



W A V E R L E Y
C O U N C I L

COUNCIL MEETING

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

7.00 PM, TUESDAY 20 FEBRUARY 2024

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

CM/11.1/24.02 CONFIDENTIAL REPORT - Laneway between Dickson Lane and Belgrave Street, Bronte - Update

CM/11.2/24.02 CONFIDENTIAL MAYORAL MINUTE – General Manager’s Annual Performance Review

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- 13. Meeting Closure**

OBITUARIES
CM/3/24.02



W A V E R L E Y
COUNCIL

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/5.1/24.02



Subject: Confirmation of Minutes - Council Meeting - 12 December 2023

TRIM No: SF23/16

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That the minutes of the Council meeting held on 12 December 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 - 12 December 2023 .



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 12 DECEMBER 2023**

Present:

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor Ludovico Fabiano	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Michelle Gray	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Elaine Keenan	Lawson Ward
Councillor Steven Lewis	Hunter Ward
Councillor Will Nemes	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 7.02 pm, those present were as listed above.

Crs Gray and Wy Kanak attended the meeting by audio-visual link.

At 9.50 pm, following the vote on item CM/8.1/23.12, the meeting adjourned for a short break.

At 9.57 pm, the meeting resumed.

At 10.58 pm, following the vote on item CM/8.2/23.12, Cr Burrill left the meeting and did not return.

At 11.13 pm, following the vote on item CM/11.3/23.12, Cr Lewis Left the meeting and did not return.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

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

The Mayor read the following Acknowledgement of Indigenous Heritage:

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

1. Apologies/Leaves of Absence

CM/1.1/23.12 Leave of Absence - Cr Murray (A03/0029)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Gray

That Council grants Cr Tim Murray leave of absence from the Council meeting on 12 December 2023 due to overseas travel.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

3. Obituaries

There were no obituaries.

4. Addresses by Members of the Public

4.1 D Caretti (on behalf of Charing Cross Precinct) – CM/7.5/23.12 – Tender Evaluation – Charing Cross Streetscape Upgrade – Preliminary Electrical Works.

4.2 H Tanner – CM/7.5/23.12 – Tender Evaluation – Charing Cross Streetscape Upgrade – Preliminary Electrical Works.

4.3 P Goodrick – CM/7.5/23.12 – Tender Evaluation – Charing Cross Streetscape Upgrade – Preliminary Electrical Works.

4.4 E Constantinou (on behalf of Bondi and Districts Chamber of Commerce) – CM/7.5/23.12 – Tender Evaluation – Charing Cross Streetscape Upgrade – Preliminary Electrical Works.

4.5 S Weiner – CM/7.6/23.12 – Clifftop Walk – Diamond Bay Lookout.

- 4.6 P McDermott – CM/8.2/23.12 – RESCISSION MOTION – CM/4.1/23.12E – CONFIDENTIAL REPORT – Flickerfest 2024 – Financial Assistance.
- 4.7 H Hilliard – CM/8.2/23.12 – RESCISSION MOTION – CM/4.1/23.12E – CONFIDENTIAL REPORT – Flickerfest 2024 – Financial Assistance.
- 4.8 R Woods (on behalf of the Australian Directors’ Guild) – CM/8.2/23.12 – RESCISSION MOTION – CM/4.1/23.12E – CONFIDENTIAL REPORT – Flickerfest 2024 – Financial Assistance.
- 4.9 B Kidd (on behalf of Flickerfest Pty Ltd) – CM/8.2/23.12 – RESCISSION MOTION – CM/4.1/23.12E – CONFIDENTIAL REPORT – Flickerfest 2024 – Financial Assistance.
- 4.10 K Baykitch (on behalf of the Sydney Jewish Museum) – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.11 M Norman (on behalf of Faith NSW) – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.12 J Pinczewski – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.13 O Birenbaum – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.14 S Eisner – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.15 V Berger – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.16 Rabbi Dr D Slavin – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.17 P King – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.18 A resident – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.19 M Guttman-Jones – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.20 R Gregory (on behalf of the Australian Jewish Association) – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.21 J Sher – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.22 Y Coburn – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.23 H Wolfson – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.
- 4.24 H Rosen – CM/8.4/23.12 – Rising Antisemitism in Australia and Impact on the Waverley Community.

ITEMS BY EXCEPTION**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

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

CM/5.1/23.12 Confirmation of Minutes – Council Meeting – 21 November 2023.

CM/5.2/23.12 Confirmation of Minutes – Extraordinary Council Meeting – 5 December.

CM/7.1/23.12 Waverley Artist Studios Appointments – 2024-25.

CM/7.2/23.12 Arts, Culture and Creativity Advisory Committee Meeting – 20 November 2023 – Minutes

CM/7.3/23.12 Planning Agreement – 12 Burge Street, Vauclose.

5. Confirmation and Adoption of Minutes**CM/5.1/23.12 Confirmation of Minutes - Council Meeting - 21 November 2023 (SF23/16)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That the minutes of the Council meeting held on 21 November 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/5.2/23.12 Confirmation of Minutes - Extraordinary Council Meeting - 5 December 2023 (SF23/16)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That the minutes of the extraordinary Council meeting held on 5 December 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/5.3/23.12 Adoption of Minutes - Waverley Traffic Committee Meeting - 23 November 2023 (SF23/19)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee meeting held on 23 November 2023 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

TC/C.02/23.11 – Woolworths Metro, 113 Macpherson Street, Bronte – Pedestrian Facility Upgrades and Parking Restrictions.

And that this item be dealt with separately below.

CM/5.3.1/23.12 Adoption of Minutes - Waverley Traffic Committee Meeting - 23 November 2023 - TC/C.02/23.11 - Woolworths Metro, 113 Macpherson Street, Bronte - Pedestrian Facility Upgrades and Parking Restrictions (A14/0145)

This item was saved and excepted by Cr Masselos.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Kay

That Council:

1. Does not adopt the Traffic Committee's recommendation.
2. Does not defer the following matters and approves them as follows:
 - (a) Installs kerb buildouts to replace the traffic island in front of 113 Macpherson Street, Bronte, as shown in Figure 2 of the report, with an increase to the width of the kerb buildouts from 3.1 metres to 3.3 metres.
 - (b) Installs a new 11.5 metre 'P15, 7 am–10 pm' zone on the south side of Macpherson Street, to the immediate west of the new kerb buildouts.
 - (c) Relocates the 15.4 metre Truck Zone/Taxi Zone 4 metres to the east and lengthens it to 17.5 metres subject to changing the 'Truck Zone, 9 am–12 pm, Taxi Zone at Other Times' to 'Truck Zone, 9 am–12 pm, P15 7 am–9 am, 12 pm–10 pm Mon–Sat, 7 am–10 pm Sun.'
3. Approves the following matters:
 - (a) Upgrades the traffic islands at the intersection of Macpherson Street and Yanko Avenue.
 - (b) Installs 'Give Way' line markings and signs at the intersection of Macpherson Street and Yanko Avenue.
 - (c) Installs a 4.2 metre 'P Motorbikes Only' in Macpherson Street adjacent to 1 Yanko Avenue, Bronte.
4. Delegates authority to the Executive Manager, Infrastructure Services, to modify the design should onsite circumstances warrant changes.
5. Monitors the effectiveness of the new kerb extensions and signage restrictions for six months and delegates authority to the Executive Manager, Infrastructure Services, to modify the 'No Stopping' zones, if required.

6. Mayoral Minutes

CM/6.1/23.12 CONFIDENTIAL MAYORAL MINUTE - General Manager's Annual Performance Review (P01/054)

Council dealt with this item in closed session (see CM/11.3/23.12 below).

7. Reports

CM/7.1/23.12 Waverley Artist Studios Appointments - 2024-25 (A23/0398)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Offers the following artists a placement in the Waverley Artist Studios from March 2024 to February 2025:
 - (a) Dennis Golding and Carmen Gyln-Braun (Re-Right Collective).
 - (b) Nick Breedon.
 - (c) Akil Ahamat.
 - (d) Remmy Faint.
 - (e) Rox DeLuca.
 - (f) Jacquie Meng.
2. Offers the following artists a reserve placement in the Waverley Artist Studios from March 2024 to February 2025:
 - (a) Elizabeth Day.
 - (b) Kai Wasikowski.
 - (c) Tarik Ahlip.
 - (d) Gerwyn Davies.

CM/7.2/23.12 Arts, Culture and Creativity Advisory Committee Meeting - 20 November 2023 - Minutes (A23/0398)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council notes the minutes of the Arts, Culture and Creativity Advisory Committee meeting held on 20 November 2023 attached to the report.

CM/7.3/23.12 Planning Agreement - 12 Burge Street, Vaucluse (SF23/4795)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconded: Cr Keenan

That Council:

1. Approves the planning agreement attached to the report applying to land at 12 Burge Street, Vaucluse, offering a total monetary contribution of \$286,560, with \$71,640 (25%) to be allocated to Waverley's Affordable Housing Program and \$214,920 (75%) to be allocated to the Clifftop Walk Upgrade at Diamond Bay and Eastern Reserve, 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.

CM/7.4/23.12 Directions for On-Street Transit - Submission (A20/0076)**MOTION**

Mover: Cr Masselos
Seconded: Cr Lewis

That Council:

1. Approves the submission to Transport for NSW (TfNSW) attached to the report on the Directions for On-Street Transit White Paper, subject to the following amendments, which may be further expanded:
 - (a) Any on-street transit options must support, and not negatively impact, local businesses along the Bondi Beach to Bondi Junction on-street transit routes, which are part of a thriving local economy.
 - (b) It is imperative that these significant local economies are protected, as they form significant local community anchors and help reduce congestion in Bondi Junction.
2. Authorises the General Manager to approve the final updated submission and forward it to TfNSW as a matter of urgency.

AT THIS STAGE IN THE PROCEEDINGS, A PROCEDURAL MOTION TO LAY THE ITEM ON THE TABLE TO CONSIDER AN AMENDMENT, MOVED BY CR MASSELOS AND SECONDED BY CR BURRILL, WAS PUT AND DECLARED CARRIED.

LATER IN THE MEETING, A PROCEDURAL MOTION TO TAKE THE ITEM FROM THE TABLE, MOVED BY CR MASSELOS AND SECONDED BY CR KAY, WAS PUT AND DECLARED CARRIED

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

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

UNANIMOUS DECISION

That Council:

1. Approves the submission to Transport for NSW (TfNSW) attached to the report on the Directions for On-Street Transit White Paper, subject to the following amendments, which may be further expanded:
 - (a) Any on-street transit options must support, and not negatively impact, local businesses along the Bondi Beach to Bondi Junction on-street transit routes, which are part of a thriving local economy.
 - (b) It is imperative that these significant local economies are protected, as they form significant local community anchors and help reduce congestion in Bondi Junction.
 - (c) Page 96 of the agenda, fourth paragraph – Amend to read as follows:

‘Consideration of and addressing Council’s concerns outlined in this letter would be the basis for any subsequent support of Rapid Bus Routes:

 1. Bondi Beach to Bondi Junction and City
 2. Bondi Junction to Randwick and beyond.’
3. Authorises the General Manager to approve the final updated submission and forward it to TfNSW as a matter of urgency.

CM/7.5/23.12 Tender Evaluation - Charing Cross Streetscape Upgrade - Preliminary Electrical Works (SF23/3929)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Treats the tender evaluation attached to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as the evaluation 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 QMC for the supply of preliminary electrical works for the Charing Cross Streetscape Upgrade for the sum of \$4,019,567.39 excluding GST, subject to the General Manager’s determination for the project to proceed under delegation issued to the General Manager by Council at its meeting on 1 June 2021.
3. Authorises the General Manager or delegate to enter into a contract on behalf of Council with the preferred tenderer, subject to clause 2 above.
4. Notifies unsuccessful tenderers of the decision, in accordance with clause 179 of the *Local Government (General) Regulation 2021*.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF A NEW CLAUSE 5.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Treats the tender evaluation attached to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as the evaluation 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 QMC for the supply of preliminary electrical works for the Charing Cross Streetscape Upgrade for the sum of \$4,019,567.39 excluding GST subject to the General Manager's determination for the project to proceed under delegation issued to the General Manager by Council at its meeting on 1 June 2021.
3. Authorises the General Manager or delegate to enter into a contract on behalf of Council with the preferred tenderer, subject to clause 2 above.
4. Notifies unsuccessful tenderers of the decision, in accordance with clause 179 of the *Local Government (General) Regulation 2021*.
5. Officers, prior to the General Manager's final determination of the Review of the Environmental Factors (REF) of the Charing Cross Streetscape Upgrade Project, email Councillors the final amended REF and provide a summary of the technical and community issues raised during public exhibition.

D Caretti (on behalf of Charing Cross Precinct), H Tanner, P Goodrick, E Constantinou (on behalf of Bondi and Districts Chamber of Commerce) addressed the meeting.

Cr Lewis was not present for the vote on this item.

CM/7.6/23.12 Clifftop Walk - Diamond Bay Lookout (A20/0387)

Council dealt with this item in closed session.

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh

Seconder: Cr Betts

That Council defers this item pending a further report from Council officers on:

1. Options to maximise the height reduction of SK.04–SK.07 by up to 1.5 metres and the associated costs.
2. An investigation into shifting the stairs at SK.02 further east by up to 3 metres and the associated costs.
3. Updated visual impact assessments for clauses 1 and 2 above and for 15 and 17 Kimberley Street.
4. An updated risk assessment and legal advice in relation to the risk.

S Weiner addressed the meeting.

8. Notices of Motions

CM/8.1/23.12 RESCISSION MOTION - PD/5.2/23.12 - Planning Proposal - Dwelling Density (PP-3/2023)

MOTION

Mover: Cr Betts

Seconder: Cr Kay

That Council rescinds resolution PD/5.2/23.12 – Planning Proposal – Dwelling Density passed at the Strategic Planning and Development Committee meeting on 5 December 2023.

FORESHADOWED MOTION

Mover: Cr Betts

Seconder: Cr Kay

That Council defers this matter to a Councillor workshop in early 2024 for consideration of the planning proposal and to discuss how it fits into Council’s strategic vision.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

THE FORESHADOWED MOTION THEN BECAME THE MOTION AND WAS PUT AND DECLARED CARRIED.

DECISION

That Council defers this matter to a Councillor workshop in early 2024 for consideration of the planning proposal and to discuss how it fits into Council’s strategic vision.

Division

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

Against the Motion: Cr Wy Kanak.

CM/8.2/23.12 RESCISSION MOTION - CM/4.1/23.12E - CONFIDENTIAL REPORT - Flickerfest 2024 - Financial Assistance (A22/0540)

Council dealt with this item in closed session.

MOTION

Mover: Cr Fabiano

Seconder: Cr Wy Kanak

That Council rescinds resolution CM/4.1/23.12E – Flickerfest 2024 – Financial Assistance passed at the extraordinary Council meeting on 5 December 2023.

FORESHADOWED MOTION

Mover: Cr Fabiano

Seconder: Cr Masselos

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. Notes that Flickerfest Pty Ltd is a for-profit enterprise
3. In accordance with section 356 of the *Local Government Act 1993*, grants \$133,979 of in-kind support and \$61,000 in cash to Flickerfest Pty Ltd to support the cost of Flickerfest 2024.
4. Requires Flickerfest to provide audited financial statements from February 2024 for any future financial assistance from Council.
5. Authorises the General Manager or delegate to execute an event licence with Flickerfest Pty Ltd to deliver Flickerfest 2024.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

THE FORESHADOWED MOTION THEN BECAME THE MOTION.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF NEW CLAUSES.

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. Notes that Flickerfest Pty Ltd is a for-profit enterprise
3. In accordance with section 356 of the *Local Government Act 1993*, grants \$133,979 of in-kind support and \$61,000 in cash to Flickerfest Pty Ltd to support the cost of Flickerfest 2024.
4. Requires Flickerfest to provide audited financial statements from February 2024 for any future financial assistance from Council.
5. Considers alternative outdoor locations near Bondi Pavilion for Flickerfest in 2025.
6. Notes that the Pavilion is unable to be utilised by any other hirer during the outdoor evening screenings of Flickerfest.
7. Authorises the General Manager or delegate to execute an event licence with Flickerfest Pty Ltd to deliver Flickerfest 2024.

Division

For the Motion: Crs Betts, Burrill, Fabiano, Goltsman, Gray, Kay, Keenan, Lewis, Nemesh and Wy Kanak.

Against the Motion: Cr Keenan.

P McDermott, H Hilliard, R Woods (on behalf of the Australian Directors' Guild) and B Kidd (on behalf of Flickerfest Pty Ltd) addressed the meeting.

CM/8.3/23.12 Wellington Street and Bondi Road, Bondi - Safety Improvements (A21/0430)**MOTION**

Mover: Cr Fabiano
Seconder: Cr Wy Kanak

That Council:

1. Notes that Transport for NSW has not made any progress with the proposal to make safety improvements at the intersection of Wellington Street and Bondi Road, Bondi.
2. Undertakes a road safety assessment as part of the Bondi Local Area Traffic Management Study to assess suitable safety upgrades at the intersection.
3. Investigates angle parking suitability in Wellington Street.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO THE MOTION.

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

UNANIMOUS DECISION

That Council notes that:

1. Transport for NSW has considered several proposals to make safety improvements at the intersection of Wellington Street and Bondi Road, Bondi, but has not yet consulted the local community on which option they prefer.
2. The Bondi Local Area Traffic Management Study is already undertaking:
 - (a) A road safety assessment to identify suitable safety upgrades at the intersection.
 - (b) An investigation into angle parking suitability in Wellington Street.

CM/8.4/23.12 Rising Antisemitism in Australia and Impact on the Waverley Community (A23/0698)**MOTION**

Mover: Cr Nemesh
Seconder: Cr Kay

That Council:

1. Notes the endorsement and formal adoption in full of the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism at the Council meeting in October 2021 (CM/8.4/21.10), including all IHRA examples of antisemitic behaviour in contemporary life, as an important tool in recognising and combating manifestations of antisemitism. The International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism begins as follows: 'Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.'
2. Condemns the dramatic and unprecedented increase in antisemitism occurring in Australia.

