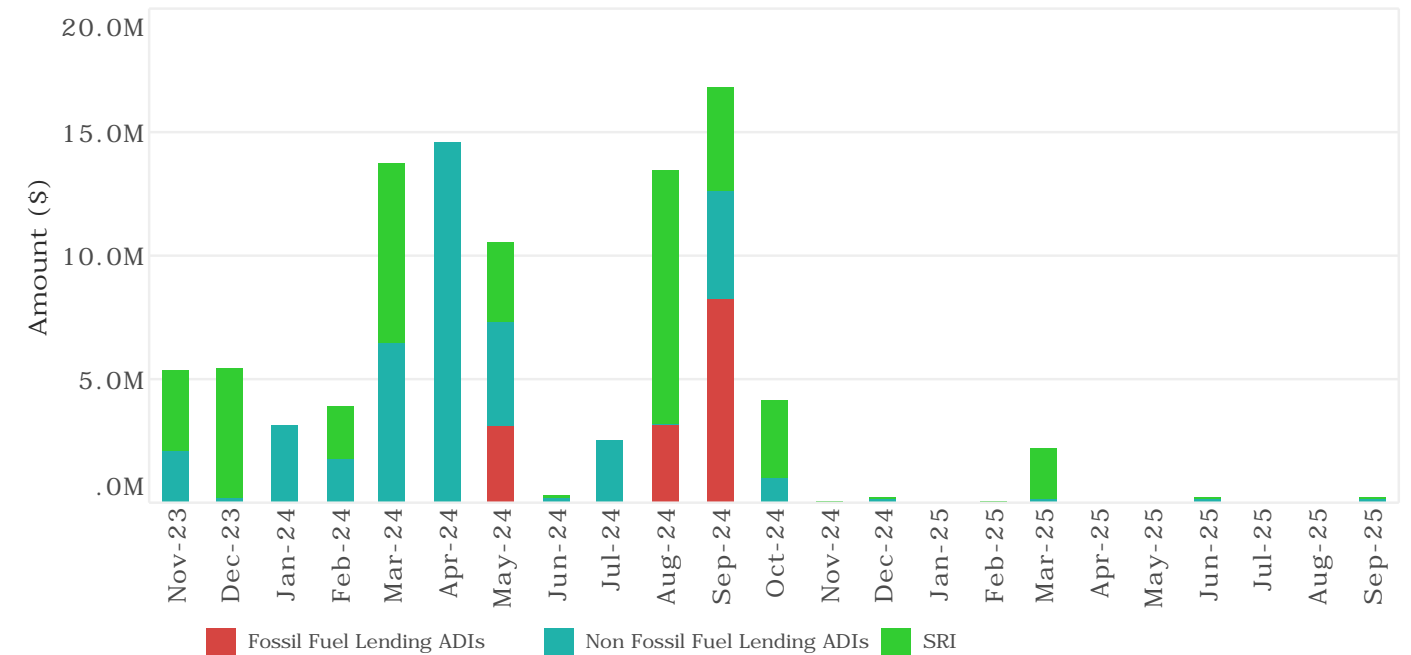
* source: Marketforces

Percentages may not add up to 100% due to rounding

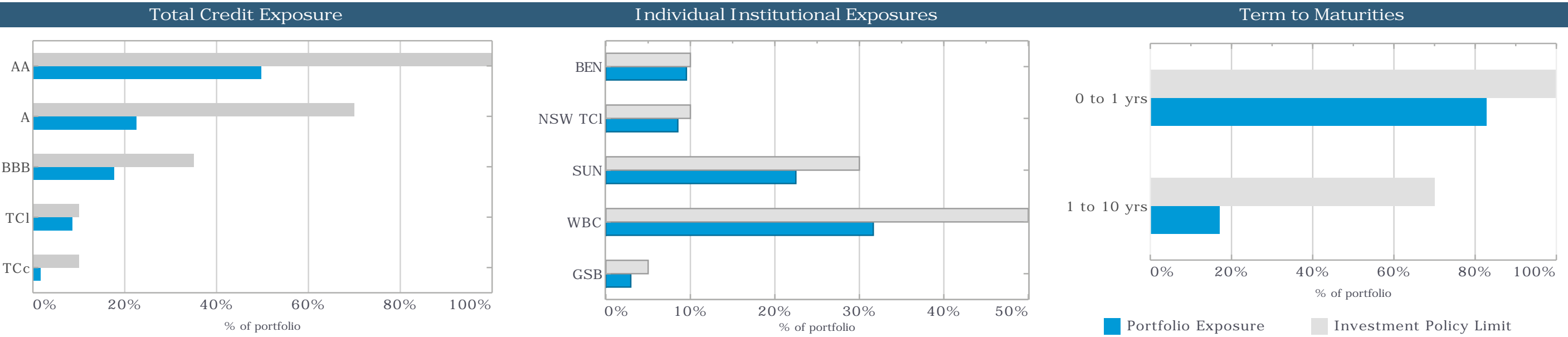
Historical Portfolio Exposure to NFF Lending ADIs and SRIs



Upcoming Maturities



Waverley Council
Investment Policy Compliance Report - October 2023



Credit Rating Group	Face Value (\$)		Policy Max	
AA	67,500,683	50%	100%	a
A	30,550,000	22%	70%	a
BBB	23,950,000	18%	35%	a
TCI	11,566,343	9%	10%	a
TCc	2,298,543	2%	10%	a
135,865,569				

Specific Sub Limits				
BBB+	12,950,000	10%	35%	a
BBB	11,000,000	8%	15%	a

Institution	% of portfolio	Investment Policy Limit	
Bendigo and Adelaide Bank (BBB+)	10%	10%	a
NSW T-Corp (TCI)	9%	10%	a
Suncorp Bank (A+)	22%	30%	a
Westpac Group (AA-)	32%	50%	a
Great Southern Bank (BBB)	3%	5%	a
Newcastle Greater Mutual Group (BBB)	3%	5%	a
Auswide Bank (Baa2)	2%	5%	a
Commonwealth Bank of Australia (AA-)	13%	50%	a
NSW T-Corp (TCc)	2%	10%	a
National Australia Bank (AA-)	5%	50%	a

	Face Value (\$)		Policy Max	
Between 0 and 1 years	112,565,569	83%	100%	a
Between 1 and 10 years	23,300,000	17%	70%	a
135,865,569				

Specific Sub Limits				
Between 3 and 10 years	5,000,000	4%	50%	a
Between 5 and 10 years	0	0%	25%	a

a = compliant
r = non-compliant

Waverley Council

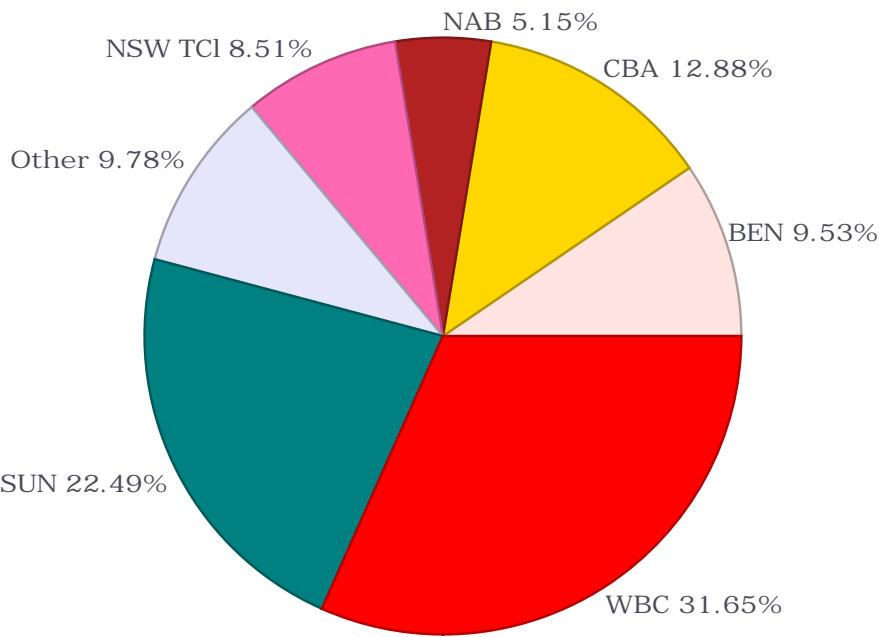
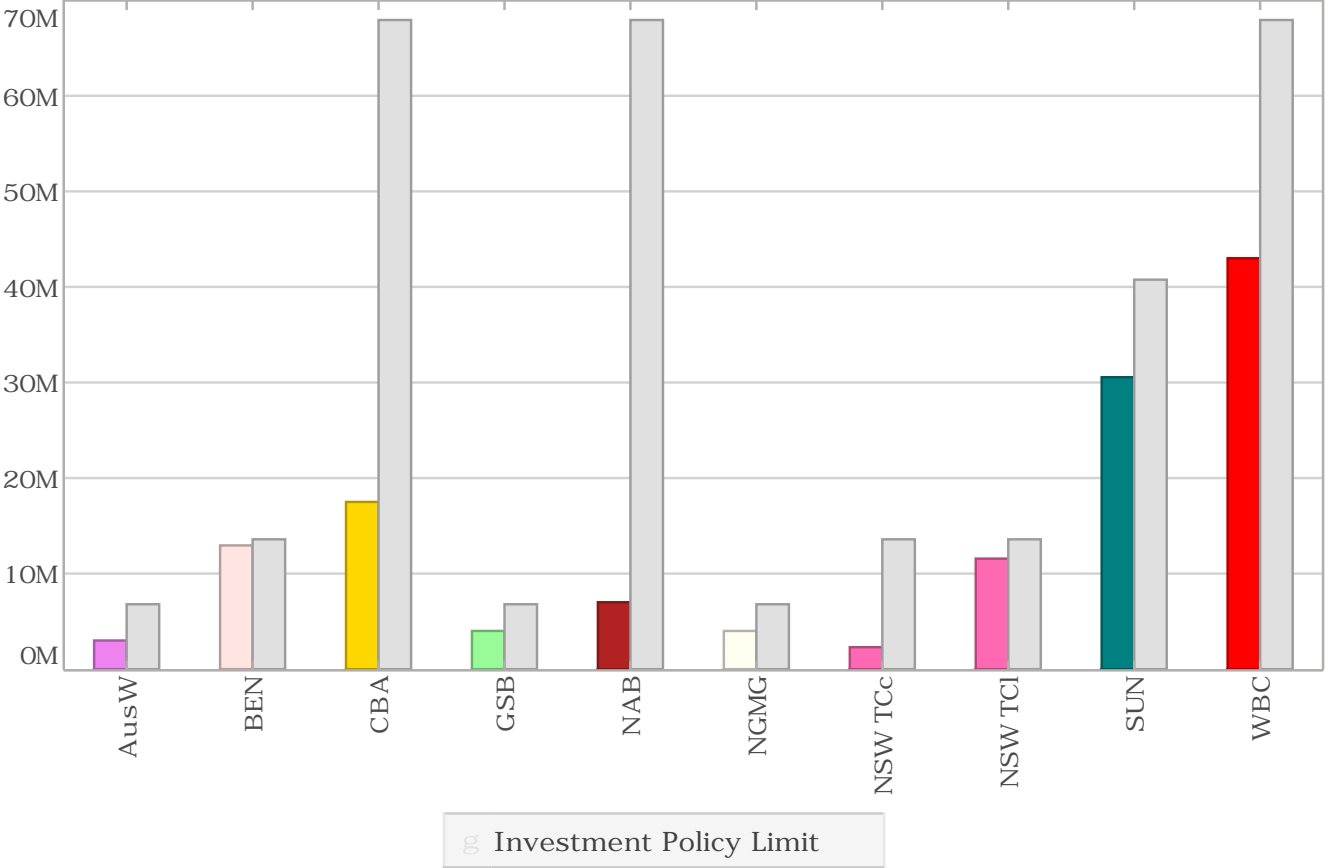
Individual Institutional Exposures Report - October 2023



Individual Insitutional Exposures

Individual Insitutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
Auswide Bank (Baa2)	3,000,000	2%	6,793,278	5%	3,793,278
Bendigo and Adelaide Bank (BBB+)	12,950,000	10%	13,586,557	10%	636,557
Commonwealth Bank of Australia (AA-)	17,500,683	13%	67,932,784	50%	50,432,101
Great Southern Bank (BBB)	4,000,000	3%	6,793,278	5%	2,793,278
National Australia Bank (AA-)	7,000,000	5%	67,932,784	50%	60,932,784
Newcastle Greater Mutual Group (BBB)	4,000,000	3%	6,793,278	5%	2,793,278
NSW T-Corp (TCc)	2,298,543	2%	13,586,557	10%	11,288,014
NSW T-Corp (TCI)	11,566,343	9%	13,586,557	10%	2,020,214
Suncorp Bank (A+)	30,550,000	22%	40,759,671	30%	10,209,671
Westpac Group (AA-)	43,000,000	32%	67,932,784	50%	24,932,784
	135,865,569				



Waverley Council

Cashflows Report - October 2023



Actual Cashflows for October 2023

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
3-Oct-23	543451	Westpac Group	Term Deposit	Maturity: Face Value	3,000,000.00
		Westpac Group	Term Deposit	Maturity: Interest Received/Paid	1,518.90
				<u>Deal Total</u>	<u>3,001,518.90</u>
3-Oct-23	544556	Westpac Group	Term Deposit	Settlement: Face Value	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
Day Total					1,518.90
24-Oct-23	538604	GSB Snr FRN (Oct24) BBSW+ 1.12%	Floating Rate Note	Coupon Date	13,806.30
				<u>Deal Total</u>	<u>13,806.30</u>
Day Total					13,806.30
30-Oct-23	538331	SUN Snr FRN (Jul24) BBSW+0.78%	Floating Rate Note	Coupon Date	31,394.38
				<u>Deal Total</u>	<u>31,394.38</u>
Day Total					31,394.38
31-Oct-23	544049	Suncorp Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	70,629.04
				<u>Deal Total</u>	<u>3,070,629.04</u>
Day Total					3,070,629.04
<u>Total for Month</u>					<u>3,117,348.62</u>

Forecast Cashflows for November 2023

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
7-Nov-23	543532	Westpac Group	Term Deposit	Maturity: Face Value	3,000,000.00
		Westpac Group	Term Deposit	Maturity: Interest Received/Paid	131,873.42
				<u>Deal Total</u>	<u>3,131,873.42</u>
Day Total					3,131,873.42
9-Nov-23	542328	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	7,964.93
				<u>Deal Total</u>	<u>7,964.93</u>

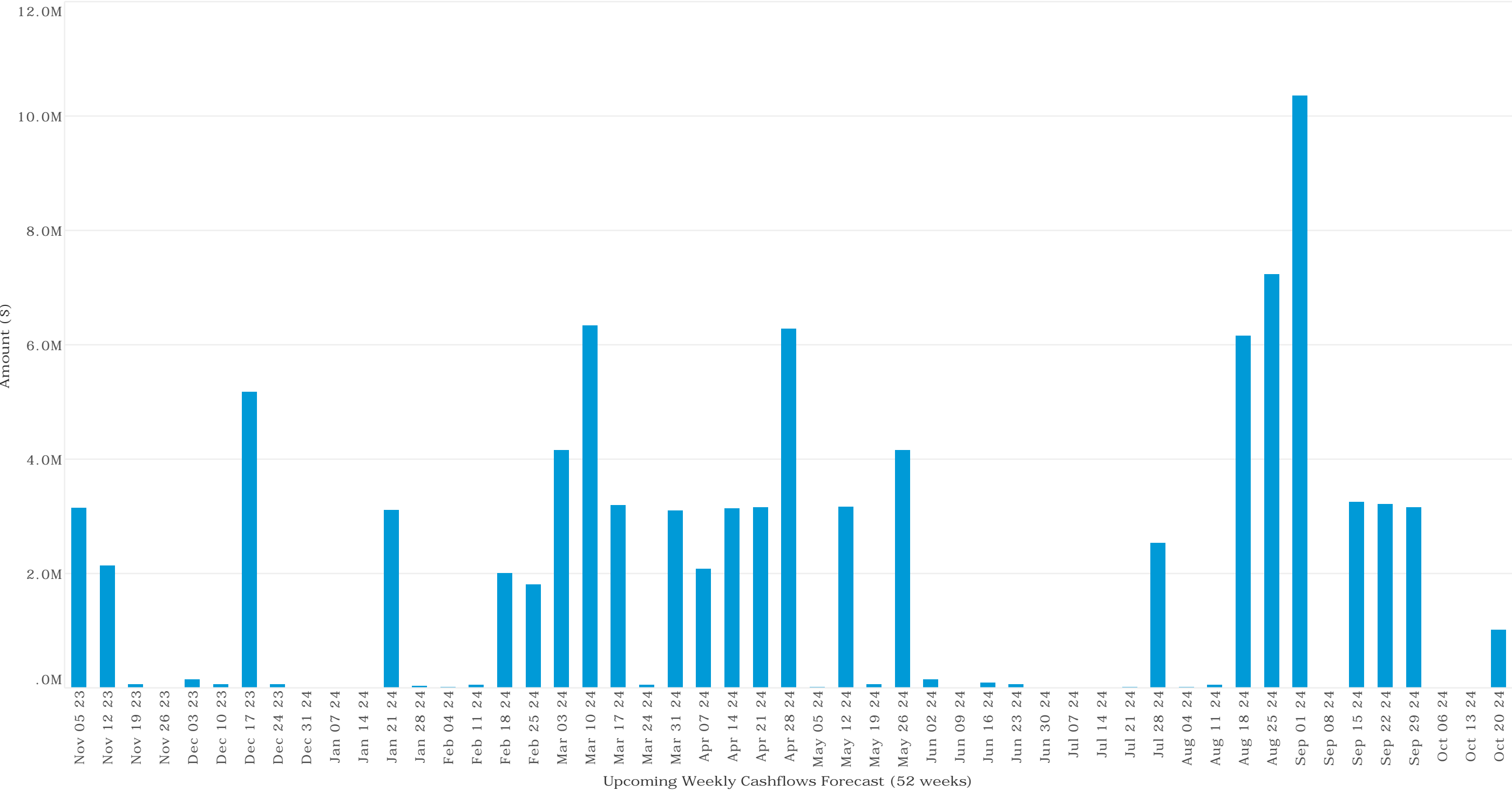
Waverley Council

Cashflows Report - October 2023

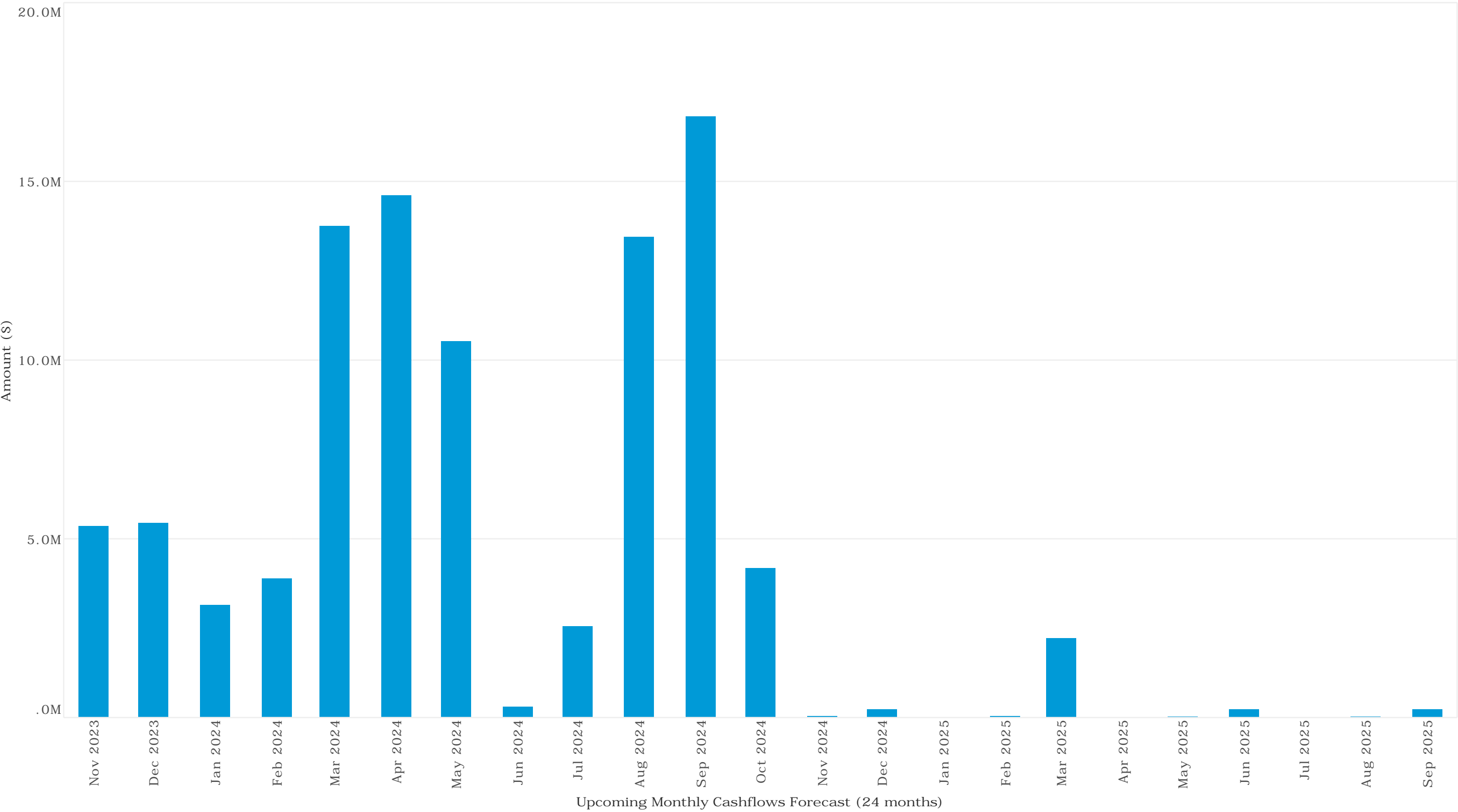


Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
9-Nov-23	542329	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	10,183.01
				<u>Deal Total</u>	<u>10,183.01</u>
				Day Total	18,147.95
14-Nov-23	543558	Suncorp Bank	Term Deposit	Maturity: Face Value	2,000,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	88,357.26
				<u>Deal Total</u>	<u>2,088,357.26</u>
				Day Total	2,088,357.26
15-Nov-23	544084	BEN Snr FRN (May26) BBSW+ 1.25%	Floating Rate Note	Coupon Date	13,665.40
				<u>Deal Total</u>	<u>13,665.40</u>
15-Nov-23	544392	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	39,018.08
				<u>Deal Total</u>	<u>39,018.08</u>
				Day Total	52,683.48
24-Nov-23	540958	SUN Snr FRN (Feb26) BBSW+ 0.45%	Floating Rate Note	Coupon Date	15,030.93
				<u>Deal Total</u>	<u>15,030.93</u>
24-Nov-23	544424	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	50,915.07
				<u>Deal Total</u>	<u>50,915.07</u>
				Day Total	65,946.00
				<u>Total for Month</u>	<u>5,357,008.11</u>

Waverley Council
Cashflows Report - October 2023



Waverley Council
Cashflows Report - October 2023



REPORT
CM/7.5/23.11

Subject: Annual Code of Conduct Complaints Statistics

TRIM No: SF17/2821

Manager: Richard Coelho, Executive Manager, Governance

Director: Tara Czimmer, Director, Corporate Services

RECOMMENDATION:

That Council notes the statistics on code of conduct complaints about Councillors and the General Manager for 2022–23 attached to the report.