3. Condemns in the strongest terms the actions of Greens Senator Mehreen Faruqi, who endorsed an Instagram post showing her standing with a student whose placard depicted a figure placing an Israeli flag into a rubbish bin alongside the words 'keep the world clean' by captioning her post with the words 'courageous students will lead the way for justice for Palestine, even when their Labor government won't.'
4. Continues to commit to removing any antisemitic graffiti and/or posters immediately upon it being reported.
5. Gives a further \$10,000 to community services organisations to assist in providing social services to those individuals affected by the recent attacks on Israel, the ongoing hostage situation and the rising antisemitism in Australia, with the funds to be sourced from the General Manager's operational budget.
6. Writes to the NSW Jewish Board of Deputies, Multicultural NSW, the NSW Faith Affairs Council and other organisations that Council regards as appropriate to request the hosting of a forum that would seek to address rising antisemitism and commence formulation of a Waverley antisemitism strategy that could be used as a model for other local government areas.
7. Writes to the Sydney Jewish Museum to identify opportunities to partner with the Museum and to raise awareness of the increase in antisemitism.
8. Requests the General Manager to increase engagement with the NSW Police to identify Council and joint actions focusing on combating antisemitism.
9. Congratulates the NSW Premier, the Hon. Chris Minns MP, for strengthening laws in section 93Z of the *Crimes Act* originally introduced in 2018 against hate speech, threats and incitement to violence through a public act based on race, religion, sexual orientation or other characteristics.
10. Writes to the NSW Premier, the State Members for Vaucluse and Coogee, the NSW Opposition Leader and the Member for Wentworth informing them of this motion and calling for further actions at State and Federal levels against rising antisemitism.
11. Prepares a media release of this motion to be placed on Council's website.
12. Officers prepare a report for consideration by Council early in 2024 that updates the community about actions Council has already taken to combat antisemitism resulting from Council's adoption of the IHRA definition of antisemitism, the above requested actions and urgent plans to further address the matter before 30 June 2024, including consultation with the Multicultural Advisory Committee (MAC) on further actions that Council and the MAC can take to combat antisemitism and its physical and emotional impacts in our community and our schools.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSES 5, 6, 8 AND 12 SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council:

1. Notes the endorsement and formal adoption in full of the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism at the Council meeting in October 2021 (CM/8.4/21.10), including all IHRA examples of antisemitic behaviour in contemporary life, as an important tool in recognising and combating manifestations of antisemitism. The International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism begins as follows: 'Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews.

Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.'

2. Condemns the dramatic and unprecedented increase in antisemitism occurring in Australia.
3. Condemns in the strongest terms the actions of Greens Senator Mehreen Faruqi, who endorsed an Instagram post showing her standing with a student whose placard depicted a figure placing an Israeli flag into a rubbish bin alongside the words 'keep the world clean' by captioning her post with the words 'courageous students will lead the way for justice for Palestine, even when their Labor government won't.'
4. Continues to commit to removing any antisemitic graffiti and/or posters immediately upon it being reported.
5. Provides a further \$10,000 in cash and in-kind support to community services organisations to assist in providing social services to those individuals affected by the recent attacks on Israel, the ongoing hostage situation and the rising antisemitism in Australia, with the funds to be sourced from the General Manager's operational budget.
6. Writes to the NSW Jewish Board of Deputies, Multicultural NSW, the NSW Faith Affairs Council and other organisations that Council regards as appropriate to request the hosting of a forum that would seek to address rising antisemitism and commence formulation of a Waverley antisemitism strategy that could be used as a model for other local government areas. The funds for writing the antisemitism strategy are to be sourced from the General Manager's operational budget.
7. Writes to the Sydney Jewish Museum to identify opportunities to partner with the Museum and to raise awareness of the increase in antisemitism.
8. Notes that:
 - (a) The Mayor and General Manager meet with the Local Area Command on a monthly basis on the state of community relations, including updates on any antisemitic behaviour within the Waverley local government area since the start of the terrorist attack by Hamas in Israel.
 - (b) The Local Area Command has been proactive in keeping our community safe and responsive to any harassment and antisemitic behaviour, which compromises the security of our community.
9. Congratulates the NSW Premier, the Hon. Chris Minns MP, for strengthening laws in section 93Z of the *Crimes Act* originally introduced in 2018 against hate speech, threats and incitement to violence through a public act based on race, religion, sexual orientation or other characteristics.
10. Writes to the NSW Premier, the State Members for Vaucluse and Coogee, the NSW Opposition Leader and the Member for Wentworth informing them of this motion and calling for further actions at State and Federal levels against rising antisemitism.
11. Prepares a media release of this motion to be placed on Council's website.
12. Officers prepare a report for consideration by Council early in 2024 that updates the community about actions Council has already taken to combat antisemitism resulting from Council's adoption of the IHRA definition of antisemitism, the above requested actions and urgent plans to further address the matter before 30 June 2024, including consultation with the Multicultural Advisory Committee (MAC) on further actions that Council can take to combat antisemitism and its physical and emotional impacts in our community and our schools.

AMENDMENT 1

Mover: Cr Lewis
Seconder: Cr Keenan

That clause 3 be deleted.

AT THIS STAGE IN THE PROCEEDINGS, A PROCEDURAL MOTION THAT THE AMENDMENT BE NOW PUT, MOVED BY CR LEWIS and SECONDED BY CR KEENAN, WAS PUT AND DECLARED CARRIED.

THE AMENDMENT WAS THEN PUT AND DECLARED CARRIED.

Division

For the Amendment: Crs Fabiano, Gray, Keenan, Lewis, Masselos and Wy Kanak.

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

AMENDMENT 2

Mover: Cr Wy Kanak
Seconder: Cr Fabiano

That clause 1 be amended to read as follows:

‘That Council notes:

- (a) The endorsement and formal adoption in full of the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism at the Council meeting in October 2021 (CM/8.4/21.10), including all IHRA examples of antisemitic behaviour in contemporary life, as an important tool in recognising and combating manifestations of antisemitism. The International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism begins as follows: ‘Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.’
- (b) The Jerusalem Statement as a further document supporting the definition of antisemitism.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Fabiano and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Goltsman, Gray, kay, Keenan, Lewis, Masselos, and Nemesh.

AMENDMENT 3 (RULED OUT OF ORDER)

Mover: Cr Fabiano
Seconder: Cr Wy Kanak

That clause 2 be amended to read as follows:

‘Condemns the dramatic and unprecedented increase in antisemitism and Islamophobia occurring in Australia.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Fabiano and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Goltsman, Gray, Kay, Keenan, Lewis, Masselos, and Nemesh.

FOLLOWING THE VOTE ON THE AMENDMENT, THE CHAIR RULED THE AMENDMENT OUT OF ORDER ON THE GROUNDS THAT IT DID NOT RELATE TO THE MOTION.

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

UNANIMOUS DECISION

That Council:

1. Notes the endorsement and formal adoption in full of the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism at the Council meeting in October 2021 (CM/8.4/21.10), including all IHRA examples of antisemitic behaviour in contemporary life, as an important tool in recognising and combating manifestations of antisemitism. The International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism begins as follows: 'Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.'
2. Condemns the dramatic and unprecedented increase in antisemitism occurring in Australia.
3. Continues to commit to removing any antisemitic graffiti and/or posters immediately upon it being reported.
4. Provides a further \$10,000 in cash and in-kind support to community services organisations to assist in providing social services to those individuals affected by the recent attacks on Israel, the ongoing hostage situation and the rising antisemitism in Australia, with the funds to be sourced from the General Manager's operational budget.
5. Writes to the NSW Jewish Board of Deputies, Multicultural NSW, the NSW Faith Affairs Council and other organisations that Council regards as appropriate to request the hosting of a forum that would seek to address rising antisemitism and commence formulation of a Waverley antisemitism strategy that could be used as a model for other local government areas. The funds for writing the antisemitism strategy are to be sourced from the General Manager's operational budget.
6. Writes to the Sydney Jewish Museum to identify opportunities to partner with the Museum and to raise awareness of the increase in antisemitism.
7. Notes that:
 - (a) The Mayor and General Manager meet with the Local Area Command on a monthly basis on the state of community relations, including updates on any antisemitic behaviour within the Waverley local government area since the start of the terrorist attack by Hamas in Israel.
 - (b) The Local Area Command has been proactive in keeping our community safe and responsive to any harassment and antisemitic behaviour, which compromises the security of our community.
8. Congratulates the NSW Premier, the Hon. Chris Minns MP, for strengthening laws in section 93Z of the *Crimes Act* originally introduced in 2018 against hate speech, threats and incitement to violence through a public act based on race, religion, sexual orientation or other characteristics.
9. Writes to the NSW Premier, the State Members for Vaucluse and Coogee, the NSW Opposition Leader and the Member for Wentworth informing them of this motion and calling for further actions at State and Federal levels against rising antisemitism.
10. Prepares a media release of this motion to be placed on Council's website.

11. Officers prepare a report for consideration by Council early in 2024 that updates the community about actions Council has already taken to combat antisemitism resulting from Council's adoption of the IHRA definition of antisemitism, the above requested actions and urgent plans to further address the matter before 30 June 2024, including consultation with the Multicultural Advisory Committee (MAC) on further actions that Council can take to combat antisemitism and its physical and emotional impacts in our community and our schools.

Division

For the Motion: Crs Betts, Burrill, Fabiano, Goltsman, Gray, Kay, Keenan, Lewis, Masselos, Nemesh and Wy Kanak.

Against the Motion: Nil.

K Baykitch (on behalf of the Sydney Jewish Museum), M Norman (on behalf of Faith NSW), J Pinczewski, O Birenbaum, S Eisner, V Berger, Rabbi Dr D Slavin, P King, M Guttman-Jones, R Gregory (on behalf of the Australian Jewish Association), J Sher, Y Coburn, H Wolfson, H Rosen and a resident addressed the meeting.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

CM/10.1/23.12 Israel-Hamas War - Ceasefire (A23/0698)

Cr Fabiano requested that this matter be dealt with as urgent business. The chair ruled that the matter was not urgent.

11. Closed Session

CM/11/23.12 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/7.6/23.12 Clifftop Walk - Diamond Bay Lookout

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 the council is conducting (or proposes to conduct) business.

CM/8.2/23.12 RESCISSION MOTION - CM/4.1/23.12E - 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 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 the council is conducting (or proposes to conduct) business.

CM/11.1/23.12 CONFIDENTIAL REPORT - Bronte Surf Club and Community Facilities Building Upgrade - Updated Heads of Agreement

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

CM/11.2/23.12 CONFIDENTIAL REPORT - Tender Evaluation - Waverley Council Chambers Refurbishment

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

CM/11.3/23.12 CONFIDENTIAL MAYORAL MINUTE - General Manager's Annual Performance Review

This matter is considered to be confidential in accordance with section 10A(2)(a) 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 personnel matters concerning a particular individual (other than a councillor).

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 10.07 pm, Council moved into closed session.

CM/11.1/23.12 CONFIDENTIAL REPORT - Bronte Surf Club and Community Facilities Building Upgrade - Updated Heads of Agreement (A18/0815)**MOTION / DECISION**

Mover: Cr Masselos
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)(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. Approves Option 1, as set out in Table 2 of the report, to address the funding shortfall for the Bronte Surf Club and Community Facilities Upgrade Project.
3. Approves the updated Heads of Agreement for the project attached to the report, which includes the amended project cost and funding contributions.
4. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

Division

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

Against the Motion: Cr Wy Kanak.

Cr Burrill was not present for the vote on this item.

CM/11.2/23.12 CONFIDENTIAL REPORT - Tender Evaluation - Waverley Council Chambers Refurbishment (A23/0256)**MOTION**

Mover: Cr Masselos
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)(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. Declines to accept any of the tenders for the supply of construction services for the Waverley Council Chambers Refurbishment, in accordance with section 178(1)(b) of the *Local Government (General) Regulation 2021*.
3. Cancels the proposed contract, in accordance with section 178(3)(a) of the *Local Government (General) Regulation 2021*.
4. Notifies unsuccessful tenderers of the decision, in accordance with clause 179 of the *Local Government (General) Regulation 2021*.
5. Reconsiders options for the adaptive reuse of the Council Chambers at a Councillor workshop to be

held in early 2024.

6. Notes that Council staff will have alternative accommodation in Bondi Junction at the completion of the Mill Hill Community Centre Project.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 5.

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)(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. Declines to accept any of the tenders for the supply of construction services for the Waverley Council Chambers Refurbishment, in accordance with section 178(1)(b) of the *Local Government (General) Regulation 2021*.
3. Cancels the proposed contract, in accordance with section 178(3)(a) of the *Local Government (General) Regulation 2021*.
4. Notifies unsuccessful tenderers of the decision, in accordance with clause 179 of the *Local Government (General) Regulation 2021*.
5. Reconsiders options for the adaptive reuse of the Council Chambers or knock-down rebuild at a Councillor workshop to be held in early 2024.
6. Notes that Council staff will have alternative accommodation in Bondi Junction at the completion of the Mill Hill Community Centre Project.

Cr Burrill was not present for the vote on this item.

CM/11.3/23.12 CONFIDENTIAL MAYORAL MINUTE - General Manager's Annual Performance Review (P01/054)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council defers this item to the February Council meeting to allow time for the Performance Review Committee to deliberate the matter.

Cr Burrill was not present for the vote on this item.

12. Resuming in Open Session

CM/12/23.12 Resuming in Open Session

MOTION / DECISION

Mover: Cr Masselos

That Council resumes in open session.

At 11.13 pm, Council resumed in open session.

Cr Burrill was not present for the vote on this item.

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 11.19 PM.

.....
SIGNED AND CONFIRMED
MAYOR
20 FEBRUARY 2024

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/24.02



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 1 February 2024

TRIM No: A23/0764

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 1 February 2024 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 - 1 February 2024 .

**MINUTES OF THE WAVERLEY TRAFFIC COMMITTEE
MEETING HELD VIA VIDEO CONFERENCE ON
THURSDAY, 1 FEBRUARY 2024**



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
Mr P Pearce	Representing Marjorie O’Neill MP, Member for Coogee

Also Present:

Ms N Fard	Transport for NSW
Ms T Islam	Transport for NSW
Mr R Mucciacciaro	Transdev John Holland
Cr T Kay	Waverley Council – Deputy Chair
Cr L Fabiano	Waverley Council
Mr N Zervos	Waverley Council – Executive Manager, Infrastructure Services
Mr S Mueller	Waverley Council – Manager, Integrated Transport
Mr M Soomro	Waverley Council – Traffic Engineer
Mr H Wu	Waverley Council – Senior Transport Planner

At the commencement of proceedings at 10.01 am, those present were as listed above.

At 10.07 am, Mr P Pearce left the meeting and did not return.

Apologies

There were no apologies.

Declarations of Interest

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

Adoption of Previous Minutes by Council - 23 November 2023

The recommendations contained in Part 1 – Matters Proposing that Council Exercise its Delegated Functions – of the minutes of the Traffic Committee meeting held on 23 November 2023 were adopted by Council at its meeting on 12 December 2023 with the following change:

1. TC/C.02/23.11 – Woolworths Metro, 113 Macpherson Street, Bronte - Pedestrian Facility Upgrades and Parking Restrictions.

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

That Council:

4. Does not adopt the Traffic Committee's recommendation.
5. Does not defer the following matters and approves them as follows:
 - (a) Installs kerb buildouts to replace the traffic island in front of 113 Macpherson Street, Bronte, as shown in Figure 2 of the report, with an increase to the width of the kerb buildouts from 3.1 metres to 3.3 metres.
 - (b) Installs a new 11.5 metre 'P15, 7 am–10 pm' zone on the south side of Macpherson Street, to the immediate west of the new kerb buildouts.
 - (c) Relocates the 15.4 metre Truck Zone/Taxi Zone 4 metres to the east and lengthens it to 17.5 metres subject to changing the 'Truck Zone, 9 am–12 pm, Taxi Zone at Other Times' to 'Truck Zone, 9 am–12 pm, P15 7 am–9 am, 12 pm–10 pm Mon–Sat, 7 am–10 pm Sun.'
6. Approves the following matters:
 - (d) Upgrades the traffic islands at the intersection of Macpherson Street and Yanko Avenue.
 - (e) Installs 'Give Way' line markings and signs at the intersection of Macpherson Street and Yanko Avenue.
 - (f) Installs a 4.2 metre 'P Motorbikes Only' in Macpherson Street adjacent to 1 Yanko Avenue, Bronte.
5. Delegates authority to the Executive Manager, Infrastructure Services, to modify the design should onsite circumstances warrant changes.
5. Monitors the effectiveness of the new kerb extensions and signage restrictions for six months and delegates authority to the Executive Manager, Infrastructure Services, to modify the 'No Stopping' zones, if required.

ITEMS BY EXCEPTION

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

- | | |
|---------------|--|
| TC/C.02/24.02 | 3/13 Palmerston Avenue, Bronte – Mobility Parking Space – Removal. |
| TC/C.03/24.02 | 16A and 16B Llandaff Street, Bondi Junction – Construction Zone. |
| TC/C.04/24.02 | 122-128 Hewlett Street, Bronte – Construction Zone. |
| TC/V.02/24.02 | 17 Simpson Street, Bondi Beach – Mobility Parking Space – Removal. |
| TC/V.03/24.02 | 36 Simpson Street, Bondi Beach – Construction Zone. |

TC/V.04/24.02 65 George Street, Dover Heights – Construction Zone.

TC/V.05/24.02 19 Roberts Street, Rose Bay – 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.01/24.02 362-384 Oxford Street, Bondi Junction - Temporary Road Closure and Construction Zone (A02/0617-07)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Approves the temporary road closure of Rowe Lane, Bondi Junction, between Newland Street and Vernon Street, in accordance with the Construction Traffic Management Plan (CTMP) attached to the report, subject to the applicant:
 - (a) Notifying NSW Police.
 - (b) Notifying NSW Ambulance Service and NSW Fire and Rescue.
 - (c) Notifying local residents and businesses prior to the event.
 - (d) Using traffic controllers accredited by Transport for NSW.
 - (e) Providing Council with a pre- and post-dilapidation report of the condition of road pavements, kerbing and adjacent assets along the truck access route.
 - (f) Covering all costs associated with closing the road, occupying additional parking spaces and associated traffic control.
2. Delegates authority to the Executive Manager, Infrastructure Services, to amend the CTMP in consultation with Transport for NSW and NSW Police.
3. Delegates authority to the Executive Manager, Infrastructure Services, to amend the duration of the temporary road closure, if required.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/C.02/24.02 3/13 Palmerston Avenue, Bronte - Mobility Parking Space - Removal (A20/0534)**COUNCIL OFFICER'S PROPOSAL:**

That Council removes the 'P Disability Only' parking space in front of 13 Palmerston Avenue, Bronte.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/C.03/24.02 16A and 16B Llandaff Street, Bondi Junction - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 30.9 metre 'No Parking, 7 am–5 pm Mon–Fri, 8 am–3 pm Sat, Council Authorised Vehicles Excepted' construction zone in front of 16A and 16B Llandaff Street, Bondi Junction.
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 Coogee, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/C.04/24.02 122-128 Hewlett Street, Bronte - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 39.3 metre 'No Parking, 7 am–5 pm Mon–Fri, 8 am–3 pm Sat, Council Authorised Vehicles Excepted' construction zone in front of 122-128 Hewlett Street, Bronte.
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 Coogee, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/V STATE ELECTORATE OF VAUCLUSE**TC/V.01/24.02 Mardi Gras Bondi Beach Party 2024 - Special Event (A23/0392)****COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Approves the Traffic Guidance Scheme attached to the report, subject to the event organisers:
 - (a) Submitting a Traffic Management Plan to Transport for NSW in accordance with the NSW Government's Guide to Traffic and Transport Management for Special Events.'
 - (b) Obtaining NSW Police Force approval.
2. Notes that the Traffic Guidance Scheme and Traffic Management Plan is subject to change.
3. Delegates authority to the Executive Manager, Infrastructure Services, to approve any modification to the Traffic Management Plan in consultation with Transport for NSW and NSW Police.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.02/24.02 17 Simpson Street, Bondi Beach - Mobility Parking Space - Removal (A20/0534)**COUNCIL OFFICER'S PROPOSAL:**

That Council removes the 'P Disability Only' parking space in front of 17 Simpson Street, Bondi Beach.

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.03/24.02 36 Simpson Street, Bondi Beach - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 11.5 metre 'No Parking, 7 am–5 pm Mon–Fri, 8 am–3 pm Sat, Council Authorised Vehicles Excepted' construction zone in front of 36 Simpson Street, Bondi Beach.
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 Vacluse, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/V.04/24.02 65 George Street, Dover Heights - 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 65 George Street, Dover Heights.
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 Vacluse, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/V.05/24.02 19 Roberts Street, Rose Bay - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 13.3 metre 'No Parking, 7 am–5 pm Mon–Fri, 8 am–3 pm Sat, Council Authorised Vehicles Excepted' construction zone in front of 19 Roberts Street, Rose Bay, and partly in front of 21 Roberts Street.
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 Vacluse, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE

Nil.

PART 2 – TRAFFIC ENGINEERING ADVICE

NOTE: The matters listed under this part of the agenda seek the advice of the WTC only and do not propose that Council exercise its delegated functions at this point in time (though they may or may not require it in the future).

TC/TEAC STATE ELECTORATE OF COOGEE

Nil.

TC/TEAV STATE ELECTORATE OF VAUCLUSE

Nil.

TC/TEACV ELECTORATES OF COOGEE AND VAUCLUSE

Nil.

THE MEETING CLOSED AT 10.11 AM.

.....
SIGNED AND CONFIRMED
MAYOR
20 FEBRUARY 2024

:

MAYORAL MINUTES CM/6/24.02



Subject: Mayoral Minutes

Author: Mayor of Waverley, Cr Paula Masselos

WAVERLEY
COUNCIL

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/7.1/24.02**



Subject: Delivery Program 2022-26 - Six-Monthly Progress Report
TRIM No: A22/0557
Manager: Emily Scott, General Manager
Director: Emily Scott, General Manager

RECOMMENDATION:

That Council notes:

1. The progress report on the Delivery Program 2022–2026 attached to the report.
2. This is the last Six-Monthly Progress Report to the Council, and that with effect from 1 July 2024 these reports will be presented to the Audit, Risk, and Improvement Committee.

1. Executive Summary

This report provides a summary of progress for activities from the Operational Plan 2023–24 for the period 1 July 2023 to 31 December 2023 and reflects progress for the deliverables identified in the Delivery Program. The detailed Six-Monthly Progress Report is attached to the report.

The Six-Monthly Progress Report sets out Council’s progress in delivering the projects and programs within the Operational Plan. Progress is summarised in the table below.

Table 1. Summary of progress.

Themes	Completed	In Progress	In Progress – Impacted by Unforeseen conditions	Delayed	Delayed – Impacted by Unforeseen conditions
Overall	11%	89%	0%	0%	0%
People	9%	91%	0%	0%	0%
Place	7%	93%	0%	0%	0%
Performance	17%	83%	0%	0%	0%

Of the total 159 actions in the Operational Plan 2023–24, 11% (17) of the actions in the Operational Plan were completed, and 89% (142) are in progress.

Introduction/Background

Section 404(5) of the *Local Government Act 1993* requires that the General Manager ensure regular reports are provided to the Council on progress with respect to the principal activities detailed in its Delivery Program. Progress reports must be provided every six months.

Council’s planning is based on our Community Strategic Plan, which sets out the community’s vision for Waverley. In June 2022, Council adopted the Community Strategic Plan 2022–2032. In accordance with the legislation, sitting under the Community Strategic Plan is a four-year Delivery Program and a one-year Operational Plan (see diagram below).

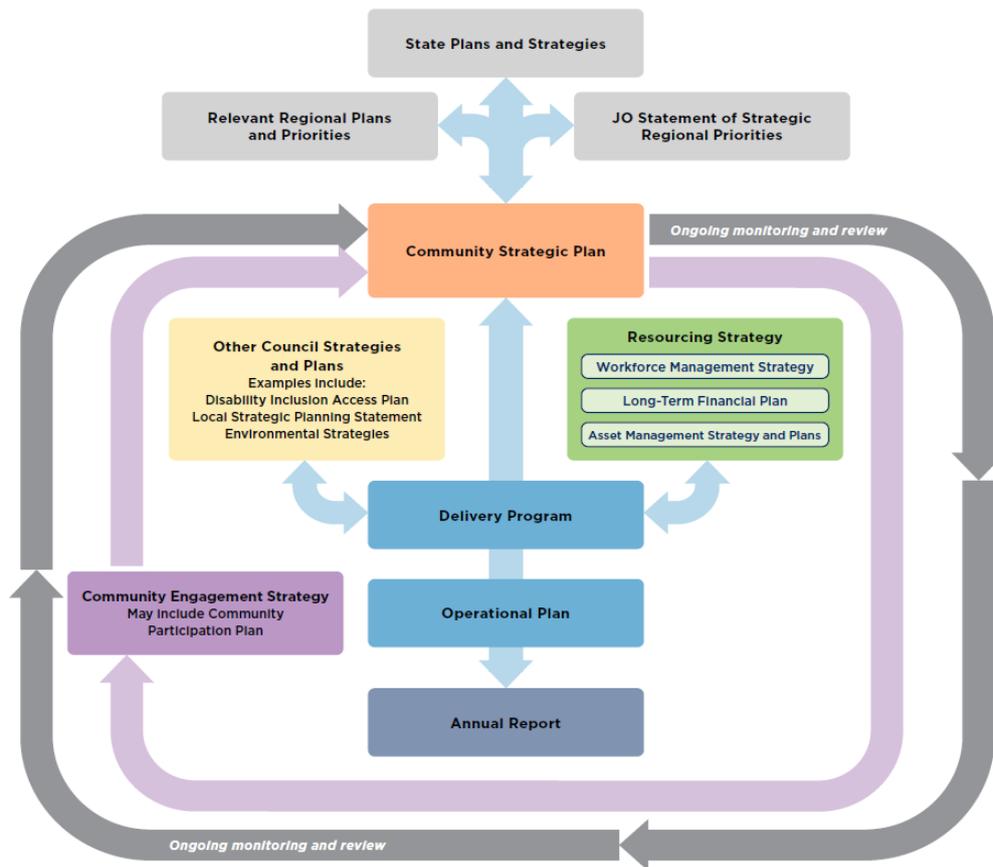


Figure 1. Integrated Planning and Reporting (IP&R) framework.

To meet legislative requirements, Council reports bi-annually against actions in its annual Operational Plan as a measure of progress towards achieving the Delivery Program, and ultimately the community’s vision.

2. Relevant Council Resolutions

Nil.

3. Discussion

The Delivery Program is Council’s commitment, during its term of office, on what it is going to deliver to the community to achieve the directions set out in the Community Strategic Plan. The one-year Operational Plan, which is a sub-plan of the Delivery Program, sets out the activities (services and projects) being undertaken by Council in the financial year. The approach to using the Operational Plan actions for reporting on the Delivery Program is in line with the Integrated Planning and Reporting Manual for Local Government in NSW.

This report is the third progress report on the Community Strategic Plan 2022–2032. The Community Strategic Plan reflects the Waverley community’s long-term priorities and aspirations for the future. The Delivery Program sets out a plan to respond to and meet the community’s long-term vision as stated in the 10-year Community Strategic Plan within each Council term.

The Six-Monthly Progress Report is made up of two parts. The first part gives a high-level summary of key milestones and achievements of the Council in implementing the Operational Plan 2023–24. The second part provides detailed reporting on progress in each activity/project in the Operational Plan 2023–24.

Below is a progress summary of Council’s overall performance as of 31 December 2023 in progressing towards the targets in the Operational Plan 2023–24.

Overall performance

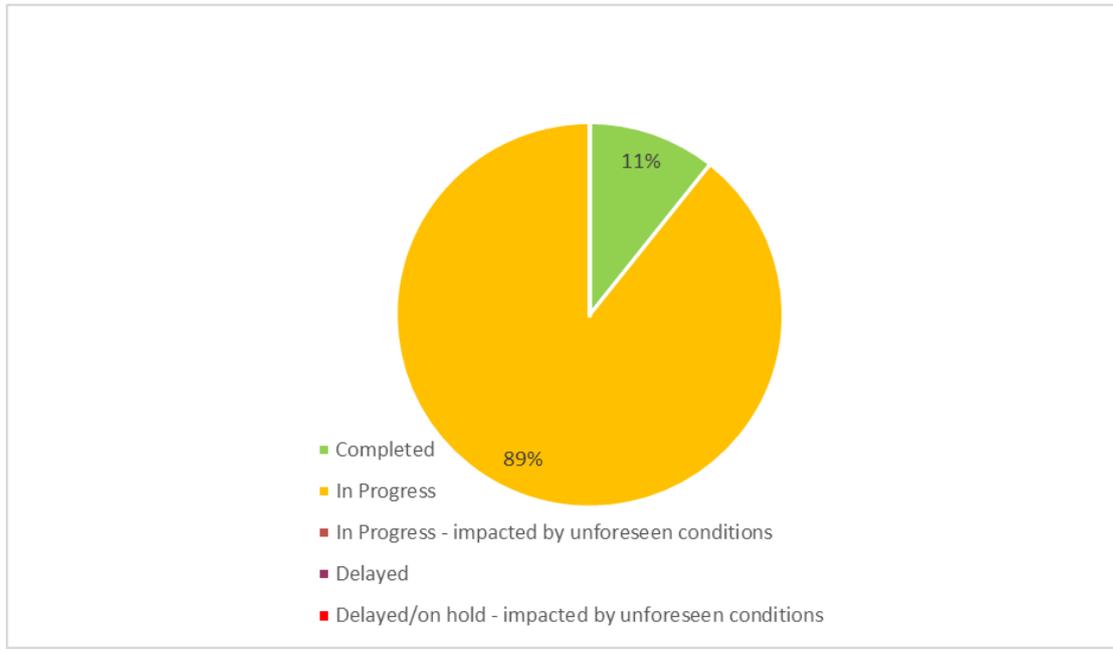


Figure 1. Overall performance progress.

Of the total 159 actions in the Operational Plan 2023–24, 11% (17) of the actions in the Operational Plan were completed, and 89% (142) are in progress.

Theme 1 – People

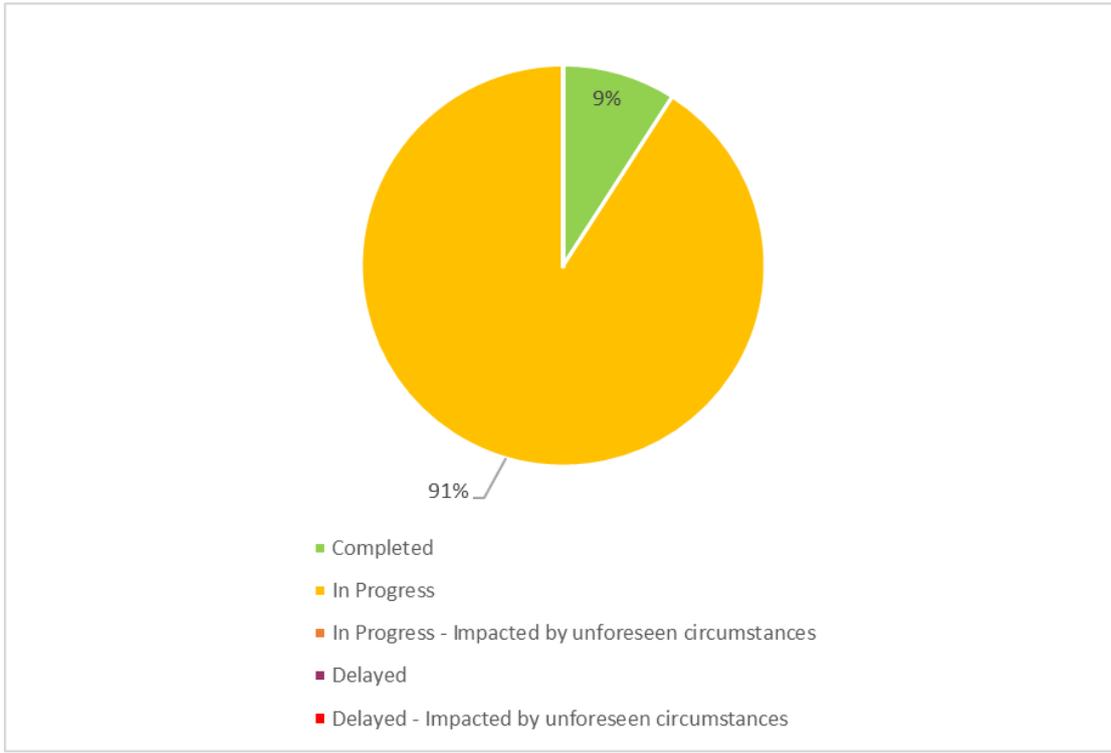


Figure 2. People theme progress.

Of the 44 actions in the People theme of the Operational Plan 2023–24, 9% (4) actions were completed, and 91% (40) are in progress.

Theme 2 – Place

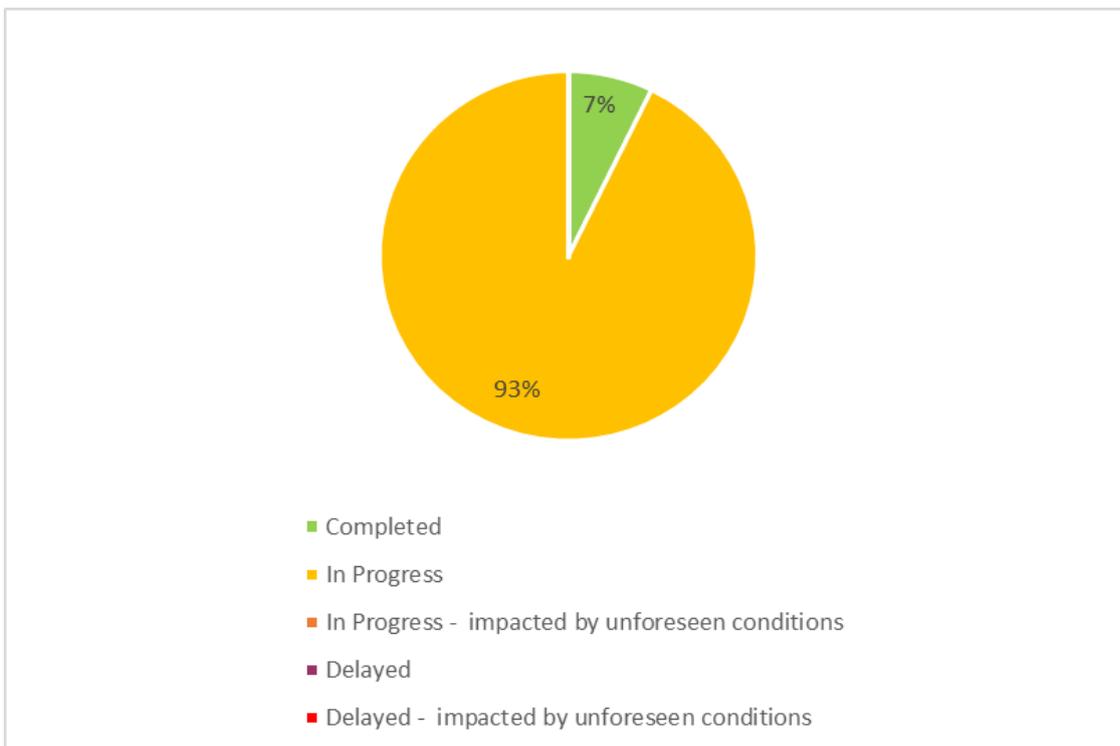


Figure 3. Place theme progress.