1. Executive Summary

This report addresses the requirement of Council’s complaints coordinator to report annually to Council on statistics regarding code of conduct complaints made about Councillors and the General Manager.

2. Introduction/Background

Clause 11.1 of the Procedures for the Administration of the Code of Conduct (‘Procedures’) requires the complaints coordinator to report annually to Council on code of conduct complaints made about Councillors and the General Manager. This must be done within three months of the end of September of each year; that is, by 31 December. The report also has to be provided to the Office of Local Government (OLG) within the same time frame (clause 11.2).

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 15 November 2022	CM/7.8/22.11	That Council notes the statistics on code of conduct complaints about Councillors and the General Manager for 2021–22 attached to the report.

4. Discussion

The reporting period is 1 September 2022 to 31 August 2023. The statistics are attached to the report, using the collection form provided by OLG. The form has been updated by OLG since last year.

Within the reporting period, four complaints were received and finalised as follows:

- The first complaint was resolved by the General Manager by alternative means, in accordance with cl 5.24 of the Procedures.
- The second complaint was referred to a conduct reviewer for preliminary assessment. The conduct reviewer decided to resolve the complaint by alternative and appropriate strategies, in accordance with clause 6.13(b) of the Procedures.

- The third complaint was referred to a conduct reviewer for preliminary assessment. The conduct reviewer decided to refer the matter back to the General Manager for resolution by alternative and appropriate strategies, in accordance with clause 6.13(c) of the Procedures.
- The fourth complaint was referred to a conduct reviewer for preliminary assessment. The conduct reviewer decided to take no action, in accordance with 6.13(a) of the Procedures.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

The cost of dealing with the code of conduct complaints received in the reporting period was \$16,319.75 (including GST). This figure only represents invoices received from the external conduct reviewer. It does not include staff costs. While staff costs should be included, it is not possible to give an accurate figure.

Time frame

The reporting period is 1 September 2022 to 31 August 2023. The statistics must be reported to Council and OLG by 31 December 2023. They will be sent to OLG after being noted by Council.

Consultation

N/A.

6. Conclusion

This report satisfies the complaints coordinator's obligation to report to Council on code of conduct statistics.

7. Attachments

1. Annual Code of Conduct Complaint Statistics - 1 September 2022-31 August 2023 [↓](#) .

Office of Local Government

Model Code of Conduct Complaints Statistics

Reporting Period: 1 September 2022 - 31 August 2023

Date Due: 31 December 2023

Survey return email address: codeofconduct@olg.nsw.gov.au

Council Name:	Waverley Council
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Contact Name:	Richard Coelho
Contact Phone:	9083 8193
Contact Position:	Executive Manager, Governance
Contact Email:	richard.Coelho@waverley.nsw.gov.au

All responses to be numeric.

Where there is a zero value, please enter 0.

Enquiries: Performance Team
Office of Local Government
Phone: (02) 4428 4100
Enquiry email: olg@olg.nsw.gov.au

Model Code of Conduct Complaints Statistics 2022-23

Waverley Council

Number of Complaints

- | | | |
|-----|---|---|
| 1 | The total number of complaints received in the reporting period about councillors and the General Manager (GM) under the code of conduct from the following sources: | |
| i | Community | 0 |
| ii | Other Councillors | 4 |
| iii | General Manager | 0 |
| iv | Other Council Staff | 0 |
| 2 | The total number of complaints finalised about councillors and the GM under the code of conduct in the following periods: | |
| i | 3 Months | 4 |
| ii | 6 Months | 0 |
| iii | 9 Months | 0 |
| iv | 12 Months | 0 |
| v | Over 12 months | 0 |

Overview of Complaints and Cost

- | | | | |
|---|-----|--|--------|
| 3 | a | The number of complaints finalised at the outset by alternative means by the GM or Mayor | 1 |
| | b | The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement | 0 |
| | c | The number of code of conduct complaints referred to a conduct reviewer | 3 |
| | d | The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer | 3 |
| | e | The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer | 1 |
| | f | The number of finalised code of conduct complaints investigated by a conduct reviewer | 0 |
| | g | Cost of dealing with code of conduct complaints via preliminary assesment | 16,319 |
| | h | Progressed to full investigation by a conduct reviewer | 0 |
| | i | The number of finalised complaints investigated where there was found to be no breach | 0 |
| | j | The number of finalised complaints investigated where there was found to be a breach | 0 |
| | k | The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police | |
| | i | ICAC | 0 |
| | ii | NSW Ombudsman | 0 |
| | iii | OLG | 0 |
| | iv | Police | 0 |

v	Other Agency (please specify)	0
l	The number of complaints being investigated that are not yet finalised	0
m	The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	16,319

Preliminary Assessment Statistics

4 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:

a	To take no action (clause 6.13(a) of the 2020 Procedures)	1
b	To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures)	1
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures)	1
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures)	0
e	To investigate the matter (clause 6.13(e) of the 2020 Procedures)	0
f	Other action (please specify)	0

Investigation Statistics

5 The number of investigated complaints resulting in a determination that there was **no breach**, in which the following recommendations were made:

a	That the council revise its policies or procedures	0
b	That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures)	0

6 The number of investigated complaints resulting in a determination that there **was a breach** in which the following recommendations were made:

a	That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures)	0
b	In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures)	0
c	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures)	0
d	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures)	0

7	Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures)	0
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Categories of misconduct		
8	The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a	General conduct (Part 3)	<input type="text" value="0"/>
b	Non-pecuniary conflict of interest (Part 5)	<input type="text" value="0"/>
c	Personal benefit (Part 6)	<input type="text" value="0"/>
d	Relationship between council officials (Part 7)	<input type="text" value="0"/>
e	Access to information and resources (Part 8)	<input type="text" value="0"/>
Outcome of determinations		
9	The number of investigated complaints resulting in a determination that there was a breach in which the council:	
a	Adopted the independent conduct reviewers recommendation	<input type="text" value="0"/>
b	Failed to adopt the independent conduct reviewers recommendation	<input type="text" value="0"/>
10	The number of investigated complaints resulting in a determination where:	
a	The external conduct reviewers decision was overturned by OLG	<input type="text" value="0"/>
b	Council's response to the external conduct reviewers recommendation was overturned by OLG	<input type="text" value="0"/>
11	Date Code of Conduct data was presented to council	<input type="text" value="21-Nov-23"/>

REPORT

CM/7.6/23.11



Subject: Schedule of Meeting Dates for Council and Council Committees 2024

TRIM No: A04/1869

Manager: Richard Coelho, Executive Manager, Governance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council adopts the schedule of meeting dates for Council and Council Committees for 2024 attached to the report.

1. Executive Summary

The proposed schedule of meeting dates for Council and Council Committees (the Finance, Operations and Community Services Committee and the Strategic Planning and Development Committee) for 2024 is attached to the report for Council's consideration.

The proposed dates take into account public holidays, holy days and conferences, as well as the local government elections in September 2024.

It is recommended that Council adopts the schedule attached to the report.

2. Introduction/Background

Section 365 of the *Local Government Act 1993* requires the elected Council to meet at least 10 times each year, each time in a different month.

Council has a standard meeting schedule. With the exception of January, when there are normally no meetings, Council's two committees, the Finance, Operations and Community Services Committee and the Strategic Planning and Development Committee, generally meet on the first Tuesday of each month, and Council generally meets on the third Tuesday of each month.

Due to the timing of conferences, public holidays and holy days falling on or near Council or Committee meeting days, as well as the local government election on 14 September 2024, it is proposed that changes be made to the standard meeting schedule. These changes are detailed in section 4 of this report.

3. Relevant Council Resolutions

Nil.

4. Discussion

The proposed changes to the standard meeting schedule are outlined below. As far as possible, the dates have been set to ensure a two-week period between Council Committee meetings and Council meetings. The changes are as follows:

- No Council Committee meetings be held in April as the scheduled Tuesday follows the Easter long weekend.
- The dates for the National General Assembly in Canberra in June 2024 have not yet been set by the Australian Local Government Association (ALGA). ALGA has advised that the general assembly will be held in early June or early July 2024. It is recommended that the meeting schedule be adjusted if necessary at a later date to accommodate Councillors' attendance at the general assembly.
- No Council and Council Committee meetings be held in September due to the local government elections on Saturday, 14 September 2024.
- No Council Committee meetings to be held in October, as the results of the local government elections are not expected to be officially declared until 3 October 2024.
- An extraordinary Council meeting be held on Thursday, 10 October 2024, to elect a mayor and deputy mayor from among the newly elected councillors, followed by the first ordinary Council meeting of the new Council term on Tuesday, 15 October 2024.
- The November Council meeting be postponed one week to Tuesday, 26 November 2024, due to the Local Government NSW Conference from Sunday, 17 November, to Tuesday, 19 November 2024. Rather than hold the Council Committee meetings the following week on 3 December 2024, it is recommended that these meetings not be held and that the final Council meeting of the year be brought forward one week to 10 December 2024.

The full schedule is attached to this report. It complies with section 365 of the *Local Government Act 1993*.

5. Financial impact statement/Time frame/Consultation

There are no unbudgeted costs to Council in holding the meetings proposed in this report.

6. Conclusion

This report presents the proposed schedule of dates in 2024 for meetings of Council, the Finance, Operations and Community Services Committee and the Strategic Planning and Development Committee. It is recommended that Council adopts the schedule.

7. Attachments

1. Schedule of meeting dates for Council and Council Committees 2024 [↓](#) .

SCHEDULE OF MEETING DATES FOR COUNCIL AND COUNCIL COMMITTEES 2024

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Finance, Operations and Community Services Committee		6	5		7	4	2	6			5	
Strategic Planning and Development Committee		6	5		7	4	2	6			5	
Council †Mayoral Election		20	19	16	21	18	16	20		10+ 15	26	10

REPORT
CM/7.7/23.11

Subject: Audit, Risk and Improvement Committee Meeting - Minutes - 27 July 2023

TRIM No: SF23/1014

Manager: Richard Coelho, Executive Manager, Governance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council notes the minutes of the Audit, Risk and Improvement Committee meeting held on 27 July 2023 attached to the report.

1. Executive Summary

Council established the Audit, Risk and Improvement Committee (ARIC) in February 2019. In accordance with the ARIC Charter, once the minutes of a meeting have been confirmed by the ARIC they are reported to Council for noting.

The minutes of the meeting held on 27 July 2023 were confirmed by the ARIC at its meeting on 3 October 2023 and are attached to this report.

2. Introduction/Background

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

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

In accordance with section 9.6 of the ARIC Charter, the minutes are reported to Council after being confirmed by the Committee.

3. Relevant Council Resolutions

Nil.

4. Discussion

Nil.

5. Financial impact statement/Time frame/Consultation

Nil.

6. Conclusion

The minutes of the ARIC meeting held on 27 July 2023 have been confirmed by the ARIC and are attached to this report for noting.

7. Attachments

1. ARIC - 27 July 2023 - Minutes [↓](#) .



**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
THURSDAY, 27 JULY 2023**

Voting Members Present:

Elizabeth Gavey (Chair)	Independent Member
John Gordon	Independent Member
Councillor Sally Betts	Alternate Councillor Member

In Attendance:

Sharon Cassidy	Acting General Manager
Tara Czimmer	Director, Corporate Services
Aubrey Perez	Director, Financial Audit, Audit Office of NSW
Brett Hanger	External Auditor (Nexia Australia)
Jarrod Lean	Internal Auditor (Engagement Partner, Grant Thornton Australia)
Bernard Tang	Chief Audit and Risk Officer
Richard Coelho	Executive Manager, Governance and Risk
Meredith Graham	Executive Manager, Organisational Strategy and Improvement (Item 5.5)
Teena Su	Executive Manager, Finance
Kevin Trinh	Acting Chief Information Officer (Item 5.11)
Al Johnston	Committee Secretary

At the commencement of proceedings at 9.03 am, those present were as listed above.

Prior to the commencement of the meeting the Executive Manager, Environmental Sustainability gave a presentation to the ARIC members on Environmental/Climate Change from a strategic risk management perspective.

ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair read the following Acknowledgement of Indigenous Heritage:

The Waverley Audit, Risk and Improvement Committee respectfully acknowledges the Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms the Waverley Local Government Area.

1. Apologies

Apologies were received from Cr Dominic Wy Kanak, Councillor member; Emily Scott, General Manager; and Lawrissa Chan, Director, Financial Audit, Audit Office of NSW.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interests, and none were received.

3. Confirmation of Minutes

ARIC/3.1/23.07 Confirmation of Minutes - Audit, Risk and Improvement Committee Meeting - 8 June 2023 (SF23/20)

DECISION

That the minutes of the Audit, Risk and Improvement Committee meeting held on 8 June 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

4. Actions from Previous Meetings

ARIC/4.1/23.07 Actions from Previous Meetings (SF23/1012)

DECISION

That the Committee notes the status of the actions from previous meetings as at 27 July 2023 attached to the report.

DISCUSSION

The Committee discussed Action Item 3 and confirmed the newly appointed Chief Audit and Risk Officer will develop a timetable and workplan for the performance review of the Internal Auditor and Chief Audit Executive.

5. Reports

ARIC/5.1/23.07 Audit Office of NSW - Interim Management Letter FYE 30 June 2023 (A23/0026)

DECISION

That the Committee:

1. Notes the Interim Management Letter for year ended 30 June 2023 attached to the report.
2. Requests the Chief Audit and Risk Officer to advise management and the Committee as soon as possible whether the next ARIC meeting on 3 October 2023 needs to be rescheduled to allow the Committee to review the draft Financial Statements before the audit is finalised.

DISCUSSION

The Committee discussed the timing of the next ARIC meeting scheduled for 3 October 2023 and requested the Chief Audit and Risk Officer determine whether the meeting needs to be rescheduled to allow the Committee to review the draft Financial Statements before the audit is finalised.

The Committee also discussed the Cyber Risk Policy, reporting on the Eastgate carpark, and the finalisation of data needed for the audit.

ARIC/5.2/23.07 Investment Portfolio Performance - June 2023 (A03/2211)

DECISION

That the Committee:

1. Notes the June Investment Summary Report attached to the report, which was considered at the Council meeting on 18 July 2023.
2. Receives an update from the Executive Manager, Finance on whether the NSW T-Corp investment has been verified in the NSW T-Corp audit and a certificate issued showing Council's ownership to confirm existence of the investment.

DISCUSSION

The Committee was advised that the tenders received for Council's investment adviser are being evaluated this week. The NSW T-Corp investment was discussed and the Executive Manager, Finance was requested to confirm at the next meeting whether the investment has been verified in the T-Corp audit and a certificate issued showing Council's ownership to confirm existence of the investment.

ARIC/5.3/23.07 Preliminary 2022-23 Budget Performance (A03/0346)

DECISION

That the Committee notes the verbal briefing from the Executive Manager, Finance on the Preliminary 2022-23 Budget Performance.

DISCUSSION

The Executive Manager, Finance provided the Committee with a verbal update on the Preliminary 2022-23 Budget Performance. The key points mentioned were as follows:

- Council has achieved an operating surplus (before depreciation) of \$21.5m for the 2022/23 financial year.
- Council's overall operating surplus is \$1.3m below the budget where income has an unfavourable variance of \$225k and expenditure has an unfavourable variance of \$1.1m.
- Capital income achieved \$18.0m for FY2022/23, \$676k below the budget and capital expenditure finished at \$39.5m compared to the budget of \$46.0m.
- The 2022/23 Expenditure Budget of \$166.8m was to deliver the revised 2022/23 programs. The expense programs are funded from a combination of income of \$161.8m and reserves fund of \$5.0m. Council last adopted the 2022/23 Budget on the 16 May 2023 meeting.
- Adjustments to the overall result may be required because the year-end processes are yet to be finalised. Additional changes may also come from Council's annual audit by the Audit Office NSW.

The Committee expressed its satisfaction with the preliminary 2022-23 budget performance. The addition of project contingencies to the capital works budget was discussed.

ARIC/5.4/23.07 2023-24 Budget and Long-Term Financial Plan 6.1 (SF22/3751)

DECISION

That the Committee notes the 2023-24 Budget Report and Long Term Financial Plan (LTFP) 6.1 attached to the report, which was approved at the Council meeting on 26 June 2023.

DISCUSSION

The Committee expressed its satisfaction with Council's financial position and was pleased to see the transparency in the documents on the use of reserves as a funding source.

The Committee discussed the meaning of a balanced budget, the ICT Modernisation project, its benefit realisation and the robustness of the project's budget calculations. Workers' compensation premiums have seen a reduction and are trending downwards over the next 12 months. The newly commenced strategy of budgeting for project contingencies due to the uncertainty of the current market was discussed and upon management's explanation of the process, the Committee emphasised that use of the funds must be accounted for and with transparent disclosure.

The Committee discussed levels of service and an increase in user charges, both of which are major assumptions underpinning the budget, and the risks of these numbers not being correct.

ARIC/5.5/23.07 Service Review Program (A21/0226)

DECISION

That the Committee endorses the proposed service review program noting the potential for changes and adjustments to the sequencing of future years based on operational considerations.

DISCUSSION

The Committee discussed the development of the program and the assessment of each service area against performance criteria to give a score, whereby service areas with the lowest scores received a higher priority for a review. The intention is for the program to be flexible and adjustable to meet the needs of the

organisation and to build internal capacity for reviews as the program progresses.

The Committee discussed the notion that service reviews are about efficiency and business improvement while the human side is concerned with the risk of change, and it stressed the importance of a good communications plan and education program to precede the reviews.

ARIC/5.6/23.07 General Manager's Update (SF23/1010)

DECISION

That the Committee notes the Acting General Manager's verbal update provided at the meeting.

DISCUSSION

The Acting General Manager provided a verbal update to the Committee. The key points mentioned were:

Introduction – Chief Audit and Risk Officer

- Chief Audit and Risk Function
 - Internal Audit program
 - Audit and Risk Improvement Committee facilitation
 - Enterprise Risk Management Framework
 - Fraud and Corruption Control
 - Insurance and claims
 - Business Continuity Planning

Boot Factory / Tamarama SLSC progress update

- Lloyd Group were contractor for Boot Factory / Mill Hill and Tamarama SLSC projects (separate contracts) who went into voluntary administration on 31 March 2023 and subsequently liquidation.
- Bank Guarantees returned by CBA.
- New Construction Manager has been established on site since 3 July 2023 for a 4 week site clean-up, establishment and assessment.

The Committee welcomed Council's recently appointed Chief Audit and Risk Officer, Mr Bernard Tang.

ARIC/5.7/23.07 Governance Report (SF23/1015)

DECISION

That the Committee:

1. Notes the Governance Report.
2. Receives a centralised list of Council's litigation matters, including legal assessment and costings, on a six-monthly basis commencing at the November 2023 meeting. Major matters of litigation will be reported to the Committee as soon as they are apparent.
3. Receives the list of outstanding resolutions adopted by Council at its next meeting.

DISCUSSION

The Committee discussed the coordination of legal matters and the reporting of significant litigation to ELT and the ARIC. The Committee requested it receives a centralised list of litigation Council is involved in, including the legal assessment and costings, on a six-monthly basis commencing at the November 2023

meeting. Major matters of litigation will be reported to the Committee as soon as they are apparent.

The delegations register and training for staff on what their delegations allow them to do, including those staff who are acting, was discussed. As far as management is aware there is no record of breaches of delegations and the internal auditors confirmed delegations is not an area where there is a systemic issue.

The Committee discussed the legislative compliance framework and how it cascades into policies and procedures. Management advised that the policy register is due for an update and the policy templates need review and that both projects are listed in the Operational Plan for completion by the end of FY 2023/24. The Committee suggested the Legislative Compliance Policy attached to the agenda would benefit from a statement about the level of tolerance Council is prepared to accept for breaches of the policy and the inclusion of a section on how systemic breaches are managed. The Committee requested it receives a six-monthly report containing a list of legislation and an explanation of how updates to the legislation flow into Council's policies.

With respect to Work, Health and Safety, the Committee discussed the continuing deep analysis of new data provided by the Safe space system, the establishment of a committee to oversee improvements in the WHS area, and the level of expertise of HR staff to deal with the mental health of staff having to return to work.

The Committee discussed the process of reporting outcomes of complaints received from the public about employee behaviour and management admitted it has a bit of work to do in this area. Anecdotal evidence suggests some Merit requests are being closed without the complainant receiving an outcome. A link between councillors' notices of motions and complaints received by the public was suggested, on matters of safety for example, whereby prioritising the implementation of councillor motions would address resident complaints sooner. Management confirmed councillors' motions are prioritised and the Committee requested to receive the list of outstanding resolutions adopted by Council at its next meeting.

ARIC/5.8/23.07 Completed Internal Audit Reports 2022-23 (A21/0368)

DECISION

That the Committee notes the following completed Internal Audit Reports attached to the report:

1. Payroll and Data Analytics Review – September 2021.
2. Procurement (Accounts Payable) Data Analytics Review – June 2023.

DISCUSSION

Payroll and Data Analytics Review

The Committee expressed satisfaction with the review and discussed mechanisms in place to deal with circumstances where a supplier is also an employee.

Procurement (Accounts Payable) Data Analytics Review

The Committee expressed satisfaction with the review and discussed mechanisms in place to detect duplicate invoices and payments.

ARIC/5.9/23.07 Internal Audit Plans - Status Update - July 2023 (A21/0369)**DECISION**

That the Committee notes the status of the FY22/23 and FY23/24 Internal Audit Plans.

DISCUSSION

The Committee confirmed the timing of the Privacy review and the Records Management review as they are interrelated and discussed the 10.7 Certificates and Swimming Pool Management reviews.

ARIC/5.10/23.07 ARIC Work Program 2023 - Review (SF23/1013)**DECISION**

That the Committee:

1. Notes the ARIC Work Program 2023 attached to the report.
2. Requests the Chief Audit and Risk Officer to adjust the work program to incorporate a review of the ARIC Charter and the Internal Audit Charter by the end of this year.

DISCUSSION

The Committee discussed a possible date change for the Committee's 3 October meeting to better accommodate the Committee's feedback on the draft Financial Statements before the audit is finalised. The Chief Audit and Risk Officer was requested to adjust the work program to incorporate a review of the ARIC Charter and the Internal Audit Charter by the end of this year. It was noted that the Enterprise Risk Management report is a standing item and should be presented to every meeting.

ARIC/5.11/23.07 Information Management and Technology - ICT Strategy and Work Program Update (A18/0665)**DECISION**

That the Committee:

1. Notes the progress on the implementation of the ICT Modernisation and major work programs, as set out in the report.
2. Receives the following information at the next available Committee meeting:
 - (a) The penetration testing program.
 - (b) The annual self-assessment of Council's records and information management maturity.
3. Receives a report to every meeting on the Cyber Security Program with program dates and progress made.

DISCUSSION

The Committee discussed details of the ICT Modernisation tender assessment process and the composition of the assessment panel, noting there is one technical advisor on the panel and a probity advisor providing oversight.

The Committee discussed the Cyber Security Program (CSP) and requested the following information be reported to the Committee:

- The CSP to every meeting with dates and progress made.
- The penetration testing program.
- The annual self-assessment of Council's records and information management maturity.

6 Other Business

ARIC/6.1/23.07 – ARIC Meeting Dates 2023

The Committee noted the remaining meeting dates for the year and advised that the 3 October meeting may be rescheduled to better accommodate the Committee's feedback on the draft Financial Statements before the audit is finalised.

- 9am, 3 October 2023
- 9am, 30 November 2023

ARIC/6.2/23.07 – Expression of Interest for ARIC Independent Member Vacancy

The General Manager informed the Committee that candidate interviews for the vacant ARIC independent member position have concluded and the assessment panel has determined a preferred candidate.

The Committee requested that the current independent members attend the induction tour with the new independent member.

7. Meeting Closure

THE MEETING CLOSED AT 11.45AM.

.....
SIGNED AND CONFIRMED
CHAIR
3 OCTOBER 2023

REPORT CM/7.8/23.11



Subject: Sydney Eastern City Planning Panel - Council Membership

TRIM No: A16/0688

Manager: George Bramis, Executive Manager Strategic Planning

Director: Fletcher Rayner, Director, Planning, Sustainability and Compliance

RECOMMENDATION:

That Council appoints the following representatives to the Sydney Eastern City Planning Panel up to 30 July 2026:

1. Peter Brennan.
2. Greg Woodhams.
3. Peter Monks.

1. Executive Summary

Sydney Planning Panels were established in November 2016 to replace the Joint Regional Planning Panels (JRPPs) which operated throughout NSW since July 2009. There are five Sydney Planning Panels and four Regional Planning Panels across NSW. Each Planning Panel comprises five members: three appointed by the Minister for Planning and Public Spaces and two appointed by the relevant local council.

At the Council meeting (CM/7.7/23.08) on 15 August 2023, Council resolved to support the appointment of Jan Murrell only, and also resolved that officers reconsider the selection criteria to give greater weight to community knowledge and, based on this new weighting, provide a new recommendation for the additional panel members.

This report recommends that Council appoints three suitably qualified applicants to be Council's members on the State Government's Sydney Eastern City Planning Panel in addition to Jan Murrell.

2. Introduction/Background

Sydney and Regional Planning Panels were introduced in NSW in July 2009 for decision making of regionally significant development and certain other planning functions under the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Planning Panels are independent bodies representing the Crown and are not subject to the direction of the Minister, except on matters relating to Planning Panel procedures or where the Minister issues a formal direction under the EP&A Act.

Each Planning Panel comprises of five members: three appointed by the Minister of Planning and two appointed by the applicable council. Each council determines how their members are selected; however consideration should have regard to any conflicts of interest. Councils are not restricted to nominating people from the local government area and at least one council nominated member (for each meeting) must have expertise in planning, architecture, or a related discipline.

The term of appointment was three years and expired in November 2022 and new members need to be appointed.

While only two members are required for this panel, it is recommended that up to four persons be appointed as this would provide greater flexibility and surety of availability for the Waverley representatives on the Panel. Only two members would attend any meeting. The Panel's secretariat would rotate the endorsed members based on availability and conflicts of interest.

Generally, to ensure the greatest degree of continuity for the Panels, the Operation Procedures recommend councils consider appointing members for the maximum term of three years provided for under the EP&A Act.

The expression of interest (EOI) process seeking Council representatives on the SECPP was advertised in the *Sydney Morning Herald*, the *Wentworth Courier* and on Council's website between 2 May 2023 and 30 May 2023, resulting in 12 applications. It was advertised that the Council members must be able to demonstrate professional expertise in the areas of urban design, planning or architecture (or similar discipline), demonstrate their knowledge of the local area and be able to represent and communicate the interests of the local community at Panel meetings. The nominations were reviewed by a staff panel in June 2023 comprising:

- Director Planning, Sustainability and Compliance.
- Acting Executive Manager, Development Assessment.
- Area DA Managers.
- Manager, Strategic Planning.

At the Council meeting on 15 August 2023, the officer recommendation was to appoint Jan Murrell, Greg Woodhams, Peter Monks and Maria Atkinson as Council members on the Sydney Eastern City Planning Panel. Council resolved to appoint Jan Murrell, and deferred appointment of the remaining three applicants as detailed in the table below.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 15 August 2023	CM/7.7/23.08	<p>That Council:</p> <ol style="list-style-type: none"> Appoints the following community representatives to the Sydney Eastern City Planning Panel up to 30 July 2026: <ul style="list-style-type: none"> (a) Jan Murrell. Sets the remuneration of the members at \$500 per briefing meeting and \$1,500 per determination meeting. Defers the appointment of the three additional community representatives to further consider how all candidates have addressed the selection criterion 'demonstrate their knowledge of the local area and be able to represent and communicate the interests of the local community at Panel meetings.' As these applicants are to be selected as community representatives, this criterion is to be ranked highly. Officers prepare a report to Committee or Council with

		new recommendations for three additional community representatives.
Strategic Planning and Development Committee 5 November 2019	PD/5.5/19.11	That Council: <ol style="list-style-type: none"> 1. Appoints Jan Murrell, Lee Kosnetter and Jeremy Swan as Council's members of the Sydney Eastern City Planning Panel for a period of four years. 2. Provides remuneration to members at a flat rate of \$1,500 per meeting.
Strategic Planning and Development Committee 6 August 2019	PD/5.4/19.08	That Council: <ol style="list-style-type: none"> 1. Seeks expressions of interest from suitably qualified community members to perform the role of the Waverley Council community representatives on the Sydney Eastern City Planning Panel for a term of four years. 2. Officers report back to Council for the appointment of the two members after considering the nominations received.

4. Discussion

The Planning Panels determine regionally significant development applications (DAs), certain other DAs and section 4.55(2) and section 4.56 modification applications, including.

- Regionally significant development, as outlined in Schedule 6 of the State Environmental Planning Policy Planning Systems 2021.
- Regionally significant development relating to Aboriginal land, as outlined in Chapter 3 of the State Environmental Planning Policy Planning Systems 2021.
- Development with a capital investment value (CIV) over \$30 million.
- Development with a CIV over \$5 million which is:
 - Council-related.
 - Lodged by or on behalf of the Crown (State of NSW).
 - Private infrastructure and community facilities.
 - Eco-tourist facilities.
 - Extractive industries, waste facilities and marinas that are designated development.
 - Certain coastal subdivisions.
 - Certain coastal protection works.

Capital Investment Value (CIV) is calculated at the time of lodgement of the DA for the purpose of determining whether an application should go to a Planning Panel.

The Panels also provide advice on rezoning reviews, where proponents can seek to appeal a Council refusal of a planning proposal.

Evaluation process

The applicants were selected based on two criteria: local knowledge and expertise in urban planning or related discipline. In considering local knowledge, those applicants that had lived in the area for an extended period of time or had worked directly with the community on local planning matters were given a

higher score. In terms of expertise, applicants who had a demonstrated expertise in their field, had a broad range of experience in development assessment, strategic planning or related field were highly scored.

To address Council resolution CM/7.7/23.08, the selection criterion requiring candidates to be able to 'demonstrate their knowledge of the local area and be able to represent and communicate the interests of the local community at Panel meetings' was increased in weighting. The evaluation Panel reconvened and updated the evaluation methodology as follows:

Criteria	Weightings
Demonstrates professional expertise in the areas of urban design, planning or architecture (or similar discipline)	40%
Demonstrate their knowledge of the local area and be able to represent and communicate the interests of the local community at Panel meetings	60%
Has the respondent agreed to following the Code of Conduct and Operational Procedures	Mandatory
Does the respondent work/ live in Waverley LGA	Non-mandatory
Police check	Mandatory

This resulted in Peter Brennan, Greg Woodhams and Peter Monks and being identified as the top applicants. Peter Brennan and Peter Monks were chosen for the direct and relevant planning expertise and experience in Waverley across both development assessment and strategic planning matters, being longstanding former Directors of Planning. Greg Woodhams is a leader in the planning profession, particularly in strategic planning, and was chosen as an authoritative voice on strategic planning and rezoning reviews.

The top scoring applicants are set out in the table below.

Table 1. Recommended members.

Peter Brennan	<ul style="list-style-type: none"> Accredited Mediator (ACDC and LEADR) Planning Panel member (local and state) 2013 to present Senior Project Manager, Elton Consulting 2012-2016 Director, Planning and Environmental Services. Waverley Council (NSW) 2004 - 2012
Greg Woodhams	<ul style="list-style-type: none"> Former Director of Planning at Woollahra and Willoughby Councils for 25 years Executive Director at the Greater Sydney Commission (GSC), the key strategic planning body in Sydney. Lived in Bondi Junction 25 years Fellow of the Planning Institute of Australia (PIA) NSW PIA 'Planning Excellence- Service to the Industry' award and former Vice President of NSW PIA
Peter Monks	<ul style="list-style-type: none"> Longest serving Director of Planning, Waverley In-depth knowledge of local issues, particularly in recent years Fellow of the Planning Institute of Australia An expert member of the City of Canada Bay Local Planning Panel and the Canterbury Bankstown Council Local Planning Panel

While only two members are required for this panel, it is considered appropriate that four members be appointed to provide greater flexibility and surety of availability for the Waverley members on the Panel. Only two members would attend any meeting.

5. Financial impact statement/Time frame/Consultation

Remuneration for Council's members is paid for by Council. On 15 August 2023, Council resolved to set 'the remuneration of the members at \$500 per briefing meeting and \$1,500 per determination meeting.' This includes any required reading, site inspections, deferral of applications (and any subsequent review/attendance), disbursements, and Panel meeting. This expenditure is budgeted for in the Development Assessment Department budget for 2023-24.

Expressions of interest were advertised by posting an advertisement in the *Sydney Morning Herald*, the local newspaper and notices on Council's website.

6. Conclusion

A review of the applicants was undertaken with additional weighting given to local knowledge, when assessed against the applicable selection criteria. The recommended panel members are considered appropriately qualified and experienced to fulfil the requirements as members of the Sydney Eastern City Planning Panel.

7. Attachments

Nil .

REPORT CM/7.9/23.11



Subject: Planning Agreement - 122-128 Hewlett Street, Bronte

TRIM No: DA-304/2022/A

Manager: George Bramis, Executive Manager, Strategic Planning

Director: Fletcher Rayner, Director, Planning, Sustainability and Compliance

RECOMMENDATION:

That Council:

1. Approves the planning agreement attached to the report applying to land at 122–128 Hewlett Street, Bronte, offering a total monetary contribution of \$498,940, with 100% to be allocated to Waverley's Affordable Housing Program in accordance with Council's Planning Agreement Policy.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

1. Executive Summary

This report seeks Council's endorsement to execute the attached draft planning agreement associated with the approved development application DA-304/2022/A at 122-128 Hewlett Street, Bronte.

The application was approved as follows:

Item	Approved DA-304/2022/A
Development description	Demolition of existing structures (including a residential flat building) and construction of a new multi-dwelling development.
Maximum permissible GFA and FSR	1,483.2 sqm GFA, equating to an FSR of 0.6:1
Existing constructed GFA and FSR	1824.7 sqm GFA, equating to an FSR of 0.74
Approved GFA and FSR	1,956 sqm GFA, equating to an FSR of 0.79
GFA difference from existing on site to approved	131.3 sqm GFA

The draft planning agreement associated with the development application was publicly exhibited in accordance with section 7.5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

2. Introduction/Background

The draft Planning Agreement offers a total monetary contribution of \$498,940 in accordance with Council's Planning Agreement Policy 2014.

3. Relevant Council Resolutions

Nil.

4. Discussion

Planning agreement's monetary contribution to a public purpose

Section 7.4 of the EP&A Act requires that the monetary contribution from a planning agreement be allocated to a public purpose. The draft planning agreement offers a total monetary contribution of \$498,940 to go to Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014.

The contribution is expected to support affordable housing in the Waverley and eastern beaches local government areas (LGA). The decision to allocate funding was made for the following reasons:

- The associated DA results in a reduction of more affordable housing, as older, modest apartments within the existing residential flat building are inherently more affordable compared to spacious luxury multi-dwelling housing.
- There is opportunity to increase the funds available in the Affordable Housing Contributions Reserve to assist in the viability of buying or developing affordable stock.
- Community feedback consistently highlights the importance of greater provision of housing affordability in the LGA as an important issue.

Dedicating a portion of the funds towards works outlined in the Bronte Park and Beach Plan of Management was investigated. However, given the negative impact on housing affordability, it was considered appropriate to allocate the funds to the Affordable Housing Program. Doing so is consistent with dedications from other planning agreements VPAs associated with DAs that had a similar impact, such as 278-282 Birrell Street (DA-187/2020/A).

5. Financial impact statement/Time frame/Consultation

Once the planning agreement has been executed, the applicant will be required to pay a total monetary contribution of \$498,940, in accordance with Council's Planning Agreement Policy 2014.

Public exhibition of the draft Planning Agreement

The draft planning agreement was drafted in accordance with section 7.5 of the EP&A Act, which requires an agreement to be exhibited for a period of 28 days. The draft planning agreement and explanatory note were exhibited from Wednesday, 18 October 2023, to Wednesday, 15 November 2023, and included:

- Advertising on Council's Have Your Say website.
- Email notice to Precincts and Councillors

No submissions were received during the public exhibition period.

6. Conclusion

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

7. Attachments

1. Draft Planning Agreement [↓](#) .

WAVERLEY COUNCIL

(Council)

AND

**128 HEWLETT STREET PTY. LIMITED (ACN 657 135 334)
AS TRUSTEE FOR THE 128 HEWLETT STREET TRUST**

(Developer)

PLANNING AGREEMENT

(Development Contribution)

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

PLANNING AGREEMENT NO. _____***Section 7.4 of the Environmental Planning and Assessment Act, 1979*****THIS AGREEMENT** is made on

2023

PARTIES

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

AND

**128 HEWLETT STREET PTY. LIMITED (ACN 657 135 334) AS TRUSTEE FOR THE 128
HEWLETT STREET TRUST (ABN 91 252 981 680)** of Level 5, 30-36 Bay Street, Double Bay
NSW 2028 ("**Developer**")

BACKGROUND/RECITALS

- A.** The Developer is the registered proprietor of the Land.
- B.** The Council is the local authority constituted under the Local Government Act 1993 and the planning and consent authority constituted under the Act.
- C.** On or about 21 July 2022 the Developer lodged a development application (DA-304/2022) with Council for development consent to carry out the Development on the Land. The Developer subsequently lodged an appeal with the Land and Environment Court.
- D.** On 7 August 2023 an offer was made to Council by the Developer in connection with the Development Application, to enter into this Agreement and to make the Development Contribution to be applied towards the Public Purpose in accordance with Council's Planning Agreement Policy.
- E.** The Development Consent was granted by the Land and Environment Court on 6 September 2023.
- F.** On 27 September 2023 the Developer made an application to Council to modify the development consent (DA-304/2022/A) (the Modification Application) accompanied by an updated offer to enter into this Agreement in the same terms as the offer referred to in the Recital D.

- G. This Agreement is consistent with the Developer's updated offer referred to in Recital F.

OPERATIVE PROVISIONS:

1 PLANNING AGREEMENT UNDER THE ACT

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

2 APPLICATION OF THIS AGREEMENT

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

3 OPERATION OF THIS AGREEMENT

This Agreement shall take effect on and from the date of this Agreement. The parties must execute and enter into this Agreement as soon as possible after the Development Consent is granted and prior to the issue of any Construction Certificate which permits building works other than demolition, excavation, piling, shoring and ancillary work for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-304/2022/A.

4 DEFINITIONS AND INTERPRETATION

4.1 Definitions

In this Agreement unless the context otherwise requires:

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

"Agreement" means this agreement;

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

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

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

"Certifying Authority" means any accredited private certifier including where appropriate, a Principal Certifying Authority (PCA) appointed or to be appointed to certify the Development or any aspect of it;

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

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

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

“Development Application” means the development application referred to in item 3 of the Schedule being DA-304/2022/A as may be further modified;

“Development Consent” means the development consent granted in respect of the Development Application described in item 3 of the Schedule being DA-304/2022/A as may be further modified;

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

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

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

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

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

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

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

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

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

“Schedule” means the schedule to this Agreement.

4.2 Interpretation

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

- (a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement;
- (b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney,

New South Wales;

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

5 DEVELOPMENT CONTRIBUTION TO BE MADE UNDER THIS AGREEMENT

- 5.1 The Developer agrees to make, and the Council agrees to accept, the Development Contribution to be applied for the Public Purpose.
- 5.2 The Developer must pay the Development Contribution to the Council by bank cheque on or before the Development Contribution Date and time is essential in this respect.
- 5.3 Notwithstanding any other provision herein, the Development Contribution herein is subject to increase in accordance with paragraph 7 of the offer made by the Developer referred to in Recital D

6 APPLICATION OF THE DEVELOPMENT CONTRIBUTION

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

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

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

8 REGISTRATION OF THIS AGREEMENT

- 8.1 The Parties agree this Agreement is to be registered by the Registrar-General as provided for in section 7.6 of the Act.
- 8.2 The Developer warrants that they have done everything necessary to enable this Agreement to be registered under section 7.6 of the Act.
- 8.3 Without limiting clause 8.2, the Developer warrants that they have obtained the express written consent to the registration of this Agreement under section 7.6 of the Act from:
- (a) If this Agreement relates to land under the *Real Property Act 1900*, each person who has an estate or interest in the Land registered under that Act; or
 - (b) If this Agreement relates to land not under the *Real Property Act 1900*, each person who is seized or in possession of an estate or interest in the Land.
- 8.4 As soon as possible after entering into this Agreement and in any event no later than 14 days after the entry into this Agreement and prior to the issue of any Construction Certificate for the Development which permits building works other than demolition, excavation, piling, shoring and ancillary work for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-304/2022/A, the Developer will at their cost arrange and effect registration of this Agreement under s7.6 of the Act upon the title to the Land and as soon as possible will:
- (a) deliver to the Council the Registration Application in registrable form noting the Council as applicant and executed by the owner of the Land and any other person the subject of the warranty in clause 8.3;
 - (b) provide the Council with a cheque in favour of the Council for the registration fees (including PEXA fees) for registration of this Agreement;
 - (c) provide the Council with a cheque in favour of the Council for its reasonable costs, expenses and fees incurred or to be incurred in connection with the preparation of this Agreement and any documents, form or instrument created

- or to be created in accordance with the provisions of this Agreement; and
- (d) take any other necessary action so as to ensure this Agreement is registered on the title to the Land prior to the issue of any Construction Certificate.
- 8.5 Upon compliance with clause 8.4 by the Developer the Council will promptly lodge the Registration Application with the Registrar General.
- 8.6 The Parties will co-operate with each other to ensure that the Agreement is registered by the Registrar General.
- 8.7 Upon payment of the Development Contribution or surrender of the Development Consent, the Developer may request in writing the removal of the dealing created by registration of the Agreement from the title to the Land. The Council will not withhold its consent to such removal, provided the Developer pays all reasonable costs, expenses and fees of the Council relating to such removal.
- 8.8 Upon registration of this Agreement by the Registrar General, this Agreement is binding on, and is enforceable against the owner of the Land from time to time as if each owner for the time being had entered into this Agreement.