Of the 69 actions in the Place theme of the Operational Plan 2023–24, 7% (5) actions were completed, and 93% (64) are in progress.

Theme 3 – Performance

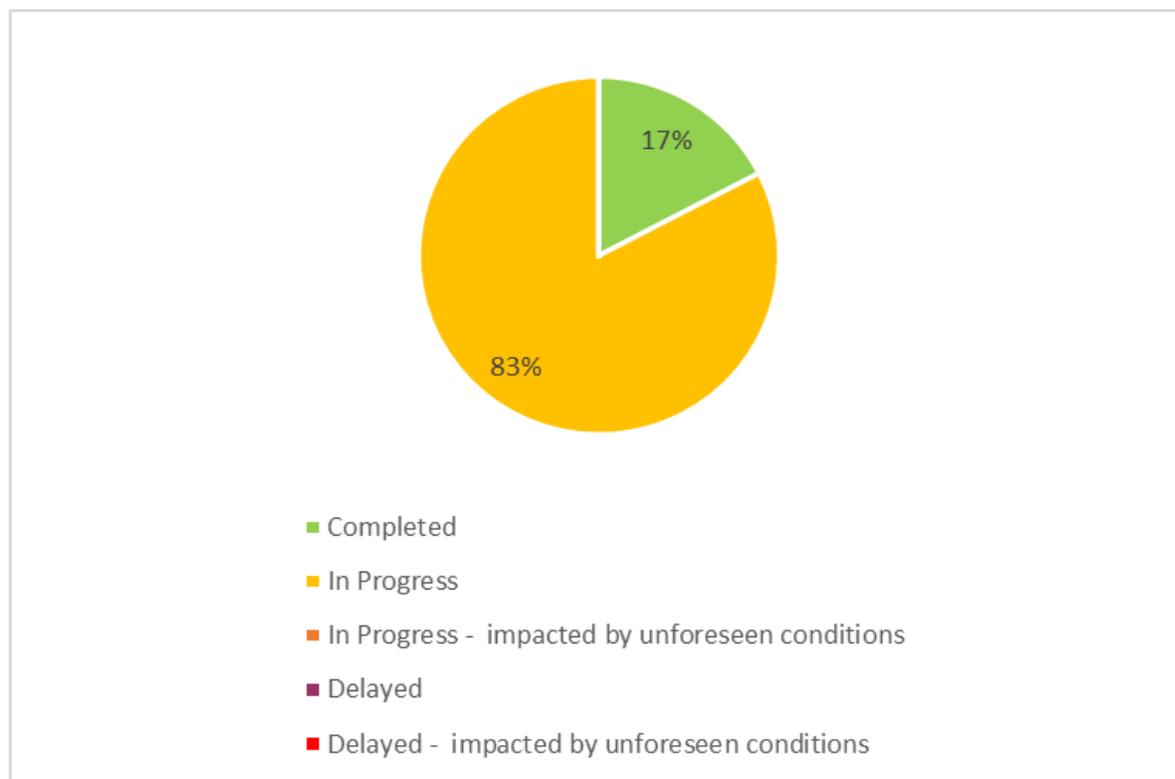


Figure 4. Performance theme progress.

Of the 46 actions in the Performance theme of the Operational Plan 2023–24, 17% (8) actions were completed, 83% (38) are in progress.

Transitioning integrated reporting to the Audit, Risk, and Improvement Committee

Under section 428A of the *Local Government Act 1993*, the role of the Audit, Risk and Improvement Committee is to review and provide independent advice to the Council regarding various aspects of the operations, including implementation of strategic plan, delivery program and strategies.

Schedule 1 (Audit, Risk, and Improvement Committee responsibilities) of the Model Terms of Reference for Audit, Risk and Improvement committees) states that the committee must review and advise Council:

- Of the adequacy and effectiveness of Council’s integrated planning and reporting (IP&R) processes.
- If appropriate reporting and monitoring mechanisms are in place to measure progress against objectives.
- Whether Council is successfully implementing and achieving its IP&R objectives and strategies.

As per Office of the Local Government circular 22-21/20 (July 2022), full compliance with the requirements in the Guidelines will be required from 1 July 2024. In compliance to this requirement, Council must transition to present the Six-Monthly Progress Report and other IP&R requirements to the Audit, Risk, and Improvement Committee from 1 July 2024.

4. Financial impact statement/Time frame/Consultation

The actions in the Operational Plan 2023–24 were included in the budget and work program when the Operational Plan was adopted by Council in June 2023. Funding to implement the Delivery Program over its term is based on the Long Term Financial Plan that supports the Delivery Program. The Progress Report on the Delivery Program is based on information provided by Directors and Executive Managers across Council. The Progress Report on the Delivery Program reflects progress as of 31 December 2023.

5. Conclusion

The Progress Report on the Delivery Program provides an overview of the program of work Council has delivered as well as detailed reporting against the deliverables set out in the Operational Plan 2023–24 for the period 1 July 2023 to 31 December 2023. The next Six-Monthly Progress Report will be presented to the Audit, Risk, and Improvement Committee.

6. Attachments

1. Six Monthly Progress Report - February 2024 (under separate cover) [📄](#) .

**REPORT
CM/7.2/24.02****Subject:** Quarterly Budget Review (Q2) - December 2023**TRIM No:** SF23/3978**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

Following the second quarter 2023–24 budget review, Council’s proposed budget is forecasted to generate a total income of \$173.00m and to spend \$196.27m, which resulted in the use of reserves totalling \$23.27m to deliver the planned expenditure program within a balanced budget for 2023–24 financial year.

The following amendments are proposed:

- Increase operating income by \$0.96m to \$155.70m.
- Increase operating expenses by \$0.78m to \$135.09m.
- Increase capital income by \$0.33m to \$17.30m
- Decrease capital expenses by \$0.63m to \$55.69m.
- Decrease reserve requirement of \$1.13m to \$23.27m.

The Q2 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 in facilitating 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 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.

Council's original 2023-24 budget was adopted at its meeting on 27 June 2023. On 21 November 2023, Council approved the Q1 budget review amendments.

3. Relevant Council Resolutions

Nil

4. Discussion

The December Quarterly Budget Review forecasts an increase in income of \$1.29m to \$173m. It is comprised of an \$0.96m increase in operating income and an \$0.33m increase in capital income. It also forecasts a total increase of \$0.16m in expenses, this is comprised of \$0.78m increase in operating expenses, \$0.68m decrease from the capital works program and a \$0.06m increase from other capital expenses. This has resulted in a revision of the expenditure program total to \$195.8m (\$196.27m including loan principal repayment) for the 2023–24 financial year.

The following table provides a comparison of the Council's forecast position between the current approved budget and Q2 proposed budget and actuals (including commitments) for the second quarter to 31 December 2023.

Table 1. Comparison of current approved budget and Q2 proposed budget.

Table 1 - Q2 Proposed Budget - '000	Current			Q2 change %	Actual (Incl. Commitments) 31 December 2023	
	Approved Budget	Q2 Amendment	Q2 Proposed Budget		December 2023	Note
Estimated Income	171,710	1,288	172,999	0.75%	116,921	
Operating Income	154,741	957	155,698	0.62%	110,934	1
Capital Income	16,970	332	17,301	1.95%	5,987	2
Estimated Expenses	(196,116)	(156)	(196,272)	0.08%	(131,003)	
Operating Expense	(134,308)	(783)	(135,092)	0.58%	(73,527)	3
Capital Works Program	(56,369)	683	(55,686)	(1.21%)	(53,953)	4
Other Capital Expense	(4,966)	(56)	(5,022)	1.13%	(3,293)	5
Loan Repayment	(472)	0	(472)	-	(231)	
Net Income / (Expenses)	(24,406)	1,132	(23,274)	(4.64%)	(14,083)	
Reserve Funds	24,406	(1,132)	23,274	(4.64%)	(11,081)	6
Net Result - Surplus/(Deficit)	(0)	0	0		(25,163)	

(Excluding depreciation expense)

Operating income

Operating income (excluding capital works income and proceeds from the sale of assets) increased by \$0.96m, mainly attributed to the following changes:

- Investment income increased by \$0.49m, attributed to higher interest rates and more cash available for investment than anticipated.

- \$0.22m increase in service utility fees and road opening permits revenue, the increase is to offset the restoration work expenses increase.
- \$0.20m increase in contribution from other councils (\$72k from SES depot, \$72k for electric vehicles charging stations installation and \$55k from Sydney Regional Illegal Dump Squad program).
- \$0.10m increase in childcare revenue.
- \$0.08m increase in license fee and commercial rent from Bondi Pavilion due to higher than expected year-to-date (YTD) actual.
- \$0.06m increase in on-street parking fees and fines.
- \$0.04m increase in other revenue from rental commercial across several facilities.
- Rates and annual charge decreased by \$0.1m mainly due to valuation adjustments for land and classification changes by the Valuer General NSW.
- \$0.06m decrease in hire of halls and rooms revenue due to delay in the opening of Mill Hill Boot Factory, and Bondi Pavilion Theatre Venue Hire was lower than anticipated.
- \$0.10m decrease in development applications revenue based on YTD actual tracking below budget.

Capital income

Capital income increased by \$0.33m:

- \$0.91m increase in section 7.12 contributions.
- \$0.29m increase in planning agreement Contributions
- \$0.96m decrease in grants and contributions for the Capital Works Program.

Operating expenses

Operating expenses (excluding capital expenditure) increased by \$0.78m, mainly attributed to:

- \$0.39m increase in consultants and technical assistance mainly from the HR remediation project (\$191k increase) and environmental services (\$95k grant funded project – circular Bondi Junction). However, employee costs (including agency temporary hires) decreased by \$0.26m due to vacancies.
- \$0.19m increase in maintenance and cleaning expenses for property and facilities.
- \$0.39m increase in contractors spend – The road and footpath restoration maintenance work (\$213k – offset by income increase), tree management (\$82k), cars abandoned (\$35k) and health services (\$25k).
- \$0.05m increase in financial auditing costs from NSW Audit Office.
- \$0.04m increase in parking fine processing charges which aligns with the increase of parking fine revenue.

Capital Works Program (Attachments 2 and 3)

The Capital Works Program proposes amendments to 64 projects. These amendments will result in a net decrease in program expenditure by \$0.68m to \$55.69m following a reassessment of the project work delivery schedule and other priorities. The Q2 amendments include a \$1.87m projects costs deferrals to the next financial year 2024-25, these projects will be reassessed as part of the 2024-25 annual budget preparation.

The Q2 capital works program review resulted in a decrease in revenue (\$0.87m), decrease in use of reserves fund (\$0.33m), and a decrease in the use of general fund (\$0.15m).

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 - Q2 Amendments '000	No of Projects	Amount \$'000 (Increase)/Decrease)
Project cost reduction	24	430
Project cost defer to 2024/25	3	1,868
Project cost increase/Correction	33	(1,035)
Funds brought forward (LTFP)	4	(580)
Total	64	683

Significant changes to these projects include:

Building infrastructure

\$0.38m decrease in Building Infrastructure projects mainly due to:

- \$0.21m decrease in SAMP5 Tunnel 1 Feasibility Study and design due to deferral to 2024-25.
- \$0.16m decrease in 63A Wairoa WAYS Youth Centre due to deferral to 2024-25.
- \$0.05m decrease in affordable housing unit portfolio due to redistribution of funds.
- \$0.12m increase in Rowe Street development due to requirements for consultants to provide extra information required by Transport for NSW.

Public Domain Infrastructure:

\$1.03m decrease in Public Domain projects mainly due to:

- \$1.50m decrease in Cliff Walk Remediation deferred to 2024-25 as a result of delays to program to allow for reconsideration of design.
- \$0.15m increase in Strategic Asset Management Plan (SAMP) 5 lighting and electrical infrastructure renewal due to additional funding required for essential lighting upgrades this financial year.
- \$0.10m increase in SAMP 5 bus shelters, seats and benches, bike furniture, bin to cover bus shelter repair at Bondi Road and heritage bridge at Bondi Beach remediation works.
- \$0.07m increase in Waverley signage strategy Implementation to \$0.17m, brought forward from the Long Term Financial Plan (LTFP) to reflect the spending profile for this financial year.

Road Infrastructure

\$0.84m increase in road infrastructure projects mainly due to:

- \$0.40m increase in Curlewis Street Streetscape Upgrade brought forward from LTFP to allow forecast progress of Stage 1 works this financial year.
- \$0.19m increase in Glenayr Avenue - Blair Street to Hall Street to cover final contract variations including latent conditions.
- \$0.09m increase in Syd Einfield Drive bike parking to reflect grant funding.
- \$0.07m increase in Birrell Street rehabilitation to cover final contract variations including latent conditions.

Recreational and public spaces

\$0.05m increase in living infrastructure mainly due to:

- \$0.05m increase in SAMP5 park and playground planning and design to \$0.28m brought forward from LTFP to reflect spend profile for this financial year.

Sustainability infrastructure

\$0.19m decrease in sustainability infrastructure projects mainly due to:

- \$0.18m decrease in Water Saving and Quality Improvement Program (South Bondi WSUD) deferred to 2024-25.
- \$0.01m decrease in facilities sustainable energy upgrades (social housing Solar) to reflect grant allocation.

\$55.69m of capital works program projects will be delivered in this financial year following the Q2 review. The following table shows how the revised Capital Works Program is funded.

Table 3. Funding of revised capital works program.

Capital Works Program - Funding Sources '000	Current Budget	Q2 Proposed Budget	Q2 Amendments- (Increase)/Decrease
Expenditure	56,369	55,686	(683)
Funding Sources:			
Grants and Contribution	12,001	11,135	866
External Restricted Reserves	11,803	12,577	(774)
Internal Restricted Reserves	23,923	23,182	741
General Fund	8,642	8,792	(150)
Total Funding Sources	56,369	55,686	683

Other capital expense

Other capital expenses increased by \$0.06m is mainly due to increase in library resource purchases.

The Q2 review proposes no change to the 2023-24 plant replacement program, 66 fleet items budgeted for replacement. As at 31 December, 25 items have been purchased/ordered, with the remaining 41 items to be purchased.

Table 4. Fleet replacement

2023/24 Budget Plant Replacement Program	2023/24 Current Approved Budget		Q2 Amendments Deferrals		Dec YTD Act (Inc. Commitments)		2023/24 Q2 Projected Budget	
	Qty	\$	Qty	\$	Qty	\$	Qty	\$
Passenger Vehicle	22	995,692			9	413,989	22	995,692
Light Commercial Vehicle	17	679,443			4	180,170	17	679,443
Truck Fleet	7	1,991,316			4	2,027,888	7	1,991,316
Specialised Equipment	19	1,014,081			7	432,218	19	1,014,081
Small Plant	1	10,000			1	9,033	1	10,000
Total	66	4,690,532	-	-	25	3,063,298	66	4,690,532

Reserves

As a result of the proposed Q2 income and expenditure budget amendments, a decrease of \$1.13m reserve funds requirement is proposed.

A total of \$23.27m in reserves (in accordance with Council’s Reserves Strategy) has been applied to fund the revised 2023-24 budget. The reserves balance is projected to be \$96.13m as at 30 June 2024.

Financial performance measures

The following financial performance measures indicate that Council meets all six of the OLG Performance Measures from Q2 proposed budget.

Table 5. 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 cont	86.88% ✓	>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 c	3.87 ✓	>1.50x
4. Debt service cover ratio This ratio measures the availability of operating cash to service debt including interest, principal and lease payments	41.96 ✓	>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	315.74% ✓	>=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 31 December 2023

Figures 1 and 2 below illustrate the income and expense performance for the six months of the year ending 31 December 2023 compared to the Q2 proposed budget for the year ending 30 June 2024.

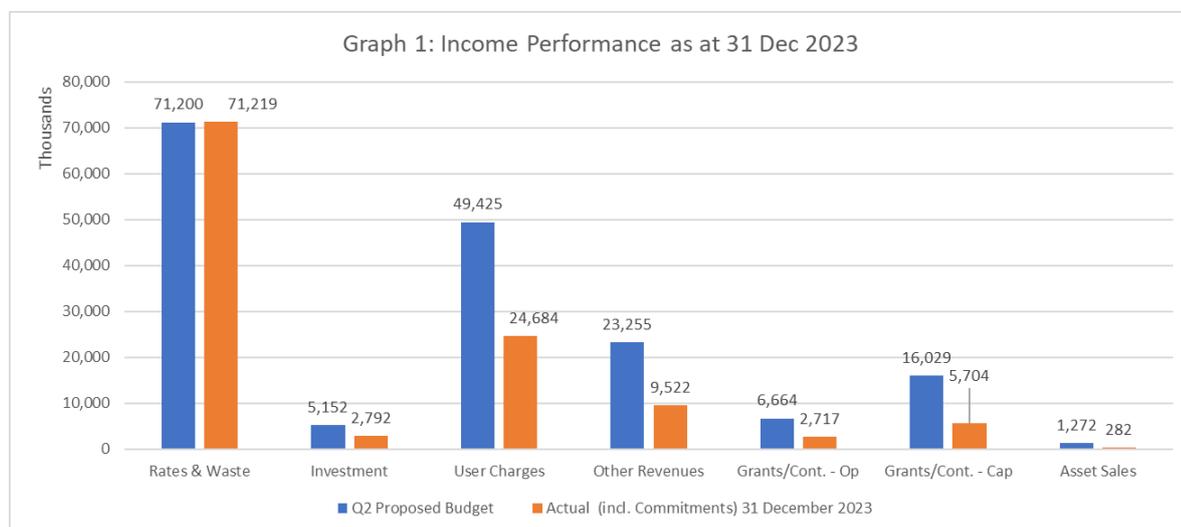


Figure 1. Income performance.