9 BANK GUARANTEE

9.1 Provision of Bank Guarantee

- (a) Prior to the issue of any Construction Certificate for the Development which permits building works other than demolition, excavation, piling, shoring and ancillary work for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-304/2022/A, the Developer must deliver to the Council a Bank Guarantee, which must be:
- (i) in a form and from an institution approved by the Council;
 - (ii) irrevocable and unconditional;
 - (iii) with no expiry date;
 - (iv) issued in favour of the Council;
 - (v) for an amount equivalent to the Development Contribution set out in Item 5 of the Schedule;
 - (vi) drafted to cover all of the Developer's obligations under this Agreement; and
 - (vii) on the terms otherwise satisfactory to the Council.
- (b) The Developer acknowledges that the Council enters into this Agreement in consideration of the Developer providing the Bank Guarantee as a security for the performance of all of the Developer's obligations under this Agreement, including without limitation the delivery of the Development Contribution to Council in accordance with this Agreement.

9.2 **Calling on Bank Guarantee**

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

9.3 **Return of Bank Guarantee**

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

10 **REVIEW OF THE AGREEMENT**

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

11 **DISPUTE RESOLUTION**

11.1 **Notice of dispute**

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

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

11.2 **Response to notice**

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

11.3 **The nominated representatives must:**

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

11.4 Further notice if not settled

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

11.5 Mediation

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

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

unconscionable behaviour in which case the mediator may require the full cost of the mediation to be borne by that Party.

11.6 Expert Determination

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

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

11.7 Litigation

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

11.8 Continue to Perform Obligations

Each Party must continue to perform its obligations under this Agreement, notwithstanding the existence of a dispute.

12 ENFORCEMENT

- 12.1 Nothing in this Agreement prevents the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Agreement (including

the breach of this Agreement by the Developer) or any matter to which this Agreement relates.

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

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

12.3 The Developer acknowledges and agrees that:

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

13 TRUSTEE DEVELOPER

128 Hewlett Street Pty Ltd (ACN 657 135 334) (Trustee) enters into this Agreement in its capacity as the trustee for the 128 Hewlett Street Trust (Trust) constituted by a trust deed (Trust Deed). In the event that the Developer will cause replacement of the Trustee during

the Development, such replacement of the Trustee will be deemed to be an assignment of the Developer's interest in the Land and the provisions of clause 16 will apply.

14 NOTICES

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

15 APPROVALS AND CONSENT

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

16 ASSIGNMENT AND DEALINGS

Until the Development Contribution is paid in full, the Developer cannot sell, transfer, assign, novate, charge, encumber or otherwise deal with the Land or attempt or purport to do so. The Developer may enter into off-the-plan contracts for sale, however must not complete settlements of any off-the-plan contracts for sale until the Development Contribution is paid in full.

17 COSTS

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

18 ENTIRE AGREEMENT

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

19 FURTHER ACTS

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

20 GOVERNING LAW AND JURISDICTION

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

21 JOINT AND INDIVIDUAL LIABILITY AND BENEFITS

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

22 NON FETTER

The Developer acknowledges and agrees that:

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

of the Development Application, Development Consent and any other approvals required in respect of the works to be carried out under the Development Consent;

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

23 REPRESENTATIONS AND WARRANTIES

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

24 SEVERABILITY

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

25 MODIFICATION

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

26 WAIVER

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

27 GOODS & SERVICES TAX

- 26.1 The Parties agree and acknowledge, all amounts payable by one party to the other party in relation to a supply under this Agreement have been calculated exclusive of GST which may be imposed on the supply.
- 26.2 If any supply made under this Agreement is, or becomes, subject to GST, the party to whom the supply is made ("**Recipient**") must pay to the party making the supply ("**Supplier**"), as consideration, in addition to any consideration payable or to be provided elsewhere in this Agreement, subject to issuing a Valid Tax Invoice, an additional amount on account of GST, such amount to be calculated by multiplying the consideration by the applicable rate of GST.
- 26.3 Any amount in respect of GST payable under clause 26.2 must be paid to the Supplier immediately on receipt of the Valid Tax Invoice.
- 26.4 If any party is required to reimburse or indemnify the other party for a cost or expense ("**Cost**") incurred by the other party, the amount of that Cost for the purpose of this Agreement is the amount of the Cost incurred, less the amount of any credit for, or refund of, GST, which the party incurring the Cost is entitled to claim in respect of the Cost.

27 EXECUTION IN TRIPLICATE

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

SCHEDULE

<u>Item Number</u>	<u>Particulars</u>	<u>Description</u>
1	Developer	128 Hewlett Street Pty. Limited (ACN 657 135 334) as trustee for the 128 Hewlett Street Trust (ABN 91 252 981 680)
2	Land	122-128 Hewlett Street, Bronte, being the whole of the land comprised in Lots 1-22 in Strata Plan 11235, more particularly described as Lots 1-22/SP11235 and CP/SP11235
3	Development Application/Modification Application	DA-304/2022/A
4	Development (description)	Demolition of the existing residential apartment building and construction of multi-level housing comprising nine dwellings with basement parking and swimming pools
5	Development Contribution	\$498,940.00
6	Public Purpose	Towards Waverley Affordable Housing Program
7	Development Contribution Date (Payment date for the Development Contribution)	Prior to the issue of any Occupation Certificate for the Development
8	Developer Address	Level 5, 30-36 Bay Street, Double Bay NSW 2028
	Developer Fax	N/A
	Developer Email	pb@fortis.com.au
	Council Address	Corner Paul Street and Bondi Road, Bondi Junction NSW 2022
	Council Fax	(02) 9387 1820
	Council Email	info@waverley.nsw.gov.au

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

EMILY SCOTT

General Manager

CLR PAULA MASSELOS

Mayor

**EXECUTED by 128 HEWLETT STREET PTY LIMITED
(ACN 657 135 334) as trustee for the 128 HEWLETT STREET TRUST
(ABN 91 252 981 680)**

In accordance with section 127 of the
Corporations Act 2001

PATRICK MICHAEL KEENAN

Director

CHARLES FRANK JOHN MELLICK

Director

DANIEL JOSEPH GALLEN

Director

JARROD JAMES BROOKS

Secretary

REPORT
CM/7.10/23.11

Subject: Clifftop Walk - Diamond Bay Lookout

TRIM No: A20/0387

Manager: Nik Zervos, Executive Manager, Infrastructure Services

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council does not amend the approved development application for the Clifftop Walk at Diamond Bay for the following reasons:

1. The approved development application design of the lookout meets the project purpose and objectives.
2. Costs and program implications associated with the alteration and subsequent redesign will be significant.
3. The lookout is integral to the Clifftop Walk and cannot be relocated to other areas due to geotechnical risks and impacts to vegetation.
4. Further delays risk unspent NSW Government grant funding being withdrawn from the project.

1. Executive Summary

In October 2023, Council started receiving complaints from individual residents of 33 Kimberley Street in relation to the height and location of the boardwalk and lookout for the DA approved clifftop boardwalk redevelopment project currently under construction at Diamond Bay Reserve.

Key issues of concern raised included loss of privacy, increased noise and visual impact of the new boardwalk and lookout space to private residences and the common area pool, pool deck and surrounds. Also of concerns was the perception of a lack of transparency in the DA process and details in the supporting documents to enable residents to make an informed decision.

On 12 October 2023, Council Officers meet with representatives from owners committee (strata 464) and residents to discuss their concerns. At this meeting, officers agreed to review what options were available to mitigate the perceived privacy impacts of the approved boardwalk and lookout area.

The purpose of this report is to:

- Inform on resident concerns raised in relation to the approved development currently under construction.
- Recap on the DA process undertaken.
- Recap the design rationale, including site constraints, risk mitigation and maintenance requirements, that drove DA design outcomes.

- Present a review of changes in views to and from 33 Kimberley Street and the new boardwalk and lookout.
- Present potential options to address residents' concerns including cost implications to alter the approved DA design for Council approval before formerly responding to residents.

2. Introduction/Background

Council committed in June 2019 (CM/8.3/19.06 and CM/7.5/19.09) to the replacement of the existing Eastern Reserve and Diamond Bay Reserve boardwalks and viewing platforms which had reached the end of their serviceable life.

Council engaged consultancy Cardno in 2019 to complete asset condition assessments of Eastern Reserve and Diamond Bay Reserve boardwalks and a Feasibility Report comparing repair and replacement options. Both boardwalks were assessed as being in poor (condition 4) to very poor (condition 5) condition.

As a result, short term remediation works (CM/7.14/19.11) were completed in June 2020 to ensure that stairways and walkways were secured until scheduled replacement as part of this project.

Head Consultancy Thompson Berrill Landscape Design (TBLD) were engaged for the development application (DA) phase to design replacement boardwalks and upgrades to Eastern Reserve and Diamond Bay Reserve.

The development application was publicly exhibited for a total of 35 day between September 2021 and November 2021 before being independently assessed by the Waverley Local Planning Panel.

During the DA exhibition, at the Council meeting on 23 November 2021, Council passed a resolution under urgent business with recommendations to amend the clifftop walk design by changing the proposed northern entrance design at the end of Ocean View Avenue removing the proposed footpath, seating and landscaping, moving accessible seating to the end of the street, to maintain access from George Street to the reserve, amend designs to have low planting throughout. In addition, the motion sought consideration of widening the boardwalk from 2.0 to 2.5m and investigate increasing the size of the viewing platform. Council's motion was referred to the DA assessment officer and the Waverley Local Planning Panel to consider and apply appropriate conditions in the notice of consent at its 8 December 2021 meeting.

The notice of determination included all the recommendations apart from boardwalk and lookout widening. These recommendations were further investigated and reported to Council in April 2022 (FC/5.4/22.04) and in May 2022 (FC/5.6/22.05) along with considerations on material selection and finishes for stainless steel and the review of geotechnical, ecological and structural design.

Following the DA approval in December 2021 and subsequent further investigations requested by Council in April and May 2022, Council accepted the DA approved design and TBLD finalised the detailed design ready for tender and Construction Certificate submission.

The detailed design was based on the conditions of consent, incorporating a 2 m wide boardwalk based on Australian Standards, technical requirements and advice, planning advice, grant funding requirements of the NSW Government Public Legacy Program and thorough consultation with community, Sydney Water and internal stakeholders.

Tenders were called in May 2022 for a head contractor to deliver the construction works for Eastern Reserve and Diamond Bay boardwalks. After tender negotiations and following Council approval in December 2022 (CM/11.1/22.12) Land and Marine Group were engaged in March 2023 to carry out the works.

Works at Diamond Bay, Separable Portion 1 (SP1) of the construction contract, began in May 2023. Eastern Reserve, Separable Portion 2 (SP2) of the construction contract, will begin following the completion of SP1 Works.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 19 July 2022	CM/7.9/22.07	<p>That Council:</p> <ol style="list-style-type: none"> 1. In accordance with clause 178(3)(e) of the <i>Local Government (General) Regulation 2021</i>, authorises the General Manager to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract for the Clifftop Walkway Upgrade project. 2. Authorises the General Manager, or delegated representative, to finalise and agree terms, and enter into a contract on behalf of Council with the preferred contractor following negotiations after a confidential Councillor email briefing. 3. In accordance with clause 178(4) of the <i>Local Government (General) Regulation 2021</i>, notes the reasons for not pursuing clauses 178(3)(b)–(d) of the <i>Local Government (General) Regulation 2021</i>, as set out in the report.
Council 21 February 2023	CM/11.1/23.02	<p>That Council:</p> <ol style="list-style-type: none"> 1. In accordance with clause 178(3)(e) of the <i>Local Government (General) Regulation 2021</i>, authorises the General Manager to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract for the Clifftop Walkway Upgrade project. 2. Authorises the General Manager, or delegated representative, to finalise and agree terms, and enter into a contract on behalf of Council with the preferred contractor following negotiations after a confidential Councillor email briefing. 3. In accordance with clause 178(4) of the <i>Local Government (General) Regulation 2021</i>, notes the reasons for not pursuing clauses 178(3)(b)–(d) of the <i>Local Government (General) Regulation 2021</i>, as set out in the report.
Finance, Operations and Community Services Committee 3 May 2022	FC/5.6/22.05	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes that the length of the boardwalk at Diamond Bay could potentially be widened subject to assessments.

		<p>2. Does not proceed with widening the boardwalk at Diamond Bay for the following reasons:</p> <p>(a) The approved development application design of the boardwalk meets the project purpose, objective and Australian Standard compliance requirements.</p> <p>(b) The costs and program implications associated with the assessments and subsequent redesign.</p>
Finance, Operations and Community Services Committee 5 April 2022	FC/5.4/22.04	<p>That Council:</p> <p>1. Defers this item to the May 2022 Finance, Operations and Community Services Committee meeting to provide officers the opportunity to investigate areas at the Diamond Bay end of the boardwalk that could potentially be widened to 2.5 metres.</p> <p>2. Undertakes the following assessments, with a report to be prepared to Council:</p> <p>(a) Ecological assessment.</p> <p>(b) Geotechnical assessment.</p> <p>(c) Structural assessment.</p> <p>3. Investigates a way to build a long-lasting structure that is not subject to tea-staining and corrosion.</p> <p>4. Notes that this deferral does not impact the term and funding received by the NSW Government to complete the clifftop walkway project.</p>
Council 23 November 2021	CM/10.1/21.11	<p>That Council:</p> <p>1. Amends DA-378/2021 in respect of Eastern Reserve as follows:</p> <p>(a) Delete the proposed 1.5 metre wide concrete pedestrian path extending from the bottom of Oceanview Avenue into the reserve.</p> <p>(b) Delete the timber bench seating with sandstone paving and sandstone block retaining wall at the end of the proposed path from the bottom of Oceanview Avenue.</p> <p>(c) Relocate the accessible seating to the eastern end of Oceanview Avenue.</p> <p>(d) Maintain the access to Eastern Reserve from George Street while ensuring that the remnant</p>

		<p>vegetation and nearby Aboriginal archaeological site are protected.</p> <ol style="list-style-type: none"> 2. Directs officers to amend the proposed vegetation planting identified in DA-378/2021 as follows: <ol style="list-style-type: none"> (a) The proposed new low vegetation adjoining the clifftop coastal fence be no wider than 1 metre. (b) Remove reference to all tree planting of heath-leaved banksia and scrub she-oak to the northwest of Eastern Reserve and replace with low vegetation. (c) The proposed native vegetation on the western boundary of Eastern Reserve be no wider than 1.5 metres. 3. Informs residents of these modifications. 4. Officers consider widening the boardwalk between Kimberley Street and Craig Avenue from 2 metres to 2.5 metres. 5. Officers investigate widening the rest of the boardwalk from 2 metres to 2.5 metres, with a report to come back to Council with cost implications and a funding source. 6. Officers investigate increasing the size of the viewing platform, as provided in the plans, with a report to come back to Council with cost implications and a funding source.
Council 22 June 2021	CM/7.16/21.06	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the concept design Clifftop Walkway Upgrade Eastern Reserve and Diamond Bay Reserve attached to the report. 2. Endorses removing lighting from the design. 3. Proceeds to detailed design and the submission of a development application. 4. Notes engagement completed to date on the project and proceeds to public consultation as part of the development application process.

4. Discussion

Construction works at Diamond Bay commenced in May 2023.

In October 2023, residents raised concerns with Council in relation to the height of the lookout section of the boardwalk opposite 33 Kimberley Street, Dover heights. The concerns included privacy issues to apartments and pool area, view impacts and future noise issues.

Below is a summary of the planning process, design process, certifying process and construction works that have occurred to date.

Development application – Planning process and advice

- DA-378/2021 sought upgrade works to the existing clifftop walk between Diamond Bay Reserve and Eastern Reserve including new landscaping and fencing.
- The application was notified for 21 days (28 September 2021 to 19 October 2021). Given the nature of the proposal, seven site notices were erected at Diamond Bay Reserve, Kimberley Street and the entries to Eastern Reserve.
- The proposal was re-notified for a further 14 days (3 November 2021 to 17 November 2021, and then also 23 November 2021 to 30 November 2021) to extend the area of notification in ensure properties in the vicinity where adequately covered and received notification letters.
- This is separate to any notification/community consultation carried out by Council's Project team.
- The DA received a total of 113 submissions. In reviewing the list of objections, 33 Kimberley Street did not lodge an objection (or if they did, they did not include their property address in submission).
- According to Council records, 33 Kimberley Street was included in the list of receiving notification letter/s from Council for this DA (it is a strata plan, so multiple letters issued).
- The DA was also referred to the elected Councillors for review at the 23 November 2021 Council meeting. The Councillors supported the proposal, subject to amendments. Given the time constraints, these amendments could not be amended into the proposal and these minutes were considered a late submission to the DA (where amendments formed part of the conditions of consent).
- The DA was referred to the Waverley Local Planning Panel (WLPP) on 8 December 2021. The WLPP approved the application subject to additional condition relating to materials and finishes. At that meeting, four objectors spoke and two persons for the applicant (Council) also addressed the Panel.
- The only impact from COVID in this instance, is the WLPP meeting was held online via zoom. Site notices and letters occurred as per usual practice.
- The plan shows a 2 m elevated boardwalk but there is no clarification of the exact height as the finished deck level of the boardwalk as it is dependent on the cliff face immediately below which is constantly undulating. See Attachment 2 of this report, relocation of lookout and design details.

Private certifying authority

Building Control Group were engaged by Council to carry out DA certification and provide the construction certificate to allow construction works to begin in 2022.

The construction certificate was issued to Council in May 2023.

Building Control Group visited to site on 30 October 2023 to assess that the new lookout adheres to the DA plans and confirmed that the platform's RLs were not specifically indicated on the DA approved plans as it was unknown at that stage of required levels due to the surrounds, materials located beneath. Further to

this, they confirm the lookout is at a consistent level to ensure its optimum use for the public and various levels of ability encountered.

Lookout design rationale

The new lookout was carefully located as it is the only suitable and viable location where a level lookout could be accommodated in the boardwalk alignment and elevations at Diamond Bay, for people to enjoy the ocean view. Other locations to relocate the lookout area were investigated as part of the project.

The reasons for the new location for the lookout are detailed below:

Geotechnical instability

During the DA process geotechnical investigations were carried out by JK Geotechnics Pty Ltd and Golder. Due to the findings, specifically the geotechnical instability of the rock, the alignment of the boardwalk and location of the lookout at Diamond Bay needed to change. The old lookout area sits above a large undercut with slab joints. For risk and safety reasons the boardwalk and lookout needed to be relocated way from the unstable rock platform.

Catch-cable supported boardwalk system

A cable supported boardwalk section is required to be able to safely build a boardwalk connection in close proximity to areas of geotechnical instability. The design of this system is supported on frangible posts with a pre-tensioned cable threaded along the length which are supported at either end on bridge style piers with rollers the cables pass over before being anchored to the ground. In the event of a cliff collapse, the post supports break away the boardwalk structure is supported by the pre-tensioned cable system similar to a suspension bridge. The intention is to ensure the safety of users enabling them to escape the boardwalk. A more traditional bridge design could have been used at this location, however this would have introduced a significantly larger structure with greater visual impacts and a larger footprint with environmental impacts to surrounding vegetation.

Being a cable system, the supported boardwalk must be set well above the undulating rock/ground level to cater for the sag in the pre-tensioned cables. This then determines the minimum achievable height for the boardwalk at the middle of the cable sag point and the minimum height of piers, cable rollers and the boardwalk connections at either end to keep the sag point at the minimum height. See Figure 1 below.

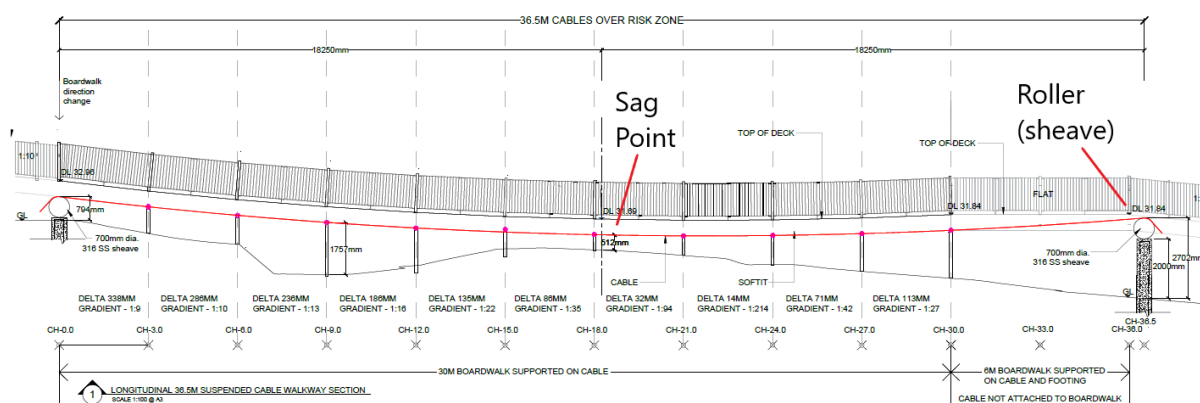


Figure 1. Catch-cable walkway - Longitudinal section.

The south end of the cable supported section adjoins the lookout area, the height of the cable supported boardwalk determines the boardwalk heights on either end and cannot be reduced. Piers, thrust blocks and posts have already been constructed.

Fall risk

The remnants of sandstone walls of the Saunders' property (33 Kimberley Street), built in circa 1930s, formed a dividing balustrade to the cliff edge of the clifftop walk. These walls are in various stage of dilapidation with some sections in danger of collapse. Going forward, the walls could not be relied on to form an effective barrier to the cliffline edge that could result in hazardous falls. A new compliant and secure balustrade system was required to separate walkers from the wall and discourage users from climbing over the balustrade on top or over the wall.

The lookout has been very carefully designed to sit above and away from the adjoining sandstone walls to manage the risk of people utilising the existing stone wall to climb over the balustrade and potentially put themselves at risk of falling off the cliff edge. If the design was to change there is a significant increase in risk that would occur and major design alterations to be addressed. The current height of the lookout and style of balustrading is the minimum height and setback required to reduce this risk.

Heritage significance

The remnants of sandstone walls and the famous arch date back to the development of property by the Saunders family, in built in circa 1930s, and are still largely intact today forming the boundary walls to 33 Kimberley Street and Council's reserve. Now at over 90 years old the walls represent local heritage significance as examples of the early residential development of the Diamond Bay area.

As such, the boardwalk design has been sympathetic in protecting these walls ensuring its vertical and horizontal alignment would not impact the structural stability and long-term maintenance and monitoring access to repair and conserve these walls could be accommodated accessing the walls via a route under the boardwalk deck.

Further recommendations for the conservation, restoration and local listing of these walls will be considered as part of the heritage study being prepared for the Coastal Reserves Plan of Management.

Native vegetation and existing constraints

Other sections of the boardwalk are overly constrained by adjacent dense native vegetation that cannot be removed, or had steeper unsuitable slope gradients, had unstable rock cliffs or were very narrow due to the old sandstone walls.

These constraints have dictated the horizontal alignment of the boardwalk as well as the most appropriate location to accommodate a relocated lookout that would still function as an adequate lookout space with a vantage point over the bay and depth to comfortably accommodate 10 to 12 people out of the flow of walkers.

Lookout maintenance

The lookout is designed to avoid any contact or conflict with the stone walls, set at a height and distance from the walls to deter any risk-taking behaviour. But also, a lookout of this size will experience a significant amount more static load from users dwelling at this location compared to other areas of the boardwalk. This means the lookout requires a higher frequency of safety inspections and therefore there must be sufficient access clearance under the structure to monitor, maintain and carry out safety inspections of the underside of the lookout. This sets a minimum deck height to achieve a minimum allowable crawl and confined space.

Lookout area grade

A lookout surface must be level, to allow people to walk safely around the lookout and the seat without risk of stumbling or falling on a sloped surface. Therefore, lookouts are designed to be flat spaces.

The minimum deck height is therefore controlled by the existing ground level surface to maintain maintenance and inspection space under the deck which is combined with stone wall heights for clearance and risk reasons. The ground level undulates below the lookout falling from roughly east towards the west meaning the lookout height has been dictated primarily by the easternmost ground level at deck entry. The remainder of the lookout running westward is at the same height for its entire length.

To a lesser extent, the western end of the lookout is also controlled by its connection onto the catch-cable supported boardwalk which is at a fixed height.

Sight view line assessment

Council officers have undertaken a view line assessment of the old boardwalk height versus the new lookout height to apartments at 33 Kimberley Street to demonstrate the change in heights, where they occur, the change in view line to and from the clifftop walk and the increase or otherwise of views into habitable spaces of the apartment complex and views to and from the external common area pool and pool deck. See Attachment 1 to this report.

33 Kimberley Street is a 12-storey complex, consisting of two storeys of carparking topped by 10 storeys of apartments in six rows. The analysis illustrates the heights and distances taken from the centre of each row of apartments up to the sixth storey.

Beyond six stories the change in view lines would not be perceptible due to the elevations and distances between the boardwalk structure and the apartments, views being cut off from bottom of windowsills and reflection of external glazing modifications (not part of the original building design).

View lines are drawn from the average eye level at 1.6 m from people on the old and new clifftop walk assuming they are standing against the northern walkway balustrade looking upwards towards the elevated apartment block. Viewers on the southern side of the boardwalk closest to the building will experience a more acute angle of view, the more the view line will be obscured by the windowsill and therefore there will be less of the person visible within the apartment. Therefore, the assessment has been taken from the greater potential angle of view. Balcony view lines are discounted as the balconies are exposed to the public domain at this location and it is up to the owner if they wish to install a privacy screen or non-transparent balustrade or not.

View lines from apartments are taken from the average eye level at 1.6 m from people standing at the glazing of the habitable space of the apartments which is typically 1.6 m behind the original external balcony. Unless development consent has been received for alterations and additions to the apartment allowing removal of the balcony to create habitable spaces, in which case the view line is taken from 100 mm inside the façade glazing.

Cross sections have been drawn to align with the centre of each row of apartments, the easterly corner of the pool where the boardwalk and pool deck levels are at their closest and the western end of the pool; see Figure 2 below.



Figure 2. Cross section key map

The change in view height considers how much more of a person standing at the edge of the habitable room is exposed to viewers from the boardwalk; see Figure 3 example cross section below. Refer to Attachment 1 for all cross sections.

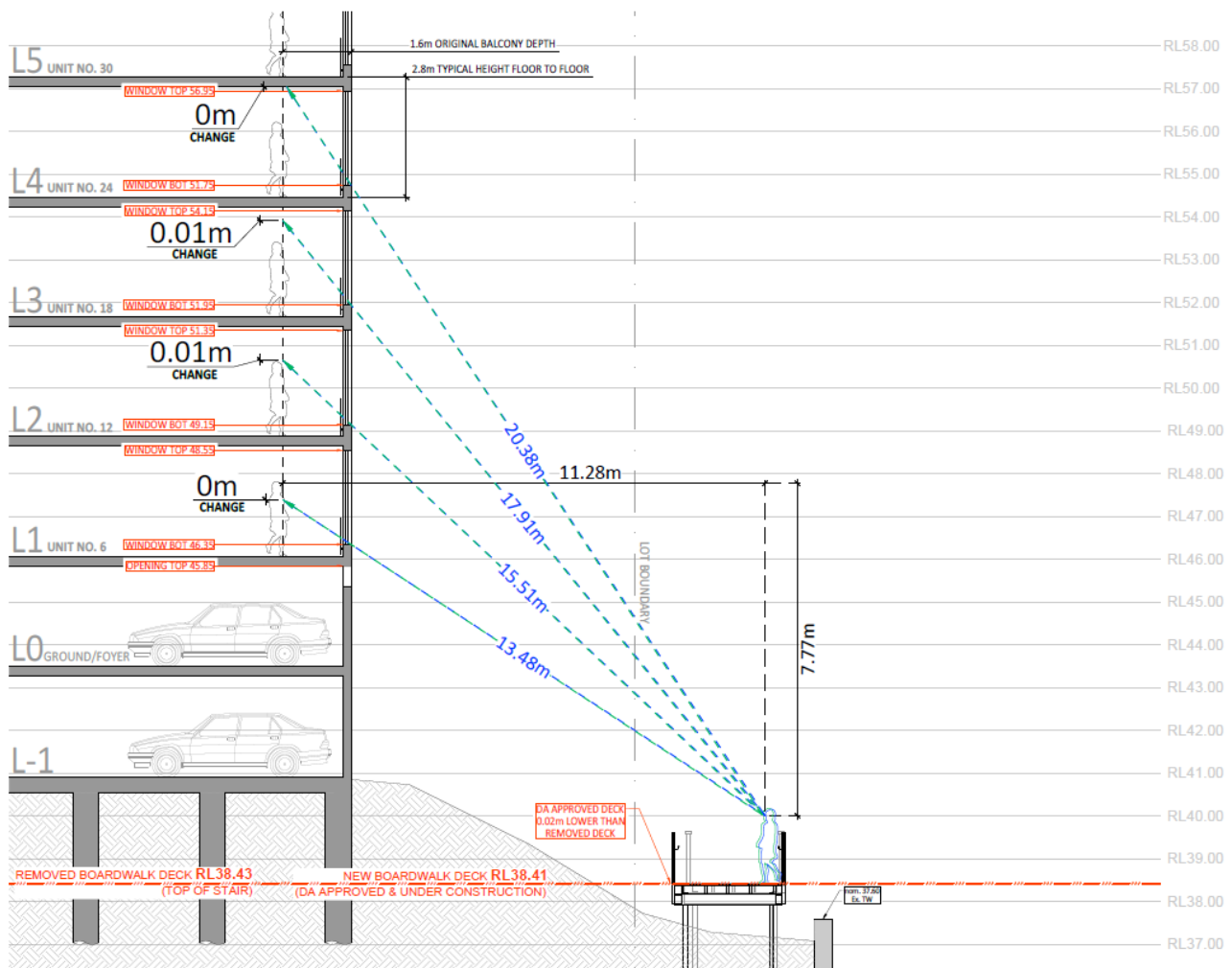


Figure 3. Cross section detail 01 from drawing SK.01 (refer Attachment 1).

Drawing SK.01 illustrates that the constructed boardwalk deck level is 200 mm lower than the original boardwalk and its northern balustrade in the same horizontal alignment. The change equates to between zero to negative 10mm approximately. There is no net gain or loss of views into the apartment. This is noted as the closet point the boardwalk comes to the building at 11.28 m and highest point of the boardwalk relative to a person standing in the third storey apartment, at 7.77 m, who would be most visible to users of the boardwalk. There is no screening vegetation at this location which would be difficult to accommodate as the property boundary is in close proximity to the boardwalk. Any screening vegetation would need to be accommodated within the private property boundary.

Drawing SK.02 illustrates that the constructed boardwalk deck level is 100mm lower than the original boardwalk top stair but 640 mm higher than the middle stair where this cross section dissects the original staircase. For this section the greater height difference has been considered. The northern balustrade in the same horizontal alignment. The change equates to 70 mm increased view of a person standing in the apartment at this point. However, at a distance equal to or greater than 18.59 m this change would not be perceptible to either person. Again, there is no screening vegetation at this location which would be difficult to accommodate as the property boundary is in close proximity to the boardwalk. Any screening vegetation would need to be accommodated within the private property boundary.

Drawing SK.03 illustrates that the constructed boardwalk deck level is 740mm higher than the original boardwalk. The northern balustrade moves the viewer closer to the building to keep the structure away from the sandstone wall. The change equates to 70 mm increased view of a person standing in the apartment at this point. However, at a distance equal to or greater than 22.95 m this change would not be perceptible to either person. An existing Banksia tree, located within the private property boundary,

provides some screening of views. Additional screening vegetation at this location would be difficult to accommodate as the property boundary is in close proximity to the boardwalk. Any screening vegetation would need to be accommodated within the private property boundary.

Drawing SK.04 illustrates that the constructed boardwalk deck level is 1.15 m higher than the original boardwalk. The northern balustrade is in a similar alignment just inside the sandstone wall. The narrowness of the reserve constrains the boardwalk alignment at this point. The change equates to between 20 mm and 120 mm increased view of a person standing in the apartment at this point. However, at a distance equal to or greater than 25.41 m this change would not be perceptible to either person. An existing copse of Coastal Tea Trees, located within the private property boundary, provides significant screening planting. Additional screening vegetation at this location would be difficult to accommodate as the property boundary is in close proximity to the boardwalk. Any additional screening vegetation would need to be accommodated within the private property boundary.

Drawing SK.05 illustrates that the constructed lookout deck level is 2.37 m higher than the original boardwalk. The northern balustrade is in a similar alignment just inside and well above the sandstone wall. The narrowness of the reserve constrains the lookout alignment at this point. The change equates to between 190 mm and 200 mm increased view of a person standing in the apartment at this point. At a distance equal to or greater than 30.31 m this change may be marginally perceptible to either person. However, the change to a large deck area at this location is a significant visual change in the landscape when compared to the original concrete footpath. Additional screening vegetation at this location would be difficult to accommodate in the reserve as the property boundary is in close proximity to the lookout which has been maximised in the space to cater for users. Any additional screening vegetation could easily be accommodated within the private property boundary.

Drawing SK.06 illustrates that the constructed boardwalk deck level is 2.43 m higher than the original boardwalk. The northern balustrade is in a similar alignment to the original footpath inside and well above the sandstone wall. The narrowness of the reserve constrains the boardwalk alignment at this point. The change equates to between 190 mm and 210 mm increased view of a person standing in the apartment at this point. At a distance equal to or greater than 27.52m this change may be marginally perceptible to either person. Additional screening vegetation at this location would be difficult to accommodate as the property boundary is in close proximity to the lookout. Any additional screening vegetation would need to be accommodated within the private property boundary.

Drawing SK.07 illustrates that the constructed boardwalk deck level is 2.44 m higher than the original boardwalk. At this point the boardwalk deck remains 3.57 m below the common area pool deck. The northern balustrade is in a similar alignment to the original footpath inside and well above the sandstone wall. The narrowness of the reserve constrains the boardwalk alignment at this point. The change equates to 300 mm increased view of a person standing on the outside pool balustrade. Views into the pool remain blocked as the viewer is situated well below the pool level. At a distance of 8.98 m this change will be perceptible to either person. Additional screening vegetation at this location would be difficult to accommodate as the property boundary is in close proximity to the boardwalk. Any additional screening vegetation would need to be accommodated within the private property boundary.

Drawing SK.08 illustrates that the constructed boardwalk deck level is 1.23 m higher than the original boardwalk. At this point the boardwalk deck remains 4.79 m below the common area pool deck. The northern balustrade alignment moves inside the original boardwalk alignment to connect onto the relocated catch-cable walkway. Geotechnical risks constrain the boardwalk alignment at this point. The change equates to a 80 mm increased view of a person standing on the outside pool balustrade. Views into the pool remain blocked as the viewer is situated well below the pool level. At a distance of 11.97 m this change may be perceptible to either person as the boardwalk is closer. Additional screening vegetation at this location could be accommodated within the reserve boundary or private property.

Overall, the view analysis demonstrates that there are very minor changes to the visual privacy of the adjoining apartment building at 33 Kimberley Street. This is largely due to the fact the building already sits in a substantially higher elevation to the boardwalk (7.77 m to 11.52 m), the angle of view line does not change as the boardwalk remains at the same or similar height on the easternly portion and where the boardwalk does begin to rise toward the west the significant distance from the building (20.5 m to 28.36 m) negates the height increase as the angle of view does not substantially change. The height of the boardwalk does not increase significantly enough to enable a more direct line of sight into apartments. The angle of view remains acute and from below with the view of apartment habitable room ceilings remaining largely consistent.

The more significant change is a visual one with views down from the apartments onto the relocated lookout. The visual change is the introduction of the large deck space when compared to the previous concrete footpath due to the increased footprint of area being developed.

However, this visual change does not impact the significant 180 degree panoramic views of the cliff lines, bay and water each apartment has. The boardwalk/lookout design is complying development, the lookout cannot be reasonably located elsewhere due to site constraint and therefore the view impact is considered acceptable and the view sharing reasonable.

Residential amenity concerns

Residents of 33 Kimberley Street are concerned that the new clifftop boardwalk and lookout will generate excessive noise from public using the walkway.

The physical capacity of the boardwalk has not changed and remains at 2.0 m wide and its alignment remains consistent, with the exception of the 36.5 m long catch-cable supported boardwalk. In this context the use and noise generated by users of the public domain will remain relatively consistent.

The lookout will change the location where people dwell and has moved closer to the apartment complex. The deck has a limited capacity of 10 to 12 people and noise generated by users is not expected to breach the NSW Environment Protection Authority guidelines and is expected to be similar to previous activation of the boardwalk with people dwelling for short stays before moving on.

Timeframe and cost impact to investigate height of lookout

Due to the community concerns, Council officers directed the contractor to stop works at the lookout area, which will delay the project and incur project delay costs.

Option 1 – Lookout remains as per the approved DA design

- Provides community with a relocated lookout area at Diamond Bay.
- Provides a lookout with minimal risk of falls over the edge of the cliff.
- Ties in with boardwalk levels from Kimberley Street and the catch-cable supported section.
- Provides sufficient space for lookout maintenance inspections under the deck.
- No further additional costs to design and construction, only project delay costs due to this investigation period.
- Planting can be provided as a buffer screen in the section where there is currently no plants adjacent to the lookout area. Existing low growing Coastal Tea Trees already form an effective visual buffer between the apartments and the boardwalk. Additional screen planting would need to be agreed with the owners of the apartment complex.

Option 2 – Lowering the lookout

- Due to the crawl space restrictions under the deck, the lookout can only be lowered approximately 400 mm. The perceived change and line of sight views will remain the same, there will be negligible improvement.
- If the lookout is lowered by any amount this will decrease the risk mitigation strategy to deter users from climbing over the lookout onto the sandstone wall at this point increasing the potential risk of falls off the cliff edge.
- Lower lookout has flow on effects to adjusting levels and stairs to the adjoining boardwalk with increased costs of approximately \$500,000 to demolish, redesign and rebuild the completed works.

Option 3 – Removing the lookout

- Community no longer have lookout at Diamond Bay
- The 2 m wide boardwalk section would remain at the same location and height to join into already built sections of boardwalk.
- Cost impact to demolish, redesign and rebuild the completed works of approximately \$500,000.
- Significant change to approved DA plan, therefore planning approval to be obtained, resulting in further delay of time and costs to project to be determined.

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

The budget for the Clifftop Walk Upgrade project is currently \$6,656,291 in the Capital Works Program over consecutive financial years 2022-23 and 2023-24.

The construction contract value \$ 6,919,399 (provisional items \$241,450)

Council has received confirmation that \$2.993 million in grant funding has been allocated from the NSW Government's Public Spaces Legacy Program subject to construction completion by end of November 2023. Council staff are in the process of requesting an extension of time on the basis a substantial portion of Diamond Bay has been completed. However, further delays put the unspent grant funding at risk of being withdrawn by NSW Government.

Time frame

Diamond Bay boardwalk construction works began May 2023 with the completion date of February 2023, however due to this lookout investigation works will now be delayed.

Consultation

Extensive consultation has been undertaken throughout the development of this project. Council officers will continue to provide regular community updates throughout the construction period.

6. Conclusion

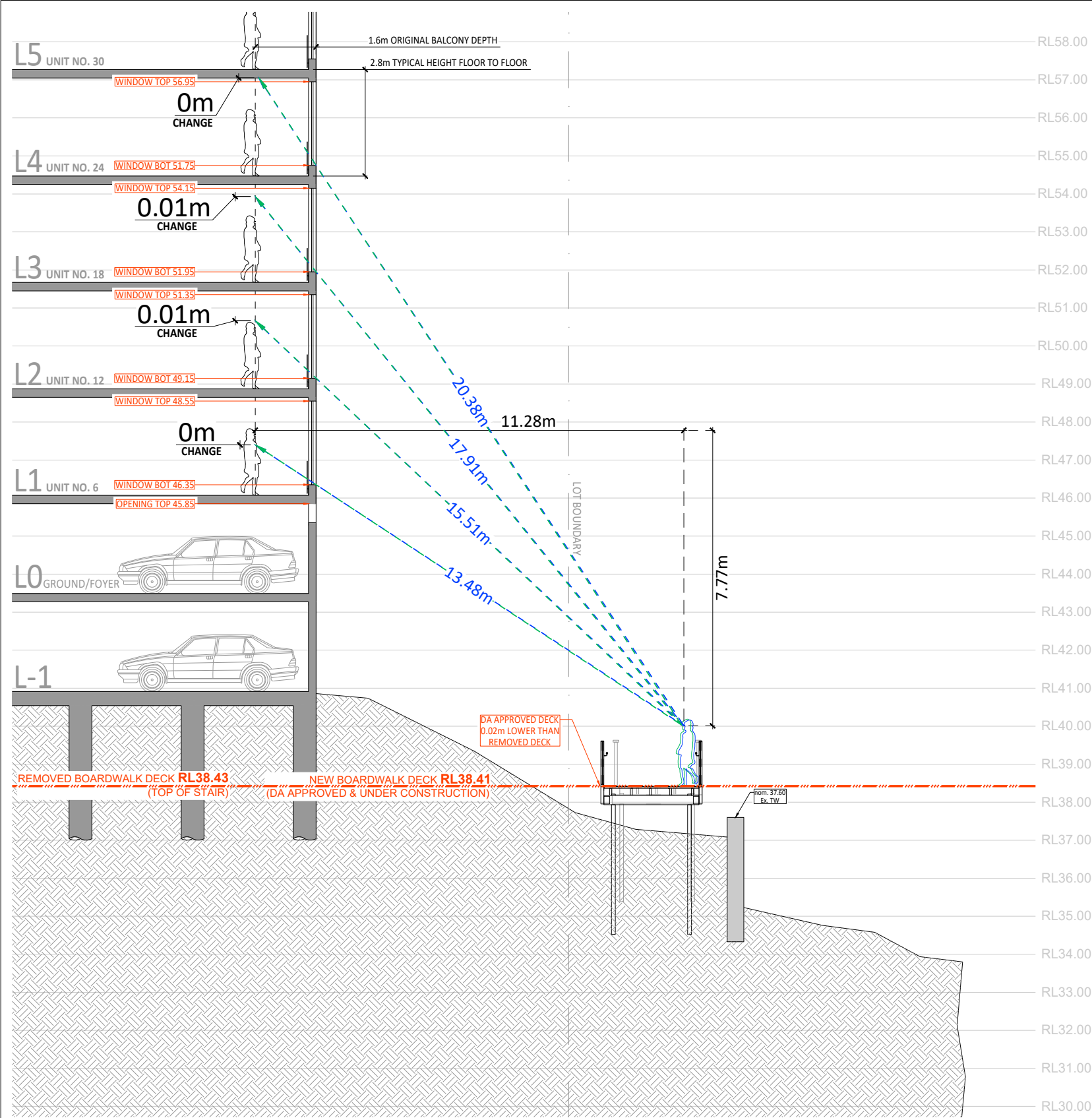
It is recommended that Council notes that the current design of the lookout addresses known risks in this location, meets the project purpose and objectives and approves to continue construction works.

It is also noted that if any changes to the lookout are to be carried out this will incur significant project costs, delay and Council will not meet the grant funding requirements.

It is further recommended that Council notes that the approved lookout is fit for purpose in the approved development application.