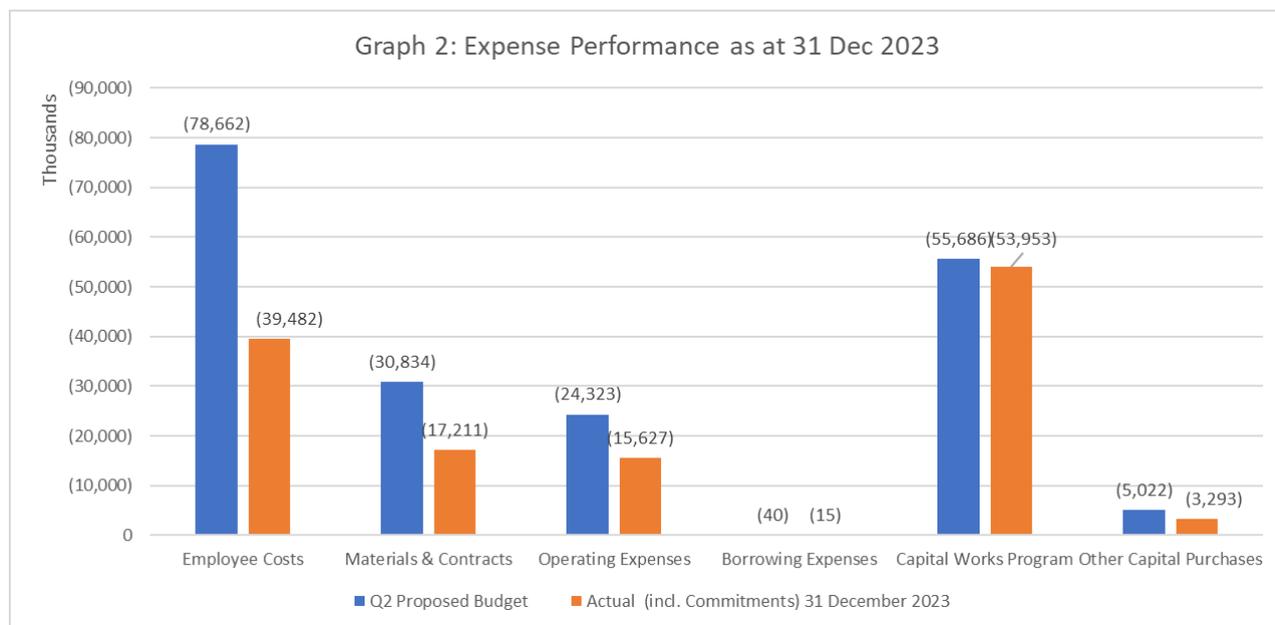


Figure 2. Expense performance.

See Attachment 4 for Directorates' Q2 budget performance as at 31 December 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. Q2 Quarterly Budget Review Statement (QRBS) [↓](#)
2. Q2 Revised Capital Works Program [↓](#)
3. Q2 Revised Capital Works Program funding [↓](#)
4. Q2 Budget Statement - Council and by Directorate [↓](#) .

Attachment 1 - Q2 QBRS Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement
for the period 01/10/23 to 31/12/23

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1. Responsible Accounting Officer's Statement	2
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4. Cash & Investments Budget Review Statement	7
5. Key Performance Indicator (KPI) Budget Review Statement	9
6. Contracts & Other Expenses Budget Review Statement	12

Attachment 1 - Q2 QBRS Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement
for the period 01/10/23 to 31/12/23

Report by Responsible Accounting Officer

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

31 December 2023

It is my opinion that the Quarterly Budget Review Statement for Waverley Council for the quarter ended 31/12/23 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 - Q2 QBRS Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement

for the period 01/10/23 to 31/12/23

Income & Expenses Budget Review Statement

Budget review for the quarter ended 31 December 2023

Income & Expenses - Council Consolidated

(\$000's)	Original Budget	Approved Changes		Revised Budget	Variations for this	Notes	Projected Year End Result	Actual YTD figures
	2023/24	Carry Forwards	Sep QBRS	2023/24	Dec Qtr			
Income								
Rates and Annual Charges	71,355		(31)	71,324	(124)	1	71,200	71,219
User Charges and Fees	48,552		774	49,326	99		49,425	24,684
Interest and Investment Revenues	2,762		1,893	4,654	498	2	5,152	2,792
Other Revenues	22,451		764	23,216	40		23,255	9,522
Grants & Contributions - Operating	5,705	24	84	5,813	444	3	6,257	2,717
Grants & Contributions - Capital	11,147	2,185	2,774	16,105	332	4	16,437	5,704
Net gain from disposal of assets	1,154		117	1,272			1,272	282
Total Income from Continuing Operations	163,126	2,209	6,375	171,710	1,288		172,999	116,921
Expenses								
Employee Costs	76,273		2,958	79,231	(570)	5	78,662	38,678
Borrowing Costs	40			40			40	15
Materials & Contracts	20,639	4	1,333	21,977	1,039	6	23,016	9,806
Depreciation	19,500			19,500			19,500	
Legal Costs	725		(115)	610	(32)		578	181
Consultants	7,821	20	(1,000)	6,841	391	7	7,231	1,456
Other Expenses	24,703		(217)	24,486	(45)		24,441	12,390
Total Expenses from Continuing Operations	150,825	24	2,959	153,808	783		154,592	62,526
Net Operating Result from Continuing Operations	12,301	2,185	3,416	17,902	505		18,407	54,394
Net Operating Result from All Operations	12,301	2,185	3,416	17,902	505		18,407	54,394
Net Operating Result before Capital Items	1,154		642	1,796	174		1,970	48,690

Attachment 1 - Q2 QBRs Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement

for the period 01/10/23 to 31/12/23

Income & Expenses Budget Review Statement**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes Details

1	Unfavourable change of \$0.1m to Rates and Annual Charge due to following reasons: \$0.1m decrease in Bondi Junction Business Rate due to adjustments made.
2	Favourable change of \$0.5m to Interest and Investment revenues due to less than expected cash outflow as well as increases in interest rate by RBA.
3	Favourable change of \$0.4m to Grants & Contributions - Operating due to following reasons: \$0.23m increase in Operational grants and subsidy mainly from Early Education Childcare centres and Library \$0.20m increase in Contribution from other Council (\$72k from SES depot, \$72k from Electric vehicles and \$55k from illegal dumping)
4	Favourable change of \$0.3m to Grants & contributions - Capital due to following reasons: \$0.91m increase in Section 7.12 Contributions \$0.29m increase in Voluntary Planning Agreement Contributions \$0.96m decrease in Grants and contributions for the capital works program
5	Favourable change of \$0.6m to Employee Costs is due to following reasons: \$0.6m decrease in employee costs is mainly due to vacancies
6	Unfavourable change of \$1m to Materials & Contracts is due to the following reasons: \$0.3m increase in temporary staff due to increased demand offset by savings in employee costs \$0.4m increase in Contractors due to: (\$213k increase to match total cost of Restoration contract for Road & Footpath Restoration; \$82k increase for tree management; \$35k increase for abandoned cars; \$25k increase in health services) \$0.19m increase in expenses from property & facilities mainly from: (\$160k increase for maintenance costs, and \$26k for Cleaning) \$0.05m increase in audit fee based on the latest advice from the audit office \$0.04m increase in parking fine processing charges
7	Unfavourable change of \$0.4m to Consultants is due to the following reason: \$0.39m increase in consultant & technical assistant mainly from the HR remediation project (\$191k increase) and environmental services (\$95k grant funded project – circular Bondi Junction)

Attachment 1 - Q2 QBRs Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement
for the period 01/10/23 to 31/12/23

Capital Budget Review Statement

Budget review for the quarter ended 31 December 2023

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2023/24	Approved Changes		Revised Budget 2023/24	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Sep QBRs					
Capital Expenditure								
New Assets								
- Plant & Equipment	4,981		36	5,017			5,017	707
- Land & Buildings		97		97			97	
- Roads, Bridges, Footpaths	187	1,169		1,356	90	1	1,446	4
- Other	426	263	34	723	38	2	761	134
Renewal Assets (Replacement)								
- Plant & Equipment								
- Land & Buildings	10,736	115	14,690	25,540	(370)	3	25,171	6,321
- Roads, Bridges, Footpaths	18,512	2,342	(1,048)	19,807	(787)	4	19,020	7,454
- Other	7,710	792	(250)	8,253	401	5	8,654	4,494
Loan Repayments (Principal)	472			472			472	231
Total Capital Expenditure	43,024	4,778	13,463	61,266	(627)		60,639	19,345
Capital Funding								
Rates & Other Untied Funding	9,792	902	(1,297)	9,397	206		9,603	7,858
Capital Grants & Contributions	4,737	1,282	2,949	8,969	(866)		8,102	2,435
Reserves:								
- External Restrictions/Reserves	11,438	1,494	1,604	14,536	774		15,310	4,187
- Internal Restrictions/Reserves	15,903	1,099	10,089	27,091	(741)		26,350	4,584
New Loans								
Receipts from Sale of Assets								
- Plant & Equipment	1,154		117	1,272			1,272	282
- Land & Buildings								
Total Capital Funding	43,024	4,778	13,463	61,266	(627)		60,639	19,345
Net Capital Funding - Surplus/(Deficit)	-	0.00	- 0.00	0.00	- 0.00		- 0.00	0.00

Attachment 1 - Q2 QBRS Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement
for the period 01/10/23 to 31/12/23

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes Details

1	Roads, Bridges, Footpaths New Assets increased by \$0.09m mainly due to: \$0.09m increase in Syd Enfield Drive Bike Parking to reflect grant funding.
2	Other New Assets increased by \$0.04m mainly due to: \$0.13m increase in Capital Purchases for Library and \$12k decrease in Facilities Sustainable Energy upgrades (Social Housing Solar).
3	Land & Buildings Replacement Assets decreased by \$0.37m mainly due to: \$0.12m increase in Rowe Street Development due to requirements for consultants to provide extra information required by TfNSW \$0.05m increase in 17-23 Victoria Rd Upgrade due to redistribution of funds. \$0.21m decrease in SAMP5 Tunnel 1 Feasibility Study and design due to deferral to 2024/25. \$0.16m decrease in 63a Wairoa WAYS Youth Centre due to deferral to 2024/25.
4	Roads, Bridges, Footpaths Replacement decrease by \$0.79m mainly due to: \$0.40m increase in Curlewis St Streetscape Upgrade brought forward from LTFP to allow forecast progress of stage 1 works this financial year. \$0.19m increase in 2020/21 - RC - Glenayr Avenue - Blair St to cover final contract variations including latent conditions. \$0.07m increase in Birrell Street - Rehabilitation due to project cost increase. \$0.06 increase in Safety by design in public places to cover design variations for Stage 1A. Additional scope at Oxford St Mall project. \$1.5m decrease in Cliff Walk Remediation deferred to 2024/25 as a result of delays to program for to allow for reconsideration of design.
5	Other Replacement Assets increased by \$0.40m mainly due to: \$0.15m increase in SAMP5 Lighting & Electrical Infrastructure Renewal due to Additional funding required for essential lighting upgrades this financial year. \$0.10m increase in SAMP5 - Bus Shelters, Seats and Benches, bike furniture, bin. Increases to cover bus shelter repair at Bondi Road and Heritage Bridge at Bondi Beach Remediation works. \$0.07m increase in Waverley signage strategy Implementation to cover large roll out of park signs for Bondi, Biddigal & Bronte as well as alcohol signage and dog education signage. \$10.05m increase in South Head Cemetery Retaining wall reconstruction due to additional funding required to complete the project as scope to reconstruct was more complex than originally anticipated. \$0.18m decrease in Water Saving & Quality Improvement Program (South Bondi WSUD). Deferred for delivery in 2024/25.

Attachment 1 - Q2 QBRS Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement

for the period 01/10/23 to 31/12/23

Cash & Investments Budget Review Statement

Budget review for the quarter ended 31 December 2023

Cash & Investments - Council Consolidated

(\$000's)	Original Budget 2023/24	Approved Changes Carry Forwards & Other	Sep QBRS	Revised Budget 2023/24	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
Externally Restricted⁽¹⁾								
Developer Contributions	19,382	(1,490)	(257)	17,635	476	1	18,111	22,347
Domestic Waste Reserve	18,089		832	18,920	(30)	2	18,890	14,806
Unexpended Grant/Subsidy	3,696		(886)	2,810	1		2,812	2,755
Stormwater Management Service Reserve	1,437	(4)	(493)	940	1		941	1,427
Total Externally Restricted	42,604	(1,494)	(804)	40,306	448		40,754	41,334
(1) Funds that must be spent for a specific purpose								
Internally Restricted⁽²⁾								
Affordable Housing Program	1,401		416	1,816	33	3	1,849	1,868
Cemetery	2,373		273	2,646	(31)	4	2,615	2,694
Centralised - Other	3,077	(841)	(177)	2,059	292	5	2,351	5,085
Deposits & Bonds	22,717			22,717			22,717	22,717
Election	495			495			495	412
Employees Leave Entitlements	5,208			5,208			5,208	5,208
Property Investment Strategy	8,957	(14)	(4,672)	4,271			4,271	11,760
IT Equipment & Upgrade	2,373			2,373			2,373	3,934
Other Internal Restricted	3,774	(50)	(3,616)	108	(100)	6	8	3,776
Parking - Car Park	2,942		(30)	2,912	(4)		2,908	2,683
Parking - Meter	2,450			2,450			2,450	2,310
Plant & Vehicles Replacement	4,616		(32)	4,583	(3)		4,580	6,133
SAMP Infrastructure	4,646	(193)	(1,905)	2,547	547	7	3,095	4,057
Social Housing	545			545	(50)	8	495	623
Unexpended Loans								()
Total Internally Restricted	65,572	(1,099)	(9,743)	54,730	684		55,414	73,259
(2) Funds that Council has earmarked for a specific purpose								
Unrestricted (i.e. available after the above Restrictions)	10,630			10,630			10,630	22,480
Total Cash & Investments	118,806	(2,593)	(10,547)	105,666	1,132		106,798	137,072

Attachment 1 - Q2 QBRS Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement
for the period 01/10/23 to 31/12/23

Cash & Investments Budget Review Statement

Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes Details

1	Increase in Developer contribution reserve as more contribution expected to receive
2	Decrease in Domestic Waste reserve adjusted according to operational requirements
3	Increase in Affordable Housing reserve due to changes in capital project schedule
4	Decrease in Cemetery reserve to align capital projects timeline
5	Increase in Centralised reserve due to capital works program changes
6	Decrease in Other Internal Restricted reserve due to due to capital works program changes
7	Increase in SAMP Infrastructure reserve to align capital projects timeline
8	Decrease in Social Housing reserve due to changes in capital project schedule

Attachment 1 - Q2 QBRs Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement
for the period 01/10/23 to 31/12/23

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

Budget review for the quarter ended 31 December 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	0.00%	0.0%	1.7%	-2.6%
Total continuing operating revenue (1) excluding capital grants and contributions	155,290				

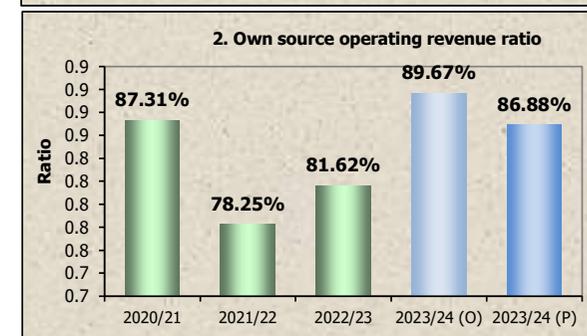
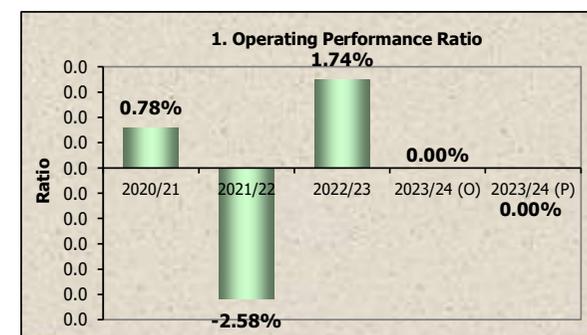
This ratio measures Council's achievement of containing operating expenditure within operating revenue.

Note: An estimate of \$0.7m non-capitalisable cost has been considered in the Operating Performance Ratio calculation

2. Own source operating revenue ratio

Total continuing operating revenue (1) excluding all grants and contributions	150,305	87%	90%	82%	78%
Total continuing operating revenue (1)	172,999				

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



Attachment 1 - Q2 QBRs Statement

Waverley Council

Council Meeting 20 Feb 2024

Quarterly Budget Review Statement
for the period 01/10/23 to 31/12/23

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

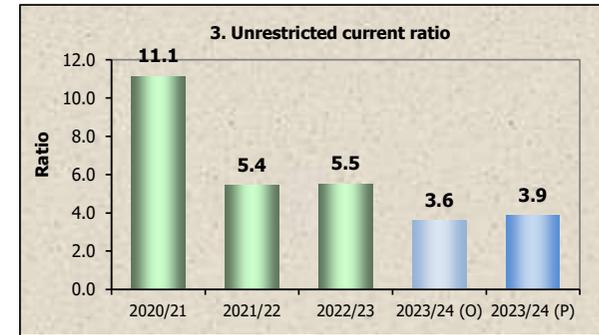
Budget review for the quarter ended 31 December 2023

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

3. Unrestricted current ratio

Current assets less all external restrictions (2)	96,346	3.9	3.6	5.5	5.4
Current liabilities less specific purpose liabilities (3, 4)	24,883				

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

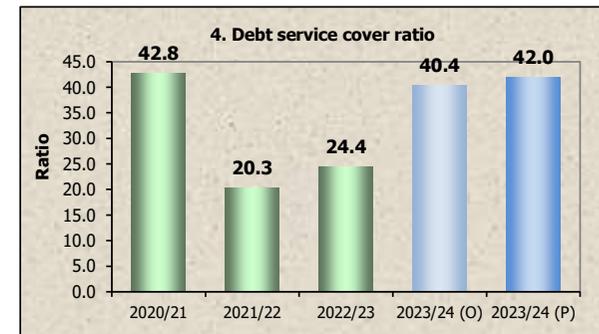


The Council monitors the following Key Performance Indicators:

4. Debt service cover ratio

Operating result (1) before capital excluding interest and depreciation/impairment/amortisation	21,510	42.0	40.4	24.4	20.3
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	513				

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



Attachment 1 - Q2 QBRs Statement

Waverley Council

Council Meeting 20 Feb 2024

Quarterly Budget Review Statement
for the period 01/10/23 to 31/12/23

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

Budget review for the quarter ended 31 December 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	52,845
Depreciation, amortisation and impairment	16,737

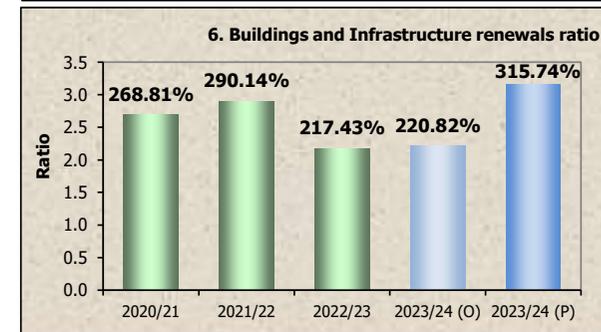
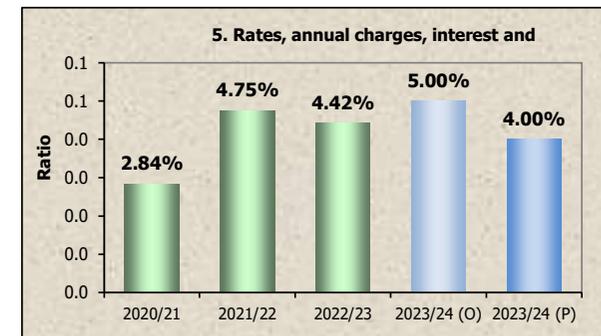
316%

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 - Q2 QBRS Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement

for the period 01/10/23 to 31/12/23

Contracts Budget Review Statement

Budget review for the quarter ended 31 December 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)
CRC - Christina Rainsford	Human Resources and WHS Consulting Services	\$ 50,000.00	01/09/2023	6 Months	Y
Quality Management Construction Pty Ltd	Williams Park Coastal Fencing	\$ 459,950.35	01/09/2023	2 Months	Y
Kimura Consulting Group	Payroll Remediation	\$ 180,000.00	02/10/2023	7 Months	Y
Datacom Systems (AU) Pty Ltd	Microsoft Enterprise Agreement Renewal	\$ 1,081,175.00	01/01/2024	3 Year	Y
PM Partners	PMO Services Digital Transformation	\$276,000 Schedule of rates estimate	15/01/2024	1 Year	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 - Q2 QBRS Statement

Council Meeting 20 Feb 2024

Waverley Council

Quarterly Budget Review Statement
for the period 01/10/23 to 31/12/23

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	4,069,544	Y
a. Operational	1,456,434	Y
b. Capital	2,613,110	Y
Legal Fees	181,741	Y
a. Operational	181,313	Y
b. Capital	428	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.

Attachment 1 - Capital Works Program Q2 Amendments

Council Meeting 20 February 2024



Budget Review Project Expenditure - Capital Works

As at Period 6
Financial Year Ending June 2024

Table 4 - Capital Works Program Q2 Amendments	No of	Amount \$'000	Capital Works Program Q2 Amendments	Amount - \$'000
Project cost reduction	15	215	No of Projects	133
Project cost defer to 2024/25	3	1,868	Expenditure	(55,686)
Project cost increase/Correction	33	(1,035)	funding sources:	
Project Not going ahead	9	215	Grants and Contribution	11,135
Funds brought forward (LTFP)	4	(580)	New Borrowing	
Total	64	683	External Restricted Reserves	12,577
			Internal Restricted Reserves	23,182
			General Fund	8,792

Project Number	Project Description	Current Budget \$	Q2 Amendment Request \$	Q2 Increase/ (Decrease) %	Proposed Estimate \$	Actuals \$	Commitments \$	YTD (Actuals & Commitments) \$	YTD %	Code	Report Commentary
BUILD 01 - Buildings - Buildings											
C0004	Bondi Bathers SLSC	(250,000)	-	-	(250,000)	(193,940)	(36,835)	(230,775)	92.31%		
C0007	Bronte Surf Club & Community Facilities	(2,200,000)	-	-	(2,200,000)	(1,092,315)	(1,294,904)	(2,387,220)	108.51% ▲		
C0289	Bronte Pump House Upgrade and Pump Replacement	(173,914)	-	-	(173,914)	(26,032)	(180,506)	(206,538)	118.76% ▲		
C0547	Council Chambers Upgrade	(263,050)	-	-	(263,050)	(53,746)	(204,797)	(258,543)	98.29%		
C0688	Tamarama SLSC – Building Upgrade	(6,605,796)	-	-	(6,605,796)	(823,455)	(5,677,277)	(6,500,732)	98.41%		
C0712	2A Edmund Street (Social Housing) Redevelopment	(150,000)	-	-	(150,000)	(25,537)	(97,942)	(123,479)	82.32%		
C0726	Boot Factory Restoration and Mill Hill Upgrade	(12,509,815)	-	-	(12,509,815)	(2,839,714)	(10,291,174)	(13,130,889)	104.96% ▲		
C0867	Bondi Lifeguard Facilities Upgrade	(8,742)	(6,904)	78.98%	(15,646)	(15,646)	-	(15,646)	100.00%	I	Project completed, amendment to cover minor scope changes in fitout works.
C0879	SAMP5 Tunnel 1 Feasibility Study and design	(215,000)	213,150	(99.14%)	(1,850)	(1,850)	(1,850)	(3,700)	200.00% ▲	D	Project planning complete, deferred for delivery in 2024/25. Budget increase due to requirements for consultants to provide extra information required by TfNSW in order to provide consent for the DA to be submitted.
C0980	Rowe Street Development	(178,000)	(124,834)	70.13%	(302,834)	(59,197)	(243,637)	(302,834)	100.00%		
C1034	Short Term Office Accommodation	(541,238)	-	-	(541,238)	(431,458)	(62,556)	(494,013)	91.27%		
C1038	Bondi Diggers/Waverley Sub-Depot	(100,000)	-	-	(100,000)	-	-	-	0		
C1082	Grace Child Care Centre/59 Newland St	(150,000)	-	-	(150,000)	(8,224)	-	(8,224)	5.48%		
Total Buildings - Buildings		(23,345,555)	81,412	(0.35%)	(23,264,143)	(5,571,114)	(18,091,478)	(23,662,593)	101.71% ▲		
BUILD 02 - SAMP Amenities											
Total SAMP Childcare Facilities		(85,700)	8,044	(9.39%)	(77,656)	(51,573)	(16,399)	(67,972)	87.53%		
BUILD 03 - SAMP Carparks											
Total SAMP Carparks		(301,400)	(3,800)	1.26%	(305,200)	(110,041)	(8,018)	(118,059)	38.68%		Adjustment across SAMP category based priority scope requirements
BUILD 04 - SAMP Cemeteries											
Total SAMP Cemeteries		(297,300)	84,500	(28.42%)	(212,800)	(19,871)	(448,665)	(468,536)	220.18% ▲		Adjustment across SAMP category based priority scope requirements
BUILD 05 - SAMP Childcare Facilities											
Total SAMP Childcare Facilities		(317,307)	30,000	(9.45%)	(287,307)	(40,459)	(114,270)	(154,729)	53.85%		Adjustment across SAMP category based priority scope requirements
BUILD 06 - SAMP Community Centres & Halls											
Total SAMP Community Centres & Halls		(447,000)	6,900	(1.54%)	(440,100)	(23,494)	(141,678)	(165,172)	37.53%		Adjustment across SAMP category based priority scope requirements
BUILD 07 - SAMP Community Tenants											
Total SAMP Community Tenants		(187,718)	175,000	(93.22%)	(12,718)	(9,020)	(3,699)	(12,718)	100.00% ▲		Adjustment across SAMP category based priority scope requirements
BUILD 08 - SAMP Council Administration											
Total SAMP Council Administration		(104,000)	(21,600)	20.77%	(125,600)	(64,359)	(35,189)	(99,548)	79.26%		Adjustment across SAMP category based priority scope requirements
BUILD 09 - SAMP Residential Lease											
Total SAMP Residential Lease		(210,774)	20,000	(9.49%)	(190,774)	(125,279)	(27,445)	(152,724)	80.05%		Adjustment across SAMP category based priority scope requirements
BUILD 10 - Surf Clubs and Ancillary Coastal Facilities											
Total Surf Clubs and Ancillary Coastal Facilities		(283,198)	(5,213)	1.84%	(288,411)	(265,644)	(3,610)	(269,254)	93.36%		Adjustment across SAMP category based priority scope requirements

Attachment 1 - Capital Works Program Q2 Amendments



Budget Review Project Expenditure - Capital Works

As at Period 6
Financial Year Ending June 2024

Table 4 - Capital Works Program Q2 Amendments	No of	Amount \$'000	Capital Works Program Q2 Amendments	Amount - \$'000
Project cost reduction	15	215	No of Projects	133
Project cost defer to 2024/25	3	1,868	Expenditure	(55,686)
Project cost increase/Correction	33	(1,035)	funding sources:	
Project Not going ahead	9	215	Grants and Contribution	11,135
Funds brought forward (LTFP)	4	(580)	New Borrowing	
Total	64	683	External Restricted Reserves	12,577
			Internal Restricted Reserves	23,182
			General Fund	8,792

Council Meeting 20 February 2024

Project Number	Project Description	Current Budget \$	Q2 Amendment Request \$	Q2 Increase/ (Decrease) %	Proposed Estimate \$	Actuals \$	Commitments \$	YTD (Actuals & Commitments) \$	YTD %	Code	Report	Commentary
BUILD 11 - SAMP Commercial Buildings												
	Total SAMP Commercial Buildings	(18,600)	-	-	(18,600)	(7,477)	(2,045)	(9,522)	51.19%			
BUILD 12 - SAMP Social & Affordable Housing												
	Total SAMP Social & Affordable Housing	(198,900)	700	(0.35%)	(198,200)	(32,464)	-	(32,464)	16.38%			Adjustment across SAMP category based priority scope requirements
LIV 01 - Living - Corridors												
C0041	Thomas Hogan Environmental Restoration Action Plan	(33,181)		-	(33,181)	-	(26,264)	(26,264)	79.15%			
C0882	Greening Steep Slopes	(50,000)		-	(50,000)	(10,000)	(63)	(10,063)	20.13%			
	Total Living - Corridors	(83,181)	-	-	(83,181)	(10,000)	(26,327)	(36,327)	43.67%			
LIV 02 - Living - Trees												
C0186	Planting Street Trees (SAMP 11)	(200,000)		-	(200,000)	(29,939)	(36,422)	(66,361)	33.18%			
	Total Living - Trees	(200,000)	-	-	(200,000)	(29,939)	(36,422)	(66,361)	33.18%			
LIV 04 - Living - Turf												
C0263	Turf improvement program	(300,000)		-	(300,000)	(123,541)	(10,031)	(133,572)	44.52%			
	Total Living - Turf	(300,000)	-	-	(300,000)	(123,541)	(10,031)	(133,572)	44.52%			
PUB 01 - Public Domain Infrastructure - Lighting / Electrical Equipme												
C0848	SAMP5 Lighting & Electrical Infrastructure Renewal	(195,000)	(150,000)	76.92%	(345,000)	(178,435)	(40,555)	(218,990)	63.48%	I		Additional funding required for essential lighting upgrades this financial year.
C0851	Bondi Park Stage 2 Electrical Upgrades	(500,000)	(8,820)	1.76%	(508,820)	(138,473)	(65,782)	(204,255)	40.14%	I		- Project cost increase
	Total Public Domain Infrastructure - Lighting / Electrica	(695,000)	(158,820)	22.85%	(853,820)	(316,908)	(106,337)	(423,245)	49.57%			
PUB 02 - Public Domain Infrastructure - Water Equipment												
C0849	SAMP5 Water Equipment Renewal	(62,435)	(25,000)	40.04%	(87,435)	(55,048)	(19,004)	(74,052)	84.69%	I		Additional funding required for programmed renewal this this financial year.
	Total Public Domain Infrastructure - Water Equipment	(62,435)	(25,000)	40.04%	(87,435)	(55,048)	(19,004)	(74,052)	84.69%			
PUB 03 - Public Domain Infrastructure - Street Furniture												
C0845	SAMP5 - Bus Shelters, Seats and Benches, bike furnitu	(307,500)	(100,000)	32.52%	(407,500)	(141,349)	(29,615)	(170,964)	41.95%	I		Increases to cover bus shelter repair at Bondi Road and Heritage Bridge at Bondi Beach Remediation works.
C0850	Waverley signage strategy Implementation	(100,000)	(70,000)	70.00%	(170,000)	(18,394)	(146,415)	(164,809)	96.95%	B		Increase to cover large roll out of park signs for Bondi, Biddigal & Bronte as well as alcohol signage and dog education signage.
	Total Public Domain Infrastructure - Street Furniture	(407,500)	(170,000)	41.72%	(577,500)	(159,743)	(176,029)	(335,773)	58.14%			
PUB 04 - Public Domain Infrastructure - Structures												
C0581	Cliff Walk Remediation	(7,156,291)	1,500,000	(20.96%)	(5,656,291)	(2,381,932)	(4,753,737)	(7,135,669)	126.15%	D		Funding deferred to 2024/25 as a result of delays to program for to allow for reconsideration of design.
C0811	Safety by design in public places	(621,519)	(60,000)	9.65%	(681,519)	(534,526)	(132,693)	(667,220)	97.90%	B		To cover design variations for Stage 1A. Additional scope at Oxford St Mall project.
C0883	SAMP5 - Other: Fences, Stairs, Edging, walls / Retainir	(225,340)		-	(225,340)	(118,846)	(21,773)	(140,618)	62.40%			

Attachment 1 - Capital Works Program Q2 Amendments



Budget Review Project Expenditure - Capital Works

As at Period 6
Financial Year Ending June 2024

Table 4 - Capital Works Program Q2 Amendments	No of	Amount \$'000	Capital Works Program Q2 Amendments	Amount - \$'000
Project cost reduction	15	215	No of Projects	133
Project cost defer to 2024/25	3	1,868	Expenditure	(55,686)
Project cost increase/Correction	33	(1,035)	funding sources:	
Project Not going ahead	9	215	Grants and Contribution	11,135
Funds brought forward (LTFP)	4	(580)	New Borrowing	
			External Restricted Reserves	12,577
			Internal Restricted Reserves	23,182
Total	64	683	General Fund	8,792

Council Meeting 20 February 2024

Project Number	Project Description	Current Budget \$	Q2 Amendment Request \$	Q2 Increase/ (Decrease) %	Proposed Estimate \$	Actuals \$	Commitments \$	YTD (Actuals & Commitments) \$	YTD %	Code	Report	Commentary
C0944	Rockfall remediation	(147,499)		-	(147,499)	(58,782)	(47,009)	(105,790)	71.72%			
C0972	South Head Cemetery Retaining wall reconstruction	(73,864)	(53,068)	71.85%	(126,932)	(126,438)	(494)	(126,932)	100.00%			Project completed, additional funding required as scope to reconstruct was more complex than originally anticipated.
C0973	Waverley Cemetery Contemplation Shelters Renewal	(250,000)		-	(250,000)	(45,303)	(40,128)	(85,431)	34.17%			
C1039	SAMP Promenade Sea Walls	(80,000)		-	(80,000)	(4,806)	-	(4,806)	6.01%			
C1040	Waverley Cemetery Renewal and enhancements	(520,000)		-	(520,000)	(81,539)	(56,458)	(137,997)	26.54%			
C1071	Notts Ave Boardwalk - Remediation Works	(663,376)		-	(663,376)	(469,188)	(144,192)	(613,380)	92.46%			
Total Public Domain Infrastructure - Structures		(9,737,889)	1,386,932	(14.24%)	(8,350,957)	(3,821,360)	(5,196,483)	(9,017,843)	107.99%			
ROAD 01 - Road Infrastructure - Kerb and Gutter											Adjustment across SAMP category based priority scope requirements	
Total Road Infrastructure - Kerb and Gutter		(477,013)	(99,572)	20.87%	(576,585)	(83,548)	-	(83,548)	14.49%			
ROAD 03 - Road Infrastructure - Footpaths											Adjustment across SAMP category based priority scope requirements	
Total Road Infrastructure - Footpaths		(1,144,607)	(19,056)	1.66%	(1,756,284)	(1,185,242)	(883,854)	(592,619)	33.74%			
ROAD 04 - Road Infrastructure - Stormwater Drainage											Adjustment across SAMP category based priority scope requirements	
Total Road Infrastructure - Stormwater Drainage		(531,779)	-	-	(531,779)	(103,666)	(67,859)	(171,525)	32.25%			
ROAD 05 - Road Infrastructure - Transport												
C0718	Coastal Path Improvements - Notts Ave	-	-	-	-	-	-	-	0.00%			
C0891	Curlewis St Streetscape Upgrade	(2,200,000)	(400,000)	18.18%	(2,600,000)	(137,739)	(4,367,435)	(4,505,174)	173.28%			B - Additional budget brought forward from LTFP to allow forecast progress of stage 1 works this financial year. Stage 1 will commence March 2024.
C0949	Syd Einfeld Drive Bike Parking	(187,254)	(90,000)	48.06%	(277,254)	(4,078)	-	(4,078)	1.47%			X - Budget increased to reflect grant funding.
C1076	40km/hr speed zone review - signage	(262,085)		-	(262,085)	(10,823)	-	(10,823)	4.13%			
Total Road Infrastructure - Transport		(2,649,339)	(490,000)	18.50%	(3,139,339)	(152,641)	(4,367,435)	(4,520,076)	143.98%			
ROAD 06 - Road Infrastructure - Streetscape Upgrade												
C0717	Charing Cross Streetscape Upgrade	(2,481,628)		-	(2,481,628)	(422,166)	(4,163,253)	(4,585,419)	184.77%			Project complete. Additional budget to cover final contract variations including latent conditions.
C0889	2020/21 - RC - Glenayr Avenue - Blair St to Hall St	(361,068)	(187,000)	51.79%	(548,068)	(276,571)	(5,280)	(281,851)	51.43%			
C1043	Oxford St Mall Refresh	(700,000)		-	(700,000)	(547,695)	(235,232)	(782,926)	111.85%			
C1122	Oxford St Mall Design Competition	-		-	-	-	-	-	0.00%			
C1116	North Bondi Bus Terminus	(200,000)		-	(200,000)	(60,075)	(41,655)	(101,730)	50.86%			
Total Road Infrastructure - Streetscape Upgrade		(3,742,696)	(187,000)	5.00%	(3,929,696)	(1,306,506)	(4,445,420)	(5,751,926)	146.37%			
ROAD 07 - Road Infrastructure - Traffic Infrastructure												
C0654	SAMP Street Signage and Linemarking	(100,000)		-	(100,000)	(51,167)	(13,425)	(64,592)	64.59%			
C0807	SAMP5 Renewal Roundabouts / Speedhumps Traffic I	(100,000)		-	(100,000)	(33,383)	(47,628)	(81,011)	81.01%			
C1029	York Road Slip Lane	(1,538,695)		-	(1,538,695)	(134,617)	(1,009,474)	(1,144,091)	74.35%			