7. Attachments

1. View analysis drawings [↓](#)
2. Site photos and comparative plans [↓](#) .



01 CLIFF WALK CH23.12 / 33 KIMBERLEY ST. - INDICATIVE VIEW ASSESSMENT SECTION
Scale 1:60 @ A1

	A	10.11.23	FOR INFORMATION	AJ	CN	NZ	ISSUE	DATE	ISSUE DESCRIPTION	DRWN	CHKD	APRVD
	ISSUE	DATE	ISSUE DESCRIPTION	DRWN	CHKD	APRVD	ISSUE	DATE	ISSUE DESCRIPTION	DRWN	CHKD	APRVD

PREPARED BY:
CREATING WAVERLEY,
OPEN SPACE PLANNING

PH: 02 9083 8000
PO BOX 9, BOND
JUNCTION, NSW, 2022

APPROVED SIGNED:	PROJECT NAME:	PROJ. NO.:	
DATE SIGNED:	WAVERLEY CLIFF WALK	TRIM REF.:	
SCALE: AS SHOWN @ A1	DRAWING TITLE: VIEW ASSESSMENT SECTIONS	DRAWING NO: SK.01	
		ISSUE: A	



02 INDICATIVE DA APPROVED POINT OF VIEW
PHOTO TAKEN 02.11.23
CLIFF WALK CH23.12 / 33 KIMBERLEY ST. - N.T.S.

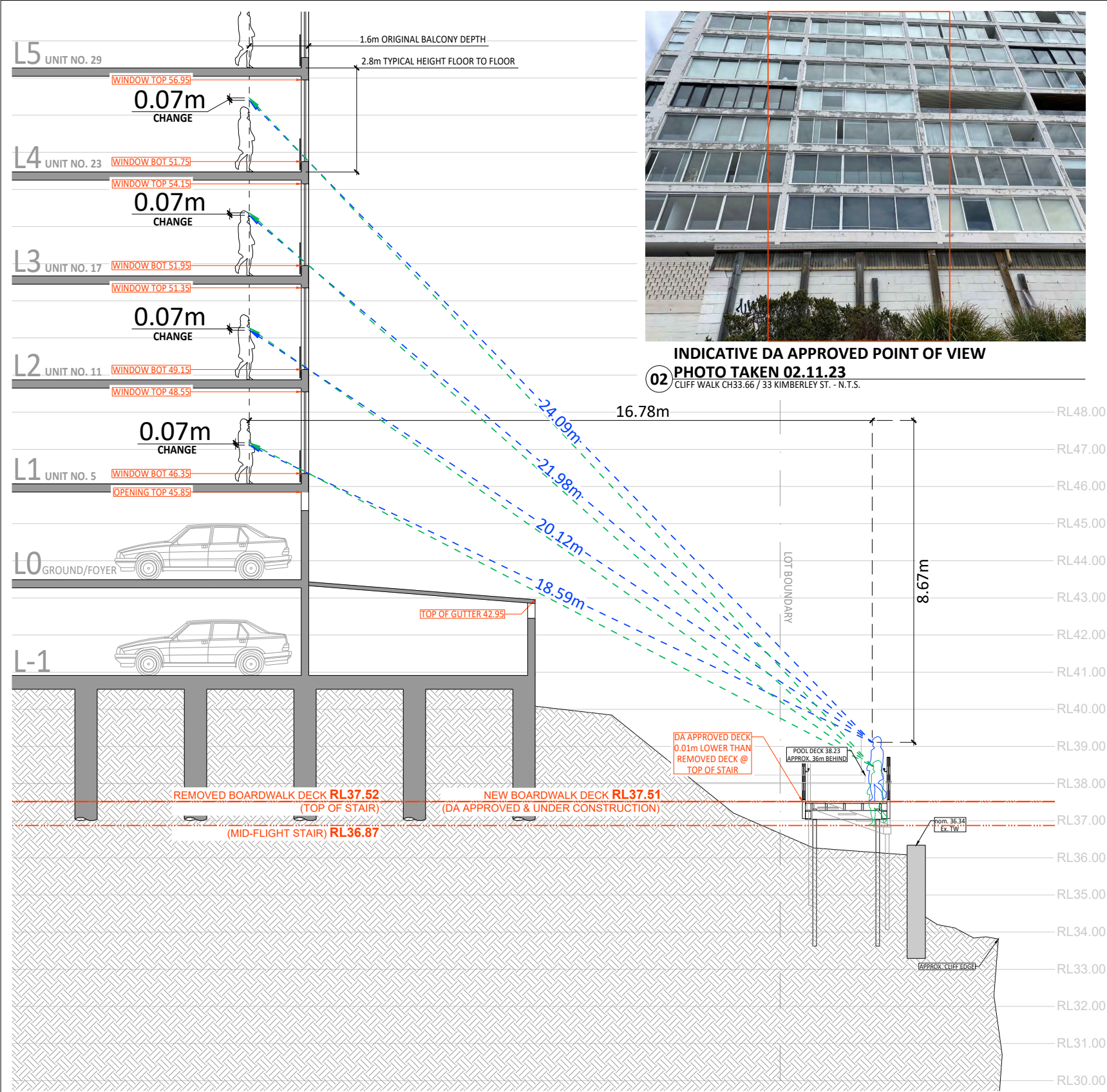


00 KEYPLAN
Scale 1:400 @ A1

- GENERAL NOTES**
- HUMAN FIGURES ARE SHOWN 1.75m TALL, WITH EYE-LEVEL ASSUMED TO BE 1.6m ABOVE FLOOR/GROUND LEVEL
 - LEVELS FOR 33 KIMBERLEY STREET APARTMENT WINDOWS ARE REFERENCED FROM;
 - LANDAIR SURVEYS "LEVELS - 33 KIMBERLEY STREET, VAUCLUSE" DATED 03/11/23 (+/- 0.05m ACCURACY), and
 - DA APPROVED BOARDWALK DECK AND EXISTING DECK/PATH LEVELS ARE REFERENCED FROM;
 - THOMPSON BERRILL LANDSCAPE DESIGN CONSTRUCTION DRAWINGS, and
 - LANDAIR SURVEYS "LEVELS - 33 KIMBERLEY STREET, VAUCLUSE" DATED 03/11/23 (+/- 0.05m ACCURACY).
 - THE APARTMENT BUILDING, EXTERNAL STRUCTURES AND LANDFORM WITHIN 33 KIMBERLEY STREET AS WELL AS THE DA APPROVED DECK AND EXISTING CLIFF WALK HAVE ALL BEEN DRAWN AS ACCURATELY AS POSSIBLE WITH REFERENCE TO THE ABOVE SURVEYS AND DRAWINGS.

- PRIVACY ASSESSMENT DIAGRAM FRAMEWORK**
- THE DIAGRAMS INDICATE TWO POINTS OF VIEW FOR COMPARISON;
 - ORIGINAL POINT OF VIEW - FROM REMOVED CLIFF WALK FACING TOWARDS 33 KIMBERLEY STREET APARTMENTS. VIEW IS DRAWN FROM EYE-LEVEL OF A PERSON STANDING WITH THEIR BACK AGAINST THE OLD CLIFF SIDE BALUSTRADE OR EDGE OF PATH, FACING 33 KIMBERLEY STREET APARTMENTS.
 - DA APPROVED POINT OF VIEW - FROM DA APPROVED CLIFF WALK FACING TOWARDS 33 KIMBERLEY STREET APARTMENTS. VIEW IS DRAWN FROM EYE-LEVEL OF A PERSON STANDING WITH THEIR BACK AGAINST THE DA APPROVED CLIFF SIDE BALUSTRADE, FACING 33 KIMBERLEY STREET APARTMENTS.
 - THE CHANGE IN VIEW IS MEASURED VERTICALLY AT THE MOST VISIBLE HABITABLE ROOM WHICH IS TYPICALLY DEFINED BY THE ORIGINAL BALCONY WINDOWS, UNLESS DEVELOPMENT CONSENT HAS BEEN APPROVED FOR ALTERATIONS AND ADDITIONS TO INFILL BALCONIES TO CREATE HABITABLE ROOMS, IN WHICH CASE THE CHANGE IN VIEW IS MEASURED 100MM INSIDE THE APARTMENT WINDOW.

PRELIMINARY
NOT FOR CONSTRUCTION



00 KEYPLAN
Scale 1:400 @ A1

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**PRELIMINARY
NOT FOR CONSTRUCTION**

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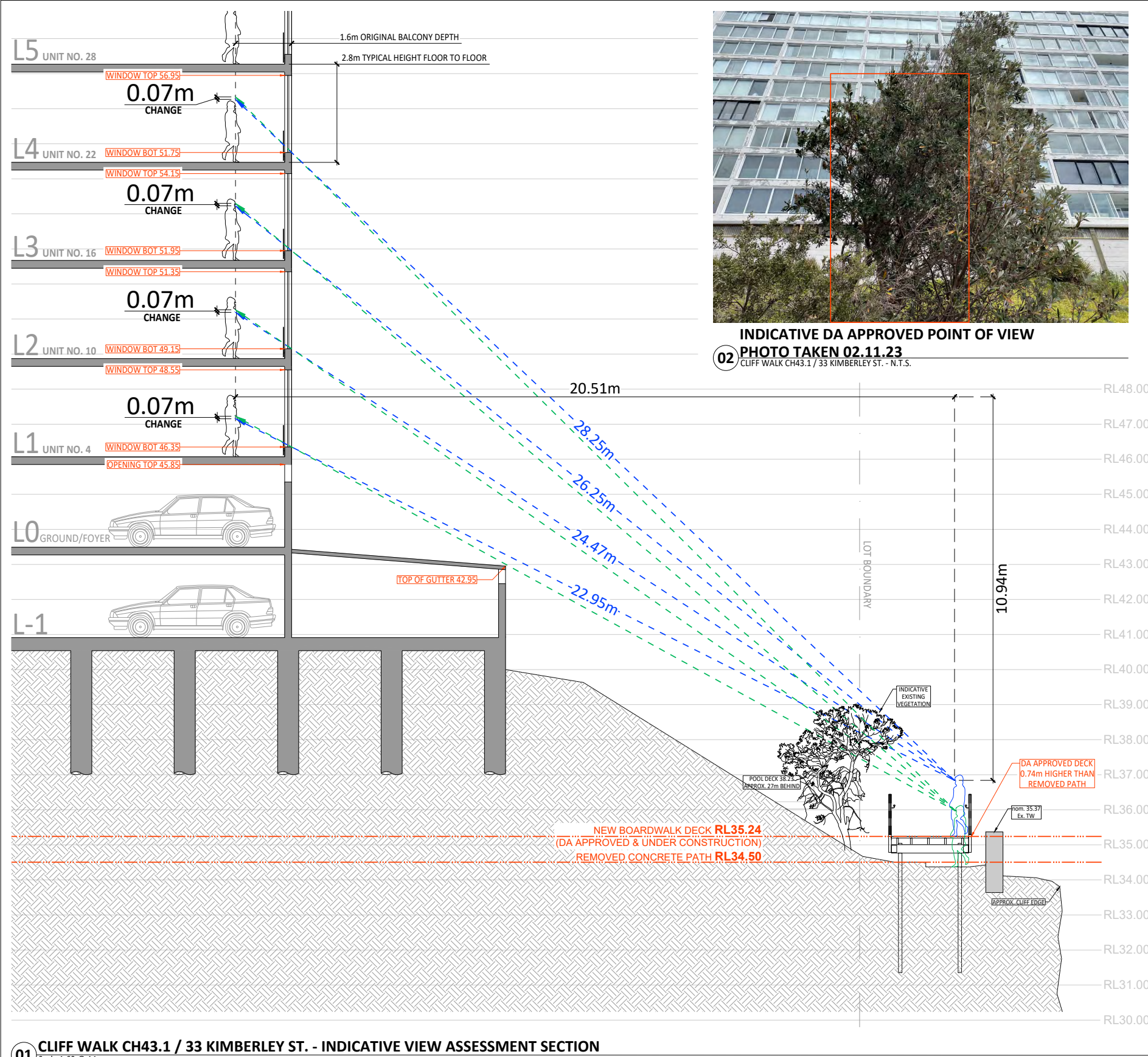
CLIFF WALK CH33.66 / 33 KIMBERLEY ST. - INDICATIVE VIEW ASSESSMENT SECTION

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00 KEYPLAN
Scale 1:400 @ A1

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**PRELIMINARY
NOT FOR CONSTRUCTION**

											PREPARED BY: CREATING WAVERLEY, OPEN SPACE PLANNING PH: 02 9083 8000 PO BOX 9, BOND JUNCTION, NSW, 2022	APPROVED SIGNED: DATE SIGNED: SCALE: AS SHOWN @ A1	PROJECT NAME: WAVERLEY CLIFF WALK DRAWING TITLE: VIEW ASSESSMENT SECTIONS	PROJ. NO.: - TRIM REF: A20/0387 DRAWING NO.: SK.03 ISSUE: A	
	A	10.11.23	FOR INFORMATION	AJ	CN	NZ	ISSUE	DATE	ISSUE DESCRIPTION						
	ISSUE	DATE	ISSUE DESCRIPTION	DRWN	CHKD	APRVD	ISSUE	DATE	ISSUE DESCRIPTION						



INDICATIVE DA APPROVED POINT OF VIEW
02 PHOTO TAKEN 02.11.23
 CLIFF WALK CH52.5 / 33 KIMBERLEY ST. - N.T.S.



00 KEYPLAN
Scale 1:400 @ A1

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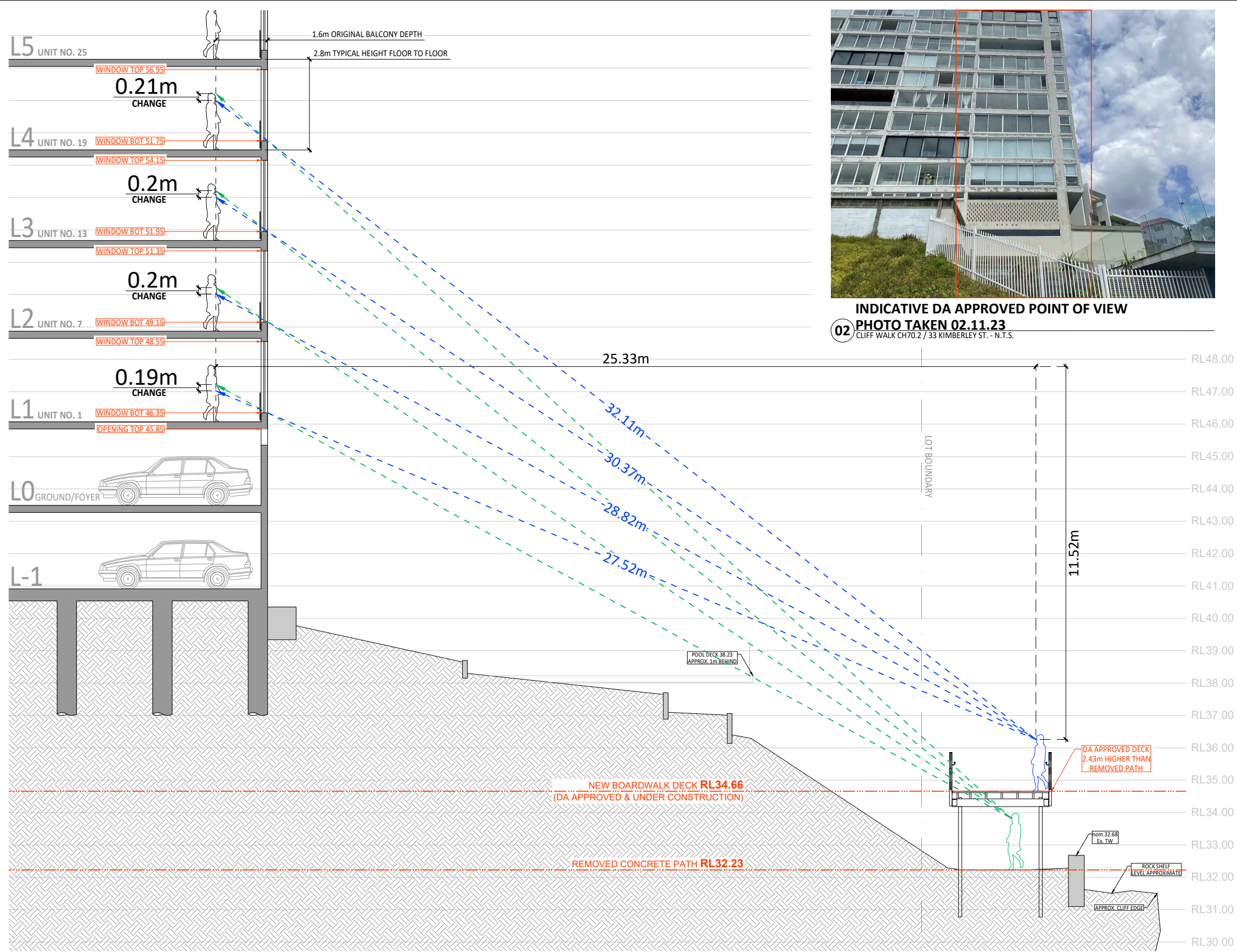
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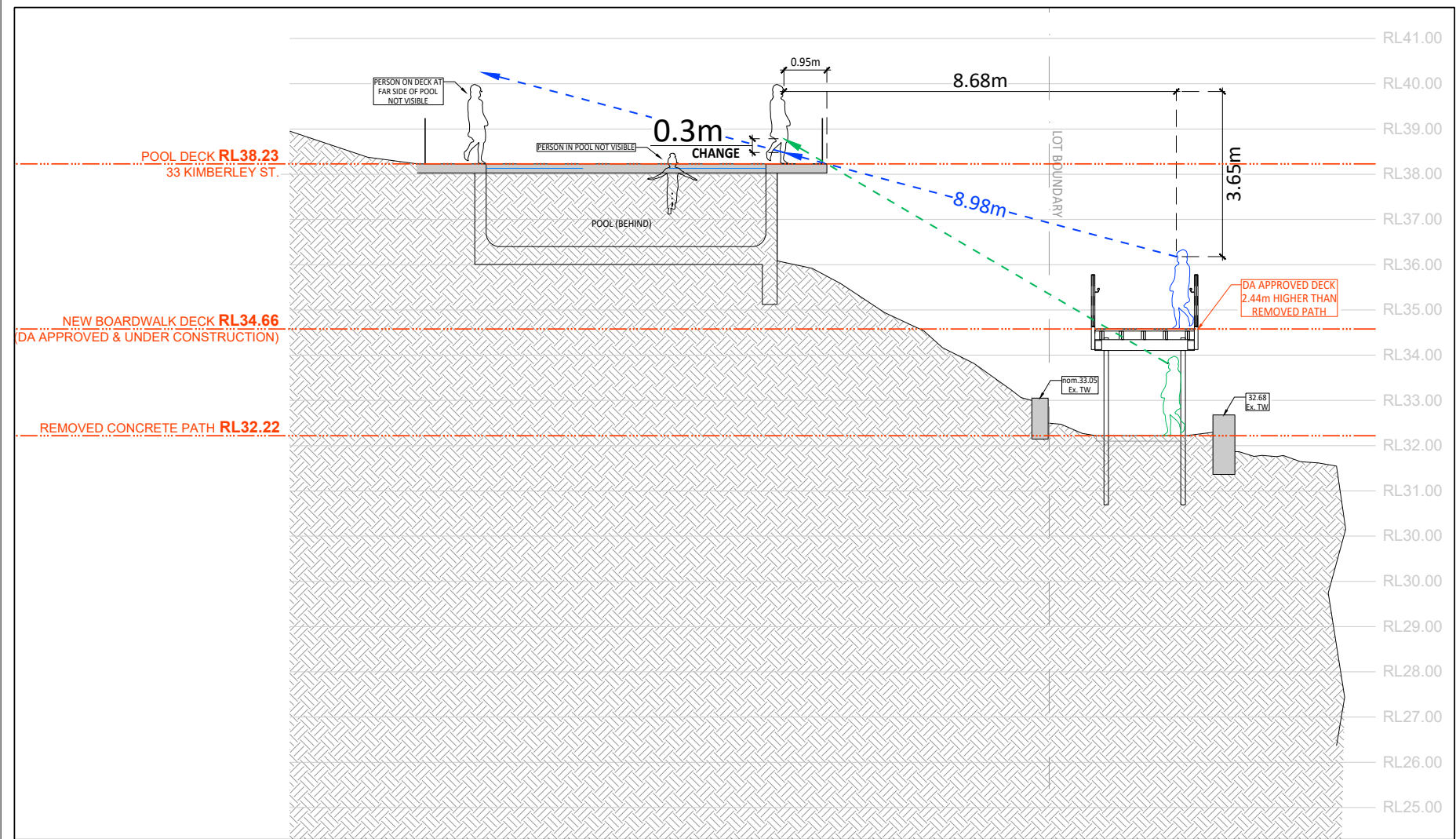
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INDICATIVE DA APPROVED POINT OF VIEW
02 PHOTO TAKEN 03.11.23
CLIFF WALK CH72.5 / 33 KIMBERLEY ST. - N.T.S.