Attachment 1 - Capital Works Program Q2 Amendments

Council Meeting 20 February 2024



Budget Review Project Expenditure - Capital Works

As at Period 6
Financial Year Ending June 2024

Table 4 - Capital Works Program Q2 Amendments	No of	Amount \$'000	Capital Works Program Q2 Amendments	Amount - \$'000
Project cost reduction	15	215	No of Projects	133
Project cost defer to 2024/25	3	1,868	Expenditure	(55,686)
Project cost increase/Correction	33	(1,035)	funding sources:	
Project Not going ahead	9	215	Grants and Contribution	11,135
Funds brought forward (LTFP)	4	(580)	New Borrowing	
			External Restricted Reserves	12,577
			Internal Restricted Reserves	23,182
Total	64	683	General Fund	8,792

Project Number	Project Description	Current Budget \$	Q2 Amendment Request \$	Q2 Increase/ (Decrease) %	Proposed Estimate \$	Actuals \$	Commitments \$	YTD (Actuals & Commitments) \$	YTD %	Code	Report Commentary
ROAD 08 - Road Infrastructure - Sealed Roads - Construction											
Total Road Infrastructure - Traffic Infrastructure		(1,738,695)	-	-	(1,738,695)	(219,166)	(1,070,527)	(1,289,694)	74.18%		
Total Road Infrastructure - Sealed Roads - Construction		(3,014,526)	-	-	(3,014,526)	(1,969,302)	(38,577)	(2,007,879)	66.61%		
ROAD 09 - Road Infrastructure - Sealed Roads - R2R construction											
Total Road Infrastructure - Streetscape Upgrade		(450,275)	-	-	(450,275)	(37,148)	-	(37,148)	8.25%		
ROAD 10 - Road Infrastructure - Sealed Roads - Regional Construction											
Total Road Infrastructure - Streetscape Upgrade		(455,158)	(47,367)	10.41%	(502,525)	(422,069)	(15,156)	(437,225)	87.01%		Adjustment across SAMP category based priority scope requirements including removal of regional roads projects due to reduction in grant funding.
RP 01 - Recreational & Public Spaces - Recreational											
C0714	Public Art Commissions	(45,000)	-	-	(45,000)	(16,990)	(6,300)	(23,290)	51.76%		
C0854	Onslow Park and Playground	(4,970)	-	-	(4,970)	-	(1,316)	(1,316)	26.48%		
C0886	Waverley Park Playground and Fitness Station Upgrad	(2,504,103)	-	-	(2,504,103)	(2,229,261)	(196,701)	(2,425,962)	96.88%		
C0975	SAMP5 Park & Playground Planning & Design	(225,500)	(50,000)	22.17%	(275,500)	(111,688)	(15,121)	(126,809)	46.03%		Additional funds required to cover Coastal Reserves POM consultant fees B - for Native title and universal access studies.
C1032	Williams Park Walking Track	(900,932)	-	-	(900,932)	(409,399)	(492,251)	(901,650)	100.08%		
C1042	SAMP5 Park & Playground Renewal and Upgrades	(200,000)	183,327	(91.66%)	(16,673)	(16,651)	(15,092)	(31,743)	190.39%		X - Budget transferred into this new project code for Gilgandra Reserve.
C1118	Bondi Park Plan of Management	(135,000)	-	-	(135,000)	(1,380)	(58,510)	(59,890)	44.36%		
C1119	Bronte, Tamarama, Williams and Waverley Park Plan	(100,000)	-	-	(100,000)	(1,845)	-	(1,845)	1.85%		
C1124	Gilgandra Reserve Park & Playground Upgrade	-	(183,327)	-	(183,327)	-	-	-	0.00%		X - Project code created for Gilgandra Reserve.
Total Recreational & Public Spaces - Recreational		(4,115,505)	(50,000)	1.21%	(4,165,505)	(2,787,215)	(785,291)	(3,572,506)	85.76%		
SUS 01 - Sustainability Infrastructure - Renewable Energy											
C0438	Installation of EV charging stations	(310,000)	-	-	(310,000)	(54,358)	(19,694)	(74,051)	23.89%		
C0812	SAMP5 Renewal of Solar Energy Infrastructure	(5,000)	-	-	(5,000)	(4,195)	(30)	(4,225)	84.49%		
C0978	Facilities Sustainable Energy upgrades (Social Housing	(40,000)	12,000	(30.00%)	(28,000)	-	-	-	0		C - Budget reduced to reflect grant allocation.
C1120	EV Charging Stations for Council fleet	(130,000)	-	-	(130,000)	(8,525)	-	(8,525)	6.56%		
Total Sustainability Infrastructure - Renewable Energy		(485,000)	12,000	(2.47%)	(473,000)	(67,078)	(19,723)	(86,801)	18.35%		
SUS 03 - Sustainability Infrastructure - Stormwater & Groundwater											
C1117	Water Saving & Quality Improvement Program (South	(175,000)	175,000	(100.00%)	-	-	(4,500)	(4,500)	0		A - Project planning complete, deferred for delivery in 2024/25.
Total Sustainability Infrastructure - Stormwater & Grou		(175,000)	175,000	(100.00%)	-	-	(4,500)	(4,500)	0		

Attachment 1 - Capital Works Program Q2 Amendments

Council Meeting 20 February 2024



Budget Review Project Expenditure - Capital Works

As at Period 6

Financial Year Ending June 2024

Table 4 - Capital Works Program Q2 Amendments	No of	Amount \$'000	Capital Works Program Q2 Amendments	Amount - \$'000
Project cost reduction	15	215	No of Projects	133
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Project cost increase/Correction	33	(1,035)	funding sources:	
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Funds brought forward (LTFP)	4	(580)	New Borrowing	
			External Restricted Reserves	12,577
			Internal Restricted Reserves	23,182
Total	64	683	General Fund	8,792

Project Number	Project Description	Current Budget \$	Q2 Amendment Request \$	Q2 Increase/ (Decrease) %	Proposed Estimate \$	Actuals \$	Commitments \$	YTD (Actuals & Commitments) \$	YTD %	Code	Report Commentary
UNPLANNED - Unplanned Works											
E0005	2022 April Storm Damage	(106,312)	(20,000)	18.81%	(126,312)	(39,790)	(57,357)	(97,147)	76.91%		Budget increased to reflect grant allocation.
Total Unplanned Works		(106,312)	(20,000)	18.81%	(126,312)	(39,790)	(57,357)	(97,147)	76.91%		
Grand Total		(56,369,362)	683,060	(1.21%)	(55,686,302)	(18,326,849)	(35,626,210)	(53,953,059)	96.89%		



Budget Review Project Expenditure - Capital Works
As at Period 06
Financial Year Ending June 2024

		FUNDING SOURCES																							
Project Number	Project Description	Q2 Proposed Budget \$	Total Grant Funding \$	Carry Over Reserve \$	Infrastructure Cemetery Reserve \$	Affordable Housing Contributions Reserve \$	Other Infrastructure Reserve \$	Investment Strategy Reserve \$	Car Parking Reserve \$	S7.12 Contributions Reserve \$	Central Reserve \$	Stormwater Management Service Reserve \$	Affordable Housing Program Reserve \$	Social Housing 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 \$	Domestic Waste Reserve \$	General Fund \$	
BUILD 01 - Buildings - Buildings																									
C0004	Bondi Bathers SLSC	(250,000)	250,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0007	Bronte Surf Club & Community Facilities	(2,200,000)	870,000	-	-	-	-	-	-	627,612	-	-	-	-	-	-	-	-	-	-	-	-	-	-	702,388
C0289	Bronte Pump House Upgrade and Pump Replacement	(173,914)	-	11,161	-	-	-	-	-	162,753	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0547	Council Chambers Upgrade	(263,050)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	-	-	-	176,569
C0712	2A Edmund Street (Social Housing) Redevelopment	(150,000)	-	-	-	43,188	-	-	-	-	-	-	95,881	10,931	-	-	-	-	-	-	-	-	-	-	-
C0726	Root Factory Restoration and Mill Hill Upgrade	(12,509,815)	373,431	236,092	-	-	-	6,705,951	-	1,721,459	308,917	-	-	-	-	-	-	491,134	-	2,175,305	-	-	-	-	-
C0867	Bondi Lifeguard Facilities Upgrade	(15,646)	-	-	-	-	-	-	-	15,646	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0879	SAMPS Tunnel 1 Feasibility Study and design	(1,850)	-	-	-	-	-	-	-	1,850	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0980	Rowe Street Development	(302,834)	97,016	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	205,818
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/S9 Newland St	(150,000)	-	-	-	-	-	-	-	-	-	-	-	80,000	-	-	-	-	-	-	-	-	-	-	70,000
Total Buildings - Buildings		(23,264,143)	1,740,447	899,086	-	43,188	-	9,442,337	-	3,576,644	1,044,496	-	95,881	90,931	497,526	-	-	794,928	-	3,620,854	-	-	-	-	1,417,825
BUILD 02 - SAMP Amenities																									
C0815	Marks Park Amenities	(20,600)	-	-	-	-	-	-	-	20,600	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0816	North Bondi Amenities	(32,900)	-	-	-	-	-	-	-	32,900	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0818	Tamarama Amenities and Kiosk	(15,520)	-	-	-	-	-	-	-	15,520	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0955	Bronte Park Community Centre	(8,636)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8,636
Total SAMP Childcare Facilities		(77,656)	-	-	-	-	-	-	-	69,020	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8,636
BUILD 03 - SAMP Carparks																									
C0820	Eastgate Undercover Car Park	(194,500)	-	-	-	-	-	-	194,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0821	Hollywood Ave Undercover Car Park	(75,700)	-	-	-	-	-	-	75,700	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0872	Waverley Library Car Park	(35,000)	-	-	-	-	-	-	35,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total SAMP Carparks		(305,200)	-	-	-	-	-	-	305,200	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BUILD 04 - SAMP Cemeteries																									
C0822	Waverley Cemetery Office	(3,000)	-	-	3,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0823	Waverley Cemetery Out Buildings (Toilet Block)	(3,700)	-	-	3,700	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0824	Waverley Cemetery Residence	(6,100)	-	-	6,100	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1041	Waverley Cemetery Buildings	(200,000)	-	-	200,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total SAMP Cemeteries		(212,800)	-	-	212,800	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BUILD 05 - SAMP Childcare Facilities																									
C0825	Bronte Early Education Centre	(39,600)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	39,600
C0826	Gardiner Early Education Centre	(20,407)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20,407
C0827	Mill Hill Early Education Centre	(65,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	65,000
C0828	The Terraces - The Terraces	(90,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	90,000
C0829	Waverley Early Education Centre	(72,300)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	72,300
Total SAMP Childcare Facilities		(287,307)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	287,307
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 Woolahra School of Arts	(2,540)	-	-	-	-	-	-	-	2,540	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1036	Hugh Bamford Hall	(2,560)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,560
C1037	42 Brighton Blvd (Bondi Beach Cottage)	(32,600)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	32,600
C1083	Kimberley Reserve Hall	(35,500)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	35,500
Total SAMP Community Centres & Halls		(440,100)	25,000	-	-	-	-	-	-	260,340	-	-	-	-	-	-	-	-	-	-	-	-	-	-	154,760
BUILD 07 - SAMP Community Tenants																									
C0875	S9 Newland St, Bondi Junction	(5,218)	-	5,218	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0962	Grace Child Care	(7,500)	-	-	-	-	-	-	-	-	7,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total SAMP Community Tenants		(12,718)	-	5,218	-	-	-	-	-	-	7,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BUILD 08 - SAMP Council Administration																									
C0836	PPC Depot	(18,800)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	18,800
C0868	Alexandria Integrated Facility	(35,200)	17,600	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17,600
C0869	Council Chambers	(68,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	68,000
C0870	Customer Service Centre	(3,600)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3,600
Total SAMP Council Administration		(125,600)	17,600	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	108,000
BUILD 09 - SAMP Residential Lease																									
C0839	Bronte House - Bronte House	(190,774)	-	-	-	-	-	-	-	40,431	76,076	-	-	-	-	-	-	-	6,067	-	-	-	-	-	68,200
Total SAMP Residential Lease		(190,774)	-	-	-	-	-	-	-	40,431	76,076	-	-	-	-	-	-	-	6,067	-	-	-	-	-	68,200
BUILD 10 - Surf Clubs and Ancillary Coastal Facilities																									
C0878	Tamarama Lifeguard Tower	(238,411)	-	15,000	-	-	-	-	-	-	180,213	-	-	-	-	-	-	-	-	-	-	-	-	-	43,198
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		(288,411)	-	15,000	-	-	-	-	-	-	180,213	-	-	-	-	-	-	-	-	-	-	-	-	-	93,198

Attachment 2b - Capital Works 2023/24 Q2 Amendments

Council Meeting 20 February 2024



Budget Review Project Expenditure - Capital Works
As at Period 06
Financial Year Ending June 2024