01 CLIFF WALK CH72.5 / 33 KIMBERLEY ST. - INDICATIVE VIEW ASSESSMENT SECTION
Scale 1:60 @ A1



00 KEYPLAN
Scale 1:400 @ A1

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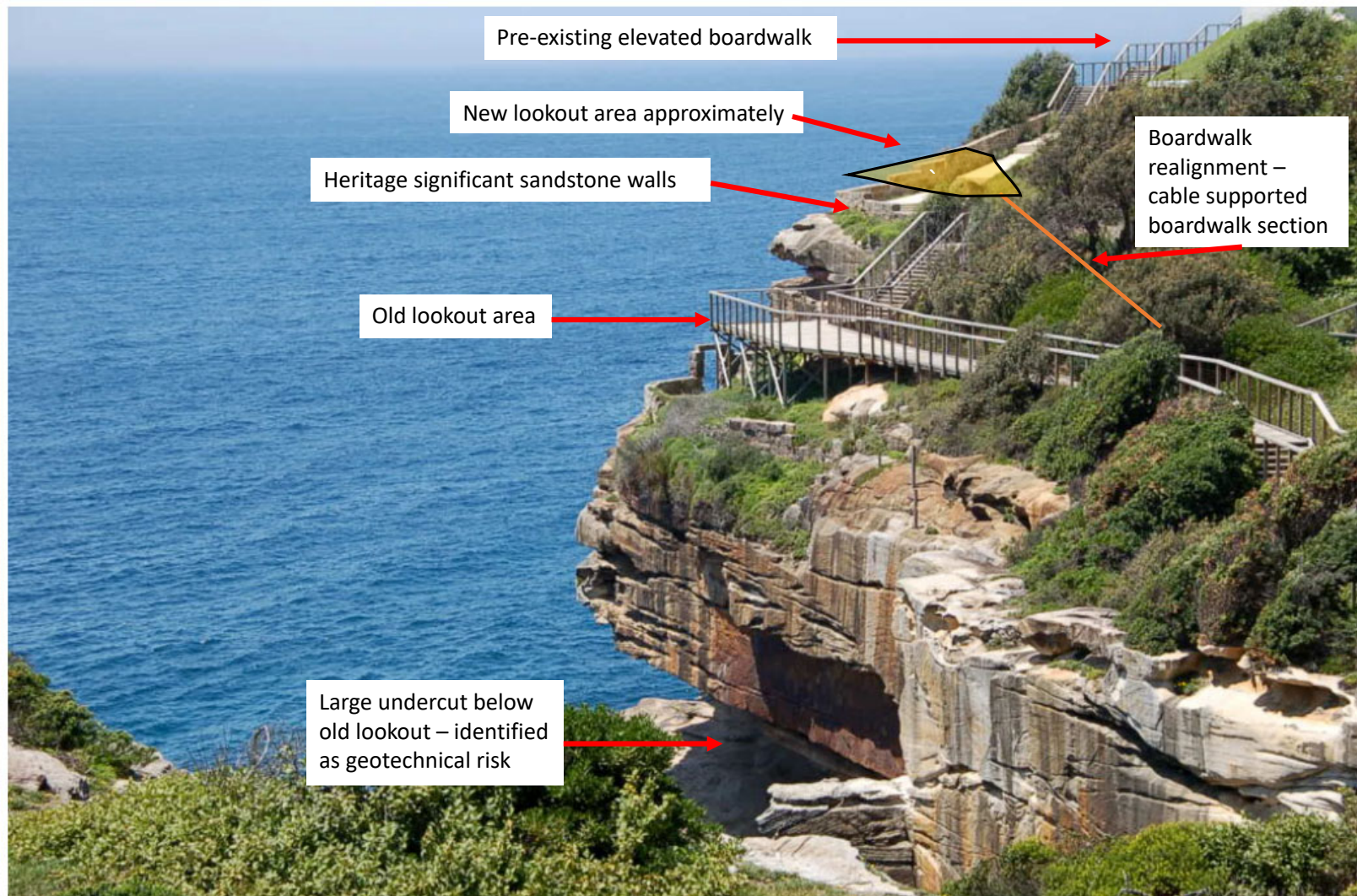
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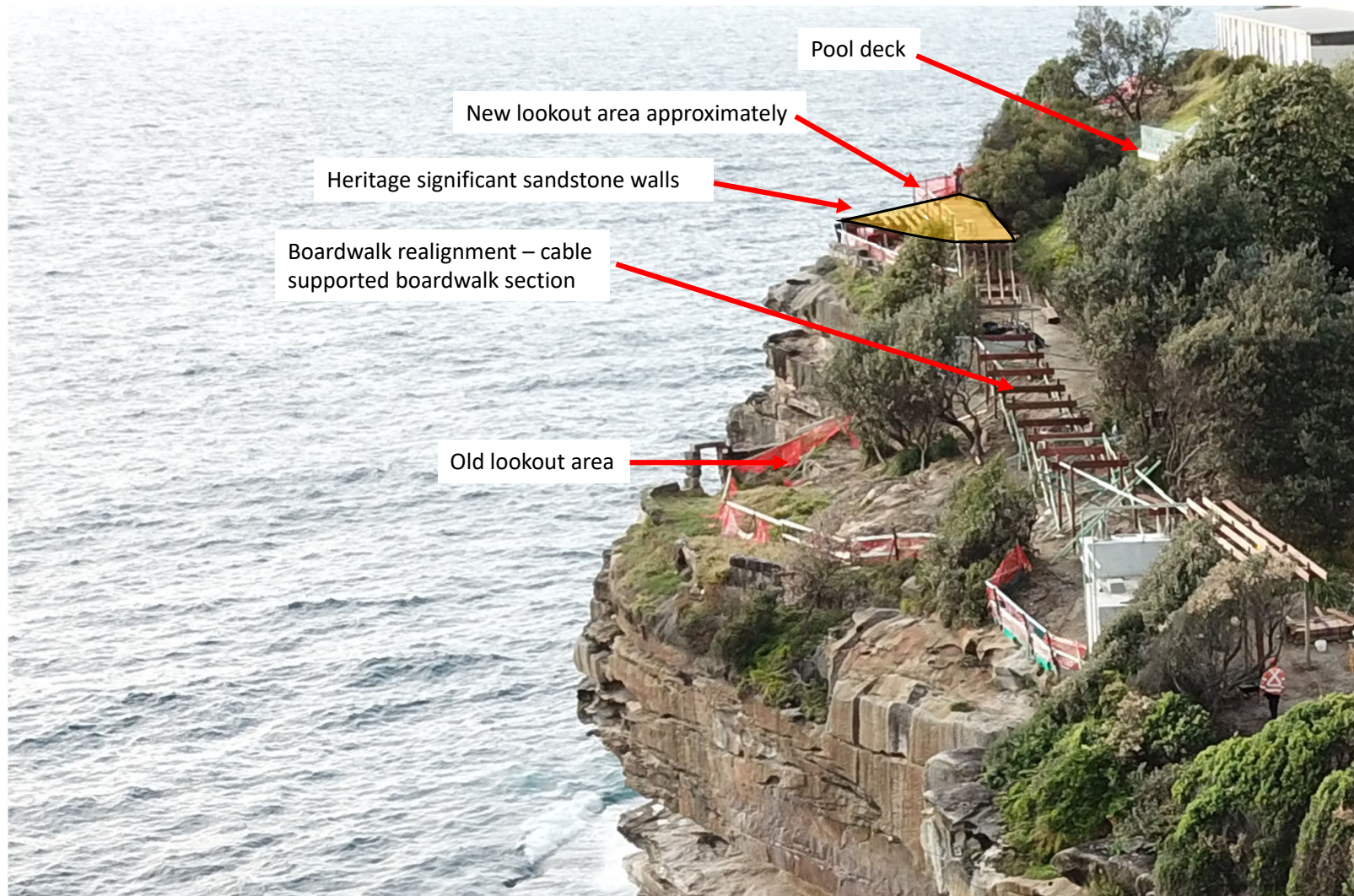


Clifftop Walkway – Diamond Bay Lookout

Site Photos and Comparative Plans

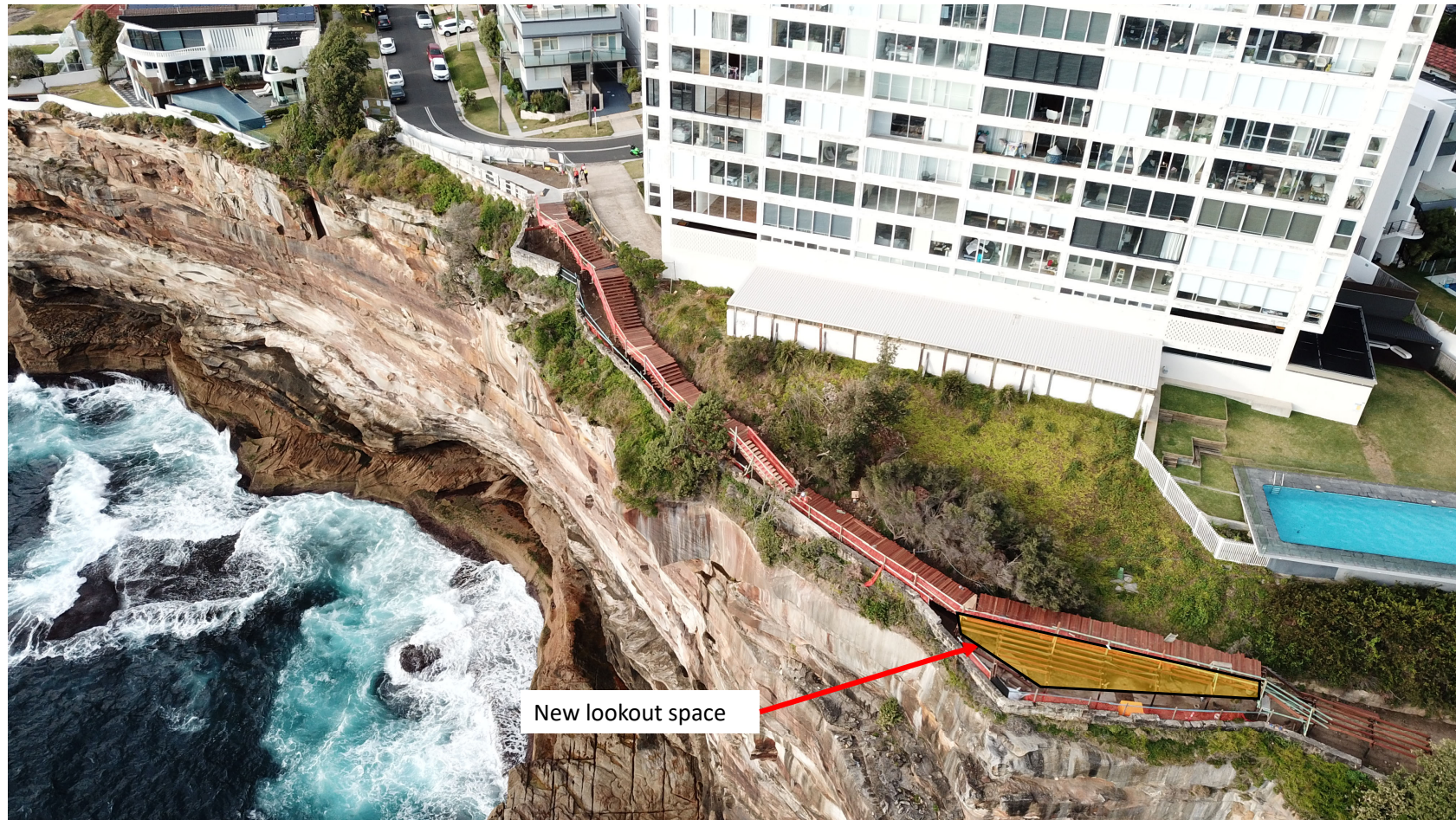










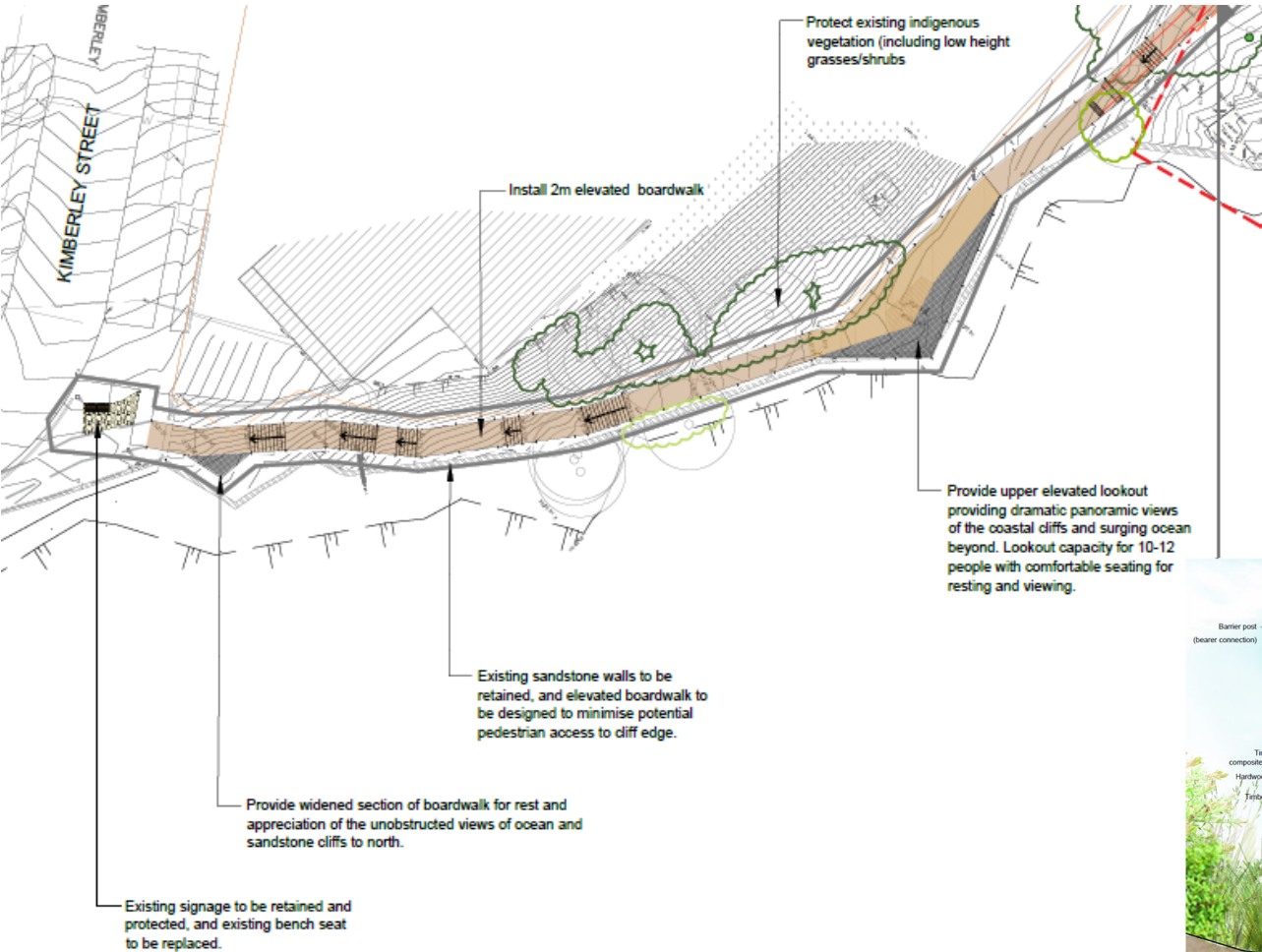


View from northern outer edge of constructed lookout towards 33 Kimberly St



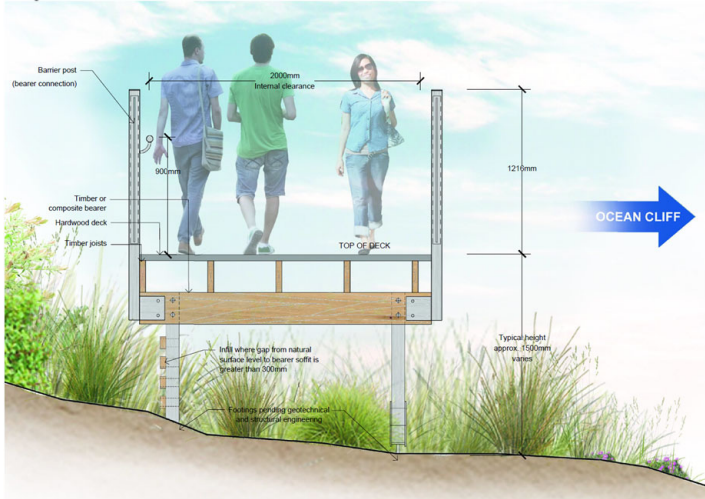
View from constructed boardwalk deck towards pool



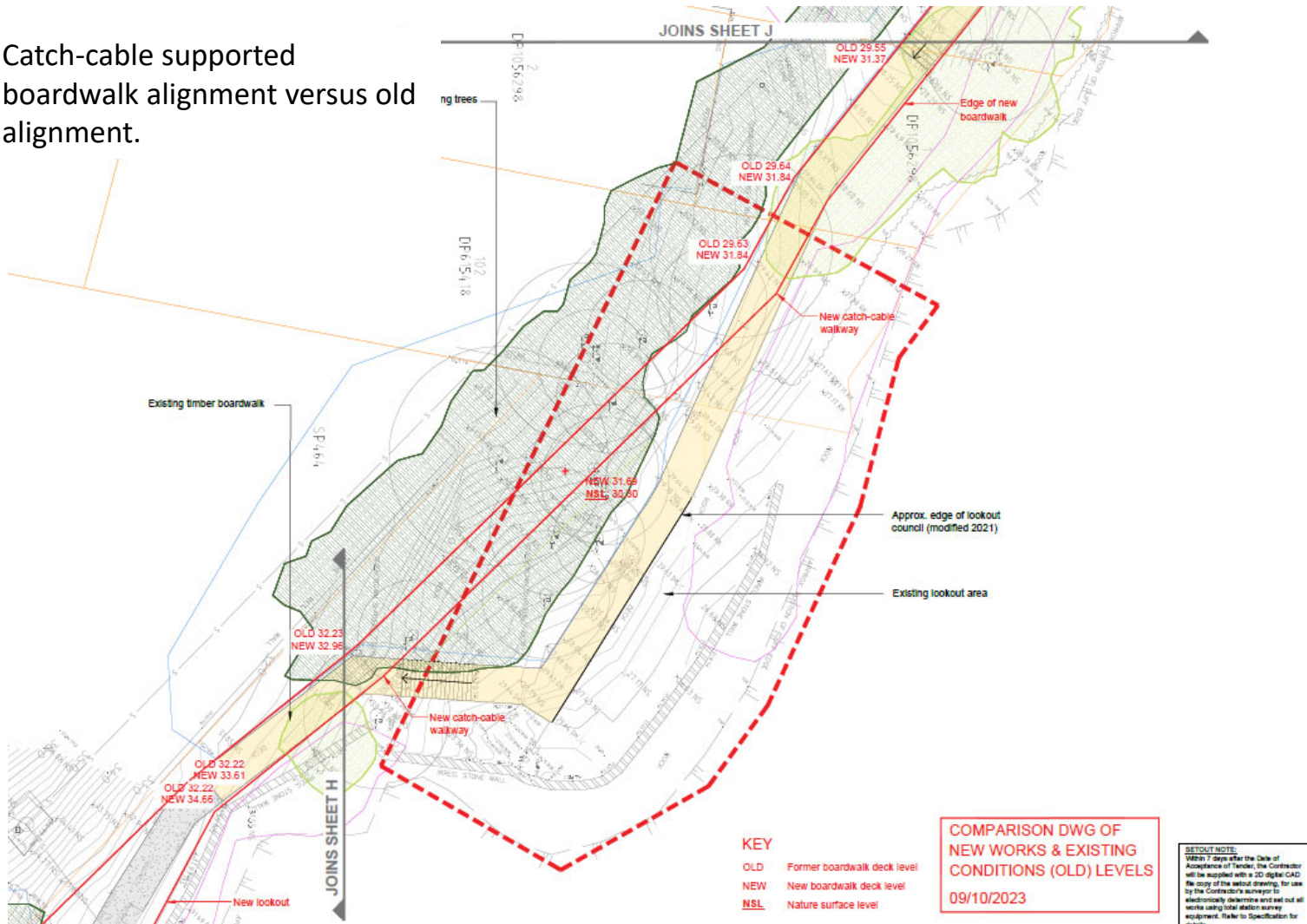


DA PLAN publicly available through DA process 2021.

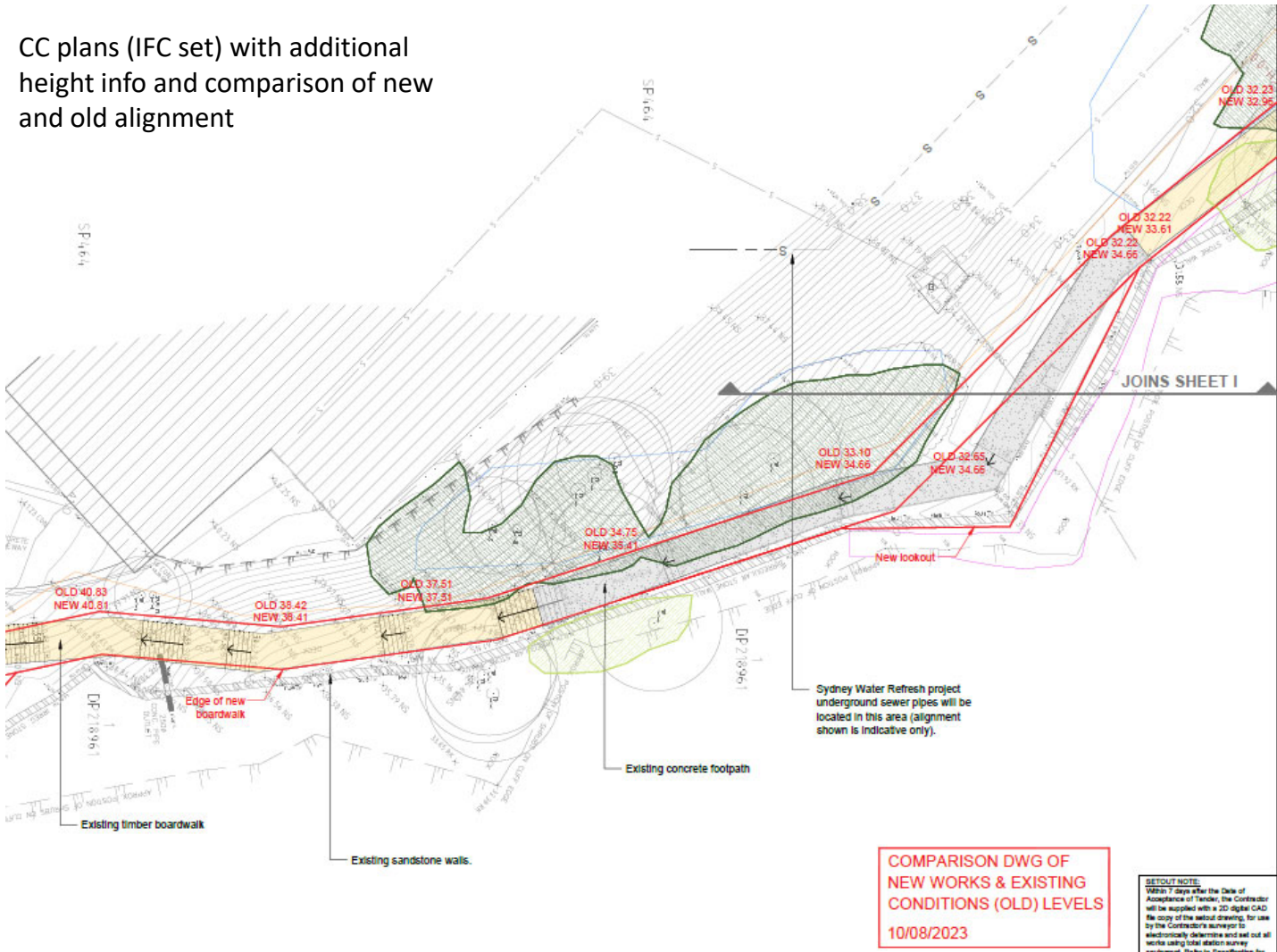
Cross section publicly available through DA process 2021.



Catch-cable supported boardwalk alignment versus old alignment.



CC plans (IFC set) with additional height info and comparison of new and old alignment



NOTICE OF MOTION CM/8.1/23.11



Subject: Clifftop Walk - Diamond Bay Lookout

TRIM No: A20/0387

Submitted by: Councillor Nemesh
Councillor Betts

MOTION:

That Council:

1. Notes the concerns of residents in relation to the proposed height of a viewing platform as part of the Diamond Bay coastal boardwalk upgrades.
2. Further notes the privacy and amenity impacts of the coastal boardwalk viewing platform on the residents of 33 Kimberley Street, Vaucluse.
3. Investigates options to lower the height of the current proposed viewing platform to a more suitable height, specifically reverting the height to the previous height level of the former boardwalk.
4. Offices prepare a report to the December Council meeting (if not sooner) with proposed options, including costs to vary or amend the current plans and reduce the height of the viewing platform.
5. Communicates this motion to the residents of 33 Kimberley Street Vaucluse, as well as the Diamond Bay Precinct.

Background

Council commenced works to upgrade the clifftop boardwalk at Diamond Bay in May 2023. A viewing platform is being constructed as part of these works. In the plans which were approved by Council, there was little to no indication that the viewing platform height would be raised significantly above the former boardwalk level. The significant increase in height has led to privacy issues in relation to the immediate neighbouring properties at 33 Kimberley Street, Vaucluse. This motion seeks for Council to provide some alternative solutions that would preserve a viewing platform but not impede or impact the surrounding residents.

General Manager's comment

A detailed report on this motion has been included on the agenda of the November 2023 Council meeting providing analysis on the privacy and amenity impacts of the coastal boardwalk viewing platform on the residents of 33 Kimberley Street, as well as options to lower or remove the viewing platform.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION CM/8.2/23.11



Subject: Cardiac Surgery at Sydney Children's Hospital, Randwick

TRIM No: A18/0716

Submitted by: Councillor Fabiano

MOTION:

That Council:

1. Notes:
 - (a) The decision by the Minister for Health, Ryan Park, to end cardiac bypass surgery at Sydney Children's Hospital, Randwick.
 - (b) The concerns by the Nurses and Midwives Association and Medical Staff Council at Sydney Children's Hospital that children's lives will be put at risk, and the likely knock-on effects on other departments in the hospital, potentially forcing children and their families to receive care at the Children's Hospital at Westmead.
 - (c) That this could have a direct impact for the children living in the Waverley local government area, and especially if they become critically unwell.
 - (d) The support for the retention of these services from Coogee MP and former Waverley Councillor Marjorie O'Neill prior to the 2023 NSW elections.
2. Affirms its support for the retention of paediatric cardiac surgery at Sydney Children's Hospital, Randwick.
3. Writes to the NSW Premier, the Hon Chris Minns MP, and the NSW Minister for Health and Medical Research, the Hon Ryan Park MP, requesting that the NSW State Government restore and maintain an appropriately funded paediatric cardiac surgical program, including cardiac bypass surgery, at Sydney Children's Hospital, Randwick.
4. Requests the Minister for Health to meet with the Mayor and General Manager in relation to this matter.
5. Promotes the online petition noted in the background to this motion through its media channels, including Facebook and Instagram, Council's website and weekly email bulletin.

Background

The NSW Nurses and Midwives Association is campaigning to retain vital services at Sydney Children's Hospital, Randwick. Randwick Council has adopted a similar motion in support at its October meeting.

More information is available at:

<https://www.smh.com.au/national/nsw/doctors-fear-for-future-of-heart-surgery-at-randwick-children-s-hospital-20230816-p5dwyh.html>

<https://www.smh.com.au/national/nsw/this-surgery-saved-alexia-s-life-labor-s-backflip-could-end-it-at-randwick-20230824-p5dz92.html>

The petition is available at:

<https://www.change.org/p/restore-cardiac-surgery-at-sydney-children-s-hospital>

General Manager's comment

If resolved by Council, officers will draft the letters and request a meeting with the Minister for Health.

Emily Scott
General Manager

NOTICE OF MOTION CM/8.3/23.11



Subject: E-Bikes
TRIM No: A17/0445
Submitted by: Councillor Masselos

MOTION:

That Council:

1. Notes that:
 - (a) There are three electric bike hire companies operating in the Waverley local government area (LGA).
 - (b) There appears to be an increase in the number of e-bikes across the Waverley LGA.
 - (c) Operators often place their e-bikes on narrow pavements, impeding access by pedestrians, prams and wheelchairs.
 - (d) Share bike customers leave bikes in inappropriate and dangerous locations.
 - (e) Operators do not appear to be collecting e-bikes in potentially dangerous locations quickly enough.
 - (f) There is an increase in the number of complaints received from residents about e-bikes being carelessly parked on footpaths, nature strips and parking spaces creating obstacles that impede pedestrian egress.
2. Officers liaise with e-bike operators to negotiate:
 - (a) More considerate and appropriate locations for the placement of their e-bikes.
 - (b) Faster collection of used bikes.
3. Officers investigate relevant legislation that may assist Council in removing offending e-bikes that are creating a hazard.
4. Officers prepare a report to Council outlining outcomes of any negotiations and legislative options.

Background

There are now three share e-bike companies operating in Waverley LGA since Neuron and Bird left to focus on e-scooters in other localities, while Lime has significantly expanded its fleet of bikes.

While I am aware that some e-bikes have GPS to help locate after use, operators generally do not independently monitor the placement of bikes, but instead rely on someone reporting to them. Operators are usually responsive within the requirements of the legislation when a bike is reported in a potentially

dangerous situation. However, the placement/discarding after use of many bikes are often just a nuisance. There were also sometimes issues with the ease of finding the contact information on the bike.

For the last few months, Council officers have been working together with representatives from other councils and the share e-bike operators with respect to these issues. Council officers have been checking and reporting badly positioned bikes and the deployment of bikes by the operator has very much improved.

However, this has not meant complaints from our community have abated as over a period of 12 months or so complaints to council have increased fivefold.

E-bike operators could be more proactive in this space.

I am aware that Council staff are also revisiting the shared bike parking trial for high-usage areas towards recommending a more permanent solution. This includes liaising with other councils towards a more common approach.

Council staff and other council representatives met with Transport for NSW (TfNSW) on 31 August 2023 to discuss these issues. Key points of this discussion with TfNSW include regulation, including a permit system to provide an enforcement mechanism and keep shared bikes managed as well as subscription to or creation of a data aggregator for all operations and to which councils have access for compliance monitoring by both TfNSW and local government.

General Manager's comment

Council officers will be attending an e-scooter and e-bike industry roundtable in December hosted by TfNSW to discuss the role of industry in the safe and effective integration of e-scooters and e-bikes in the NSW transport system. Officers can prepare a report on the meeting outcomes, including the items suggested for consideration.

Fletcher Rayner

Director, Planning, Sustainability and Compliance

NOTICE OF MOTION CM/8.4/23.11



Subject: Bulga Road and Military Road, Dover Heights - Verge Maintenance

TRIM No: A14/0144

Submitted by: Councillor Nemesh
Councillor Betts

MOTION:

That Council:

1. Notes the recent maintenance and weed removal of lantana at the verge of Military and Bulga Roads, Dover Heights, which has considerably improved pre-existing views of residents in the immediate vicinity.
2. Investigates the removal of the acacia trees planted within the verge and its replacement of more suitable vegetation, which could include native grasses.
3. Officers prepare a report to Council in February 2024 with options undertake these works.
4. Informs the Dover Heights Precinct of this motion.

Background

The Dover Heights Precinct and residents have requested that further maintenance and removal of the Acacia trees on the verge at Military and Bulga Roads be actioned.

General Manager's comment

It is noted that residents that could have views impacted by the trees at this location are 262 to 270 Military Road. All of these properties are two to three levels with the ground level being carpark/basement. Only one request for service (in 2020) has been received from a resident at one of these properties and was regarding weeds, which were removed in 2021. Four requests for service have been received between 2019 to 2021 regarding view pruning, but not from these properties.

There has been no formal motion from the Dover Heights precinct relating to this request.

The trees planted at this location (in the 1980s) are:

- Coastal tea tree (*Leptospermum laevigatum*) native to eastern Australia growing to a height of between two to five meters, with a lifespan of usually 40 to 50 years.
- *Acacia longifolia* (Sydney Golden Wattle), also native to eastern Australia and grows more often as a wide bushy shrub between three to four meters, with a lifespan usually of 10 to 20 years.

If resolved by Council, officers will prepare a report to Council in February 2024 with options and recommendations for consideration.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION CM/8.5/23.11



Subject: Bondi Junction Entertainment Precinct

TRIM No: A16/0262

Submitted by: Councillor Betts
Councillor Burrill

MOTION:

That Council:

1. Investigates the steps required to create an Entertainment Precinct in Bondi Junction to improve the vibrancy of the Bondi Junction commercial centre, including but not limited to:
 - (a) How existing planning instruments, including the *Waverley Local Environmental Plan* (WLEP) and *Waverley Development Control Plan* (WDCP), would need to be varied to address relevant matters, including outdoor dining hours in the current WDCP, existing footpath seating licences, introduction of controls and compliance for maximum noise levels for any amplified sound.
 - (b) Resources, timing and funding required to develop a draft planning proposal to amend the WLEP, noting that this may be the first key step to introduce an Entertainment Precinct in Bondi Junction.
 - (c) Preparing a draft Plan of Management for the Entertainment Precinct.
 - (d) Any requirements for a specific Waverley Special Entertainment Precinct to facilitate the creation of an Entertainment Precinct.
 - (e) The scope of any community consultation process.
2. Convenes a Councillor briefing early in 2024 to discuss the benefits and risks for an entertainment precinct/zone in Bondi Junction, how an Entertainment Precinct could be introduced, how it could operate, what could be its potential boundaries, and what would a community consultation strategy look like.
3. Receives a report by no later than April 2024.

Background

This motion explores the options to create a Special Entertainment Precinct in the Bondi Junction Commercial area to improve the viability of night time businesses and improve the economy of the Junction.

A Special Entertainment Precinct is an area with a diverse mix of land uses, both residential and commercial, including entertainment venues that contribute to an active night-time economy. The State Government recently introduced the omnibus 24-Hour Economy Legislation (Vibrancy Reforms) Amendment Bill 2023 and the 24-Hour Economy Commissioner Bill 2023. The outcome will be the creation

of more night-life precincts around the State. Importantly, those changes encourage councils, in consultation with their communities, to foster diverse environments that reflect the culture of their local areas.

The bill is aimed towards encouraging a vibrant economy, particularly at night, but it does not do that at the expense of safety. No one wants to return to the days of alcohol-fuelled violence and deaths, but neither do we want to return to lockdown laws. Considering the new legislation, it is now possible to establish minimum requirements for amplified noise to ensure that the community expectations of acceptable entertainment sound levels in the area are included and to create a consistent quantitative based approach to sound regulation and compliance.

The approved trial and subsequent long-term extension of the Enmore Road Entertainment Precinct delivered by the Inner West Council clearly establishes a model to establish an Entertainment Precinct in Bondi Junction. There are many similarities between the Enmore Road and Oxford/Spring Streets precincts so the Inner West Model could be used.

Various boundary options could be considered including the two shown below.



**General Manager's comment**

The current night-time strategy, the Bondi Junction Evening, Culture and Entertainment Strategy, was adopted in 2018. There is opportunity to review and update the current Economic Development Strategy to include the night-time economy, with the items suggested for consideration to be included.

Fletcher Rayner

Director, Planning, Sustainability and Compliance

NOTICE OF MOTION CM/8.6/23.11



Subject: Continuous Pedestrian Paths of Travel - Accessibility Solutions

TRIM No: A21/0205

Submitted by: Councillor Kay
Councillor Burrill

MOTION:

That Council:

1. Notes Council resolution CM/8.2/21.11 (Accessibility in Waverley) for Waverley to become the most accessible place in NSW.
2. Notes the Disability Inclusion Action Plan (DIAP) 2022–26, which aims to identify what needs to be done to optimise accessibility and inclusion in Waverley.
3. Notes actions from Council's Bondi Junction Pedestrian Access and Mobility Plan (PAMP) 2009 are now finalised.
4. Notes the Waverley People, Movement and Places Study approved by Council in December 2017.
5. Officers prioritise the installation of Tactile Graphic Surface Indicators (TGSIs), known as tactile markers, such as at existing continuous footpath treatments (CFTs) in Waverley, ensuring that installations meet best practice for proper alignment with all desire lines of pedestrian travel, starting with high pedestrian areas in Bondi Junction.
6. Officers, through Council's internal Access and Mobility Working Group:
 - (a) Continue to conduct access audits of the Bondi Junction commercial area and villages centres throughout Waverley to plan, prioritise and action improvements to continuous pedestrian paths of travel, including footpaths, kerb ramps, cycleways, continuous footpath treatments, shared paths, shared zones, unsignalised pedestrian crossing, and signalised intersections using a staged approach to create outcomes as soon as possible.
 - (b) Identify areas of concern that fall under the authority of Transport for NSW/the NSW State Government and then make representations, as appropriate, with Councillors being notified.
7. Officers engage with the Access and Inclusion Advisory Panel on proposals.
8. Officers request design input on the above initiatives from Guide Dogs NSW and other stakeholders in the vision impaired area.
9. Receives a progress report in the first half of 2024 on the above actions.

Background

Resulting from the November 2021 Council resolution, repeated below, the draft Disability Inclusion Action Plan (DIAP) 2022-2026, now finalised and endorsed by Council, included new actions. The DIAP will continue to direct Council's work towards improving community inclusion and access in Waverley.

Research was undertaken by Guide Dogs Australia in February/March 2023 to understand the needs of people with low vision or blindness when accessing their communities. Critical challenges affecting the safe and independent mobility of these people included shared paths/zones and flush finish road crossings such as continuous footpath treatments (CFTs).

Alarmingly, around 80% of all respondents lacked confidence in crossing roads when the footpath and road were at the same level. Unfortunately, this urban design trend is proliferating across NSW communities without design specifications incorporating the needs of people who are blind or have low vision.

While removing kerbs ramps might be beneficial for many user groups, their removal is detrimental for the safe navigation of people who are blind or have low vision.

Additionally, the cognitive load and intense concentration required by people with blindness or low vision to navigate with safety and confidence becomes even more challenging in crowded, uneven, or obstructed footpaths. The transition from a safe footpath to a hazardous road must be clear and conspicuous for their safety and independence.

Other issues arise for people who are blind or have low vision when they are navigating footpaths and crossing roads, such as potential conflict with other road users, ensuring kerb ramps are compliant and don't face the wrong direction to thereby mislead pedestrians into traffic, and how audible tones can be used at appropriate locations and to improve awareness of e-bikes and electric vehicles where there are only limited audible sound on approach.

Generally, well aligned Tactile Graphic Surface Indicators (TGSIs), known as tactile markers, do prove necessary at most intersections. Sometimes, where kerb ramps are designed and implemented in a compliant way (having appropriate gradients, alignments and setbacks from the building line), TGSIs may not be required. Through access audits at current road crossing points and for all continuous paths of travel, Council officers can identify solutions on a case-by-case basis, whether retrofit or renewal.

The motion aims to distinguish between issues that can be addressed by local councils and those that fall under the authority of Transport for NSW and the NSW State Government. We can lobby for change in the latter space.

Actions arising from this motion aim to highlight the pedestrian challenges on footpaths and roads, especially those faced by people who are blind or have low vision, and create safer accessibility in the infrastructure evaluation and design process to address these challenges and thereby reduce risks for all pedestrians.

In this way, Council will provide an inclusive, safer, robust, and well-designed pedestrian infrastructure system that could be modelled by other Councils across NSW and beyond.

November 2021 Council resolution CM/8.2/21.11 - Accessibility in Waverley*UNANIMOUS DECISION*

That Council officers, as part of the draft Disability Inclusion Action Plan (DIAP) currently on exhibition until 20 December 2021, identify what needs to be done to optimise accessibility and inclusion for Waverley to become the most accessible place in NSW, including consideration of the following:

- 1. Conducting access audits of commercial and villages centres to plan and prioritise continuous paths of travel and installation of kerb ramps, accessible toilets, seating, lighting, safe crossings and pick-up/drop-off parking spaces.*
- 2. Updating 'Discover Waverley' with the information from the audits to help people plan their journey.*
- 3. Progressively upgrading play spaces as outlined in the Inclusive Play Space Study and Open Space Strategy.*
- 4. Developing an Inclusive Tourism strategy and link information into the NSW Destination website.*
- 5. Establishing a walking and mobility working group to progress pedestrian access under the DIAP and People, Movement and Places Strategy. The working group could have representatives from the Access and Inclusion Advisory Panel and Cycling Advisory Committee, and staff from Community Services and Transport Planning.*

Background to November 2021 notice of motion

We believe that Waverley could become the most accessible place in NSW and that we should identify the actions that need to occur for this to be achieved. 'Sydney, Australia' is listed as one of the top 25 most accessible cities in the world by [travelpulse.com](https://travelpulse.com/gallery/destinations/25-of-the-worlds-most-disability-friendly-cities): travelpulse.com/gallery/destinations/25-of-the-worlds-most-disability-friendly-cities.

The Destination NSW website sydneyforall.com currently only provides information on activities in Sydney CBD and Manly for those with a disability.

Extract from General Manager's comment on November 2021 notice of motion

Through Council's first Disability Inclusion Action Plan (DIAP), which took a regional approach, strategies and actions continued to include a strong focus on improving accessibility and inclusion of Waverley's physical environment. With Waverley's challenging topographical features and ageing infrastructure, optimising accessibility requires prioritisation and ongoing commitment.

Over the last few years, much has been achieved, including works under the Access Bondi project. Improved accessibility and inclusion are important marketing tools, acting as strong attractors in any tourism strategy promoting Waverley's reputation in this area.

Improvements to accessibility and inclusion in the physical environment could mean a lot of different things for people with different kind of impairments; for example, continuous paths of travel, improved transport and parking services, accessible accommodation, shopping and restaurants, welcoming and inclusive recreation and entertainment opportunities, etc.

Council is developing a new DIAP to work towards improving community inclusion and access over the next four years. It is currently out for community consultation to gather information on the community's experiences and ideas.

General Manager's comment

Council officers, through the Access and Mobility Working Group, have been working through a number of issues to improve accessibility in Waverley. Recent outcomes include:

- Provision of two new pick-up/drop-off (PUDO) bays, one at Bondi Pavilion and one at the Customer Service Centre in Bondi Junction.
- Consultant engaged and report received on best practice for access to vehicles at PUDO spots/taxi ranks etc.
- Two new accessible bus stops at Bronte Road in Bondi Junction and Tamarama Marine Drive.

The working group is supportive of focusing on the issues raised in the motion and working with Guide Dogs NSW and other stakeholders in developing solutions.

Sharon Cassidy
Director, Assets and Operations

URGENT BUSINESS
CM/10/23.11**Subject:** Urgent Business**Author:** Emily Scott, General Manager

In accordance with clause 9.3 of the Waverley Code of Meeting Practice, business may be considered at a meeting of Council even though due notice of the business has not been given to councillors. However, this can happen only if:

1. The business to be considered is ruled by the chair to be of great urgency on the grounds that it requires a decision by Council before the next scheduled ordinary meeting of Council, and
2. A motion is passed to have the business considered at the meeting.

Such a motion can be moved without notice.

Only the mover of the motion can speak to the motion before it is put. A motion to have urgent business transacted at the meeting requires a seconder.

For business to be considered urgent, it must require a decision by Council before the next scheduled ordinary meeting of Council.

The mover of the motion must, when speaking to the motion, explain why he or she believes it requires a decision by Council before the next scheduled ordinary meeting of Council.

CLOSED SESSION
CM/11/23.11

Subject: Moving into Closed Session

Author: Emily Scott, General Manager

**RECOMMENDATION:**

That:

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

CM/11.1/23.11 CONFIDENTIAL REPORT - Pedestrian Laneway between Dickson Lane and Belgrave Street, Bronte

This matter is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

CM/11.2/23.11 CONFIDENTIAL REPORT - Commercial Waste - Fees and Charges 2024

This matter is considered to be confidential in accordance with Section 10A(2)(d)(ii) of the Local Government Act, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of Council.

CM/11.3/23.11 CONFIDENTIAL REPORT - Shops 2 and 3, 276 Bronte Road, Waverley - Lease

This matter is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

CM/11.4/23.11 CONFIDENTIAL REPORT - 194-214 Oxford Street and 2 Nelson Street, Bondi Junction - Use of Council Land

This matter is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

CM/11.5/23.11 CONFIDENTIAL REPORT - Flickerfest 2024 – Financial Assistance

This matter is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

Introduction/Background

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

- (a) Personnel matters concerning particular individuals (other than councillors).
- (b) Personal hardship of any resident or ratepayer.
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of a person who supplied it: or
 - (ii) Confer a commercial advantage on a competitor of Council;
 - (iii) Reveal a trade secret.
- (e) Information that would, if disclosed, prejudice the maintenance of law.
- (f) Matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440.

It is my opinion that the business listed in the recommendation is of a kind referred to in section 10A(2) of the *Local Government Act 1993* and, under the provisions of the Act and the *Local Government (General) Regulation 2021*, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clauses 14.9–14.10 of the Waverley Code of Meeting Practice, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

RESUMING IN OPEN SESSION

CM/12/23.11

Subject: Resuming in Open Session

Author: Emily Scott, General Manager



RECOMMENDATION:

That Council resumes in open session.

Introduction/Background

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