		FUNDING SOURCES																							
Project Number	Project Description	Q2 Proposed Budget \$	Total Grant Funding \$	Carry Over Reserve \$	Infrastructure Cemetery Reserve \$	Affordable Housing Contributions Reserve \$	Other Infrastructure Reserve \$	Investment Strategy Reserve \$	Car Parking Reserve \$	S7.12 Contributions Reserve \$	Central Reserve \$	Stormwater Management Service Reserve \$	Affordable Housing Program Reserve \$	Social Housing 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 \$	Domestic Waste Reserve \$	General Fund \$	
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	(50,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0960	17-23 Victoria Rd	(80,000)	-	-	-	-	-	-	-	-	-	-	-	50,000	-	-	-	-	-	-	-	-	-	-	-
C0964	Affordable Housing unit portfolio	(50,000)	-	-	-	-	-	-	-	-	-	-	50,000	-	-	-	-	-	-	-	-	-	-	-	-
C0968	158 Carrington Rd, Charing Cross	(18,200)	-	-	-	-	-	-	-	-	-	-	-	18,200	-	-	-	-	-	-	-	-	-	-	-
Total SAMP Social & Affordable Housing		(198,200)	-	-	-	-	-	-	-	-	-	-	50,000	148,200	-	-	-	-	-	-	-	-	-	-	-
LIV 01 - Living - Corridors																									
C0041	Thomas Hogan Environmental Restoration Action Plan regenerat	(33,181)	-	-	-	-	-	-	-	-	33,181	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0882	Greening Steep Slopes	(50,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40,000
Total Living - Corridors		(83,181)	-	-	-	-	-	-	-	-	33,181	-	-	-	-	-	-	-	-	-	-	-	-	-	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)	-	-	-	-	-	-	-	64,698	-	-	-	-	85,000	15,000	-	-	-	-	-	-	-	-	135,302
Total Living - Turf		(300,000)	-	-	-	-	-	-	-	64,698	-	-	-	-	85,000	15,000	-	-	-	-	-	-	-	-	135,302
PUB 01 - Public Domain Infrastructure - Lighting / Electrical Equipme																									
C0848	SAMPS Lighting & Electrical Infrastructure Renewal	(345,000)	-	-	-	-	-	-	-	-	150,000	-	-	-	-	-	-	-	-	-	-	-	-	-	195,000
C0851	Bondi Park Stage 2 Electrical Upgrades	(508,820)	143,000	115,000	-	-	-	-	-	250,820	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Public Domain Infrastructure - Lighting / Electrical Equipme		(853,820)	143,000	115,000	-	-	-	-	-	250,820	150,000	-	-	-	-	-	-	-	-	-	-	-	-	-	195,000
PUB 02 - Public Domain Infrastructure - Water Equipment																									
C0849	SAMPS Water Equipment Renewal	(87,435)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	87,435
Total Public Domain Infrastructure - Water Equipment		(87,435)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	87,435
PUB 03 - Public Domain Infrastructure - Street Furniture																									
C0845	SAMPS - Bus Shelters, Seats and Benches, bike furniture, bin	(407,500)	-	-	-	-	-	-	-	82,500	-	-	-	-	-	325,000	-	-	-	-	-	-	-	-	-
C0850	Waverley signage strategy implementation	(170,000)	-	-	-	-	-	-	-	-	70,000	-	-	-	-	-	-	-	-	-	-	-	-	-	100,000
Total Public Domain Infrastructure - Street Furniture		(577,500)	-	-	-	-	-	-	-	82,500	70,000	-	-	-	-	325,000	-	-	-	-	-	-	-	-	100,000
PUB 04 - Public Domain Infrastructure - Structures																									
C0581	Cliff Walk Remediation	(5,656,291)	2,301,649	555,296	-	-	-	-	-	-	-	-	-	-	1,104,346	-	-	-	-	-	-	-	-	-	1,695,000
C0811	Safety by design in public places	(681,519)	42,750	27,109	-	-	-	-	-	-	72,824	-	-	-	521,586	-	-	-	-	-	-	-	-	-	17,250
C0883	SAMPS - Other: Fences, Stairs, Edging, walls / Retaining wal	(225,340)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
C0944	Rockfall remediation	(147,499)	-	32,499	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	63,120	-	13,000	51,880
C0972	South Head Cemetery Retaining wall reconstruction	(126,932)	-	-	-	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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Public Domain Infrastructure - Structures		(8,350,957)	3,007,775	694,904	843,864	-	-	-	-	-	72,824	-	-	-	1,625,932	187,227	-	-	25,113	-	63,120	-	13,000	1,764,130	
ROAD 01 - Road Infrastructure - Kerb and Gutter																									
C1013	2021/22 - KGC - Intersection of Hollywood Ave and Allens Pde	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1016	2021/22 - KGC - Trafalgar Street - Adjacent Cemetery	(36,069)	-	17,313	18,756	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1017	2021/22 - KGC - Miller Street - Gasfield St to Imperial	(200,000)	-	200,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1058	2022/23 - KGC - Tamarama Marine Drive, adjacent to Pacific D	(18,023)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1109	2023/24 - KGC - Carlisle St - Silva to the Dead End	(75,000)	-	75,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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	(60,000)	-	60,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1112	2023/24 - KGC - Chesterfield Lane - Chesterfield Pde to Rea	(45,000)	-	45,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1113	2023/24 - KGC - Baronga Ave at York Rd - South Side	(35,000)	-	35,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1114	2022/23 - KGC - Gould Street, Corner of Hastings Parade	(80,000)	-	80,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1115	2022/23 - KGC - Wairoa Ave, Ramsgate Ave to Hastings Pde	(7,493)	-	7,493	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Road Infrastructure - Kerb and Gutter		(576,585)	-	557,829	18,756	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ROAD 03 - Road Infrastructure - Footpaths																									
C0920	2020/21 - FC - Allens Pde (Hollywood to botany) - (B/S)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1001	2021/22 - FC - Chris Bang Crescent (NEW - Park Side)	(150,000)	-	13,500	-	-	-	-	-	70,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	58,000
C1005	2021/22 - FC - Gould Street - Hastings Pde to Ramsgate Ave ((100,000)	-	9,000	-	-	-	-	-	35,333	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	39,467	45,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1063	2021/22 - FC - Hollywood Ave at Pine Lane	(399,611)	-	52,486	-	-	-	-	-	207,493	83,835	-	-	-	-	-	-	-	-	-	-	-	-	-	19,220
C1102	2023/24 - FC - Chesterfield Pde - Arden St to St Thomas St	(90,000)	-	13,100	-	-	-	-	-	41,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	30,800
C1103	2022/23 - FC - Hall Street at Old South Head Road	(120,000)	-	35,954	-	-	-	-	-	63,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	14,246
C1106	2022/23 - FC - Newland Street	(45,000)	-	14,300	-	-	-	-	-	25,567	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1107	2023/24 - FC - Bondi Road at Park Parade	(75,000)	-	6,750	-	-	-	-	-	52,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	12,000
Total Road Infrastructure - Footpaths		(1,163,663)	-	236,742	-	-	-	-	-	533,860	128,835	-	-	-	-	-	-	-	-	-	-	-	-	-	134,266



Budget Review Project Expenditure - Capital Works
As at Period 06
Financial Year Ending June 2024

		FUNDING SOURCES																							
Project Number	Project Description	Q2 Proposed Budget \$	Total Grant Funding \$	Carry Over Reserve \$	Infrastructure Cemetery Reserve \$	Affordable Housing Contributions Reserve \$	Other Infrastructure Reserve \$	Investment Strategy Reserve \$	Car Parking Reserve \$	\$7.12 Contributions Reserve \$	Central Reserve \$	Stormwater Management Service Reserve \$	Affordable Housing Program Reserve \$	Social Housing 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 \$	Domestic Waste Reserve \$	General Fund \$	
ROAD 04 - Road Infrastructure - Stormwater Drainage																									
C0771	Raingarden repair/construction	(40,000)	-	-	-	-	-	-	-	-	-	40,000	-	-	-	-	-	-	-	-	-	-	-	-	-
C0993	2021/22 - SWC - Bourke Street	(16,779)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0996	2021/22 - SWC - Pits/Pipes Various Locations	(200,000)	-	-	-	-	-	-	-	-	-	200,000	-	-	-	-	-	-	-	-	-	-	-	-	-
C1099	2023/24 - SWC - High Street	(60,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1100	2023/24 - SWC - Penkivil St at Bondi Road	(50,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1101	2023/24 - SWC - Oceanview Ave	(165,000)	-	-	-	-	-	-	-	-	-	165,000	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Road Infrastructure - Stormwater Drainage		(531,779)	-	-	-	-	-	-	-	-	-	531,779	-	-	-	-	-	-	-	-	-	-	-	-	-
ROAD 05 - Road Infrastructure - Transport																									
C0718	Coastal Path Improvements - Notts Ave	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C0891	Curlew St Streetscape Upgrade	(2,600,000)	2,200,000	-	-	-	-	-	-	11,000	-	175,000	-	-	-	-	-	-	-	-	-	-	-	-	-
C0949	Syd Einfield Drive Bike Parking	(277,254)	277,254	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1076	40km/hr speed zone review - signage	(262,085)	262,085	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Road Infrastructure - Transport		(3,139,339)	2,739,339	-	-	-	-	-	-	11,000	-	175,000	-	-	-	-	-	-	-	-	-	-	-	-	-
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	(548,068)	80,363	-	-	-	-	-	-	138,475	-	-	-	-	-	116,375	-	-	-	-	-	-	212,855	-	-
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		(3,929,696)	80,363	-	-	-	-	-	-	299,149	-	-	-	-	637,329	50,000	-	-	-	-	-	212,855	-	-	2,650,000
ROAD 07 - Road Infrastructure - Traffic Infrastructure																									
C0654	SAMP Street Signage and Linemarking	(100,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	100,000
C0807	SAMPS Renewal Roundabouts / Speedumps Traffic Islands/ Line	(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																									
C1044	2022/23 - RC - Heavy Patching program	(297,714)	-	-	-	-	-	-	-	-	-	-	-	-	158,467	-	-	-	-	-	-	-	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)	166,763	51,399	-	-	-	-	-	25,000	-	-	-	-	6,838	-	-	-	-	-	-	-	-	-	-
C1090	2023/24 - RC - Heavy Patching program	(333,900)	238,676	-	-	-	-	-	-	-	-	-	-	-	92,062	3,162	-	-	-	-	-	-	-	-	-
C1091	2023/24 - RC - Crack Sealing	(75,000)	45,062	4,938	-	-	-	-	-	2,500	-	-	-	-	22,500	-	-	-	-	-	-	-	-	-	-
C1092	2023/24 - RC - Chesterfield Parade - St Thomas to Marroo St	(170,000)	170,000	-	-	-	-	-	-	-	-	-	-	-	170,000	-	-	-	-	-	-	-	-	-	-
C1093	2023/24 - RC - Bronte Marine Drive - Hewlett to Bayview	(290,000)	115,406	50,109	-	-	-	-	-	26,000	-	-	-	-	78,000	20,485	-	-	-	-	-	-	-	-	-
C1094	2023/24 - RC - Military Road - Douglas Pde to Arthur St	(105,000)	27,163	31,837	-	-	-	-	-	7,000	-	-	-	-	39,000	-	-	-	-	-	-	-	-	-	-
C1121	Dover Road, Military to Dead end	(300,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	300,000	
Total Road Infrastructure - Sealed Roads - Construction		(3,184,526)	763,070	166,083	-	-	-	-	-	60,500	-	-	-	-	396,867	23,647	1,335,112	-	-	-	-	139,247	-	-	300,000
ROAD 09 - Road Infrastructure - Sealed Roads - R2R construction																									
C0985	2021/22 - RC - Miller Street - Imperial Ave to Castlefield S	(112,275)	70,000	9,275	-	-	-	-	-	7,000	-	-	-	-	21,000	5,000	-	-	-	-	-	-	-	-	-
C1054	2022/23 - RC - Yenda Avenue - Arnold St to Dead End	(100,000)	100,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1095	2023/24 - RC - Taylor Street - Bronte Rd to Victoria Street	(68,000)	61,958	6,042	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Road Infrastructure - Streetscape Upgrade		(280,275)	231,958	15,317	-	-	-	-	-	7,000	-	-	-	-	21,000	5,000	-	-	-	-	-	-	-	-	-
ROAD 10 - Road Infrastructure - Sealed Roads - Regional Construction																									
C1079	Birrell Street - Rehabilitation	(475,105)	-	-	-	-	-	-	-	-	-	-	-	-	475,105	-	-	-	-	-	-	-	-	-	-
C1080	Queens Park Rd Shared Path	(27,420)	39,000	-	-	-	-	-	-	-	11,580	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Road Infrastructure - Streetscape Upgrade		(502,525)	39,000	-	-	-	-	-	-	-	(11,580)	-	-	-	475,105	-	-	-	-	-	-	-	-	-	-
RP 01 - Recreational & Public Spaces - Recreational																									
C0714	Public Art Commissions	(45,000)	-	2,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	42,500
C0854	Onslow Park and Playground	(4,970)	-	-	-	-	-	-	-	2,039	-	-	-	-	2,931	-	-	-	-	-	-	-	-	-	-
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	(275,500)	-	-	-	-	-	-	-	275,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C1032	Williams Park Walking Track	(900,932)	540,932	-	-	-	-	-	-	-	-	-	-	-	92,627	-	-	-	-	-	-	-	-	-	267,373
C1042	SAMPS Park & Playground Renewal and Upgrades	(16,673)	-	-	-	-	-	-	-	16,673	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-
C1124	Gilgandra Reserve Park & Playground Upgrade	(183,327)	-	-	-	-	-	-	-	183,327	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Recreational & Public Spaces - Recreational		(4,165,505)	987,677	449,245	-	-	-	-	-	1,177,539	-	-	-	-	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	(28,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	28,000
C1120	EV Charging Stations for Council fleet	(130,000)	-	-	-	-	-	-	-	-	-	-	-	-	-	130,000	-	-	-	-	-	-	-	-	-
Total Sustainability Infrastructure - Renewable Energy		(473,000)	155,000	-	-	-	-	-	-	-	-	-	-	-	-	130,000	-	-	-	-	-	-	-	-	188,000
SUS 03 - Sustainability Infrastructure - Stormwater & Groundwater																									

Attachment 2b - Capital Works 2023/24 Q2 Amendments

Council Meeting 20 February 2024



Budget Review Project Expenditure - Capital Works
As at Period 06
Financial Year Ending June 2024

Project Number	Project Description	FUNDING SOURCES																							
		Q2 Proposed Budget \$	Total Grant Funding \$	Carry Over Reserve \$	Infrastructure Cemetery Reserve \$	Affordable Housing Contributions Reserve \$	Other Infrastructure Reserve \$	Investment Strategy Reserve \$	Car Parking Reserve \$	S7.12 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 \$	Domestic Waste Reserve \$	General Fund \$
Total Sustainability Infrastructure - Stormwater & Groundwater		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
UNPLANNED - Unplanned Works																									
E0005	2022 April Storm Damage	(126,312)	207,460	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	81,148
Total Unplanned Works		(126,312)	207,460	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(81,148)
Grand Total		(55,686,302)	11,134,977	3,154,424	1,075,420	43,188	301,465	9,442,337	305,200	6,688,443	1,751,545	706,779	145,881	239,131	4,540,813	906,461	130,000	1,335,112	800,995	25,113	3,620,854	128,120	352,102	13,000	8,791,874

WAVERLEY COUNCIL Q2 FY2023-24 Budget Statement							
	Original Budget	Current Budget	Q2 Proposed Budget	Change in Q2 budget		FY2023-24 ACTUAL YTD Dec (incl. commitments)	% to Q2 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges	71,354,982	71,323,827	71,200,273	(123,554)	(0.2%)	71,219,319	100.0%
Investment Income	2,761,652	4,654,218	5,152,324	498,106	10.7%	2,792,479	54.2%
User Charges	48,552,163	49,326,257	49,425,066	98,809	0.2%	24,683,846	49.9%
Other Revenues	22,451,388	23,215,592	23,255,450	39,858	0.2%	9,521,500	40.9%
Grants Subsidies & Contributions - Operational	5,704,988	6,220,770	6,664,416	443,646	7.1%	2,717,141	40.8%
Subtotal - Operating Income	150,825,173	154,740,664	155,697,529	956,865	0.6%	110,934,286	71.2%
Grants Subsidies & Contributions - Capital	11,146,936	15,697,875	16,029,377	331,502	2.1%	5,704,325	35.6%
Net gains from the disposal of assets	1,154,302	1,271,738	1,271,738			282,271	22.2%
Subtotal - Capital Income	12,301,238	16,969,613	17,301,115	331,502	2.0%	5,986,596	34.6%
Total Income	163,126,411	171,710,277	172,998,644	1,288,367	0.8%	116,920,882	67.6%
Expense and Loans Repayment							
Employee Costs	(76,273,420)	(79,231,342)	(78,661,600)	569,742	0.7%	(38,677,761)	49.2%
Borrowing Expenses	(40,152)	(40,152)	(40,152)			(15,021)	37.4%
Materials & Contracts	(29,185,564)	(29,436,046)	(30,833,674)	(1,397,628)	(4.7%)	(11,443,690)	37.1%
Other Operating Expenses	(25,826,037)	(25,600,862)	(25,556,189)	44,673	0.2%	(12,389,702)	48.5%
Subtotal - Operating Expense	(131,325,173)	(134,308,402)	(135,091,615)	(783,213)	(0.6%)	(62,526,173)	46.3%
Other Capital Purchases	(4,911,924)	(4,966,069)	(5,022,041)	(55,972)	(1.1%)	(787,018)	15.7%
Capital Works Program	(37,640,000)	(56,369,362)	(55,686,302)	683,060	1.2%	(53,953,059)	96.9%
External Loans Principal Repayment	(472,460)	(472,460)	(472,460)			(231,051)	48.9%
Subtotal - Capital Expense & Loan Repayment	(43,024,384)	(61,807,891)	(61,180,803)	627,088	1.0%	(54,971,129)	89.9%
Total Expense	(174,349,557)	(196,116,293)	(196,272,418)	(156,125)	(0.1%)	(117,497,302)	59.9%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	19,500,000	20,432,262	20,605,914	173,652	0.8%	48,408,113	234.9%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(11,223,146)	(24,406,016)	(23,273,774)	1,132,241	4.6%	(576,420)	2.5%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(16,117,785)	(17,254,980)	(18,516,219)	(1,261,239)	(7.3%)	(20,487,219)	110.6%
Transfer from Reserves	27,340,931	41,660,994	41,789,993	128,999	0.3%	9,406,421	22.5%
Total new loan and reserves	11,223,146	24,406,014	23,273,774	(1,132,240)	(4.6%)	(11,080,798)	(47.6%)
Budget Result - Surplus/(Deficit)		(1)	0	1		(11,657,218)	

**Community, Culture and Customer Experience
Q2 FY2023-24 Budget Statement**

	Original Budget	Current Budget	Q2 Proposed Budget	Change in Q2 budget		FY2023-24 ACTUAL YTD Dec (incl. commitments)	% to Q2 Proposed Budget
				\$	%		
Income							
User Charges	13,034,609	13,195,597	13,148,416	(47,181)	(0.4%)	6,589,515	50.1%
Other Revenues	3,383,035	3,385,231	3,395,683	10,452	0.3%	1,627,742	47.9%
Grants Subsidies & Contributions - Operational	1,008,061	1,087,178	1,362,396	275,218	25.3%	1,122,279	82.4%
Subtotal - Operating Income	17,425,705	17,670,206	17,906,495	236,289	1.3%	9,339,536	52.2%
Total Income	17,425,705	17,670,206	17,906,495	236,289	1.3%	9,339,536	52.2%
Expense and Loans Repayment							
Employee Costs	(19,640,828)	(20,253,569)	(20,315,207)	(61,638)	(0.3%)	(10,016,097)	49.3%
Materials & Contracts	(4,817,231)	(4,896,165)	(4,978,446)	(82,281)	(1.7%)	(2,167,858)	43.5%
Other Operating Expenses	(5,545,339)	(5,671,077)	(5,671,778)	(701)	(0.0%)	(2,820,573)	49.7%
Subtotal - Operating Expense	(30,003,398)	(30,820,811)	(30,965,432)	(144,621)	(0.5%)	(15,004,528)	48.5%
Other Capital Purchases	(241,300)	(261,722)	(311,517)	(49,795)	(19.0%)	(125,009)	40.1%
Subtotal - Capital Expense & Loan Repayment	(241,300)	(261,722)	(311,517)	(49,795)	(19.0%)	(125,009)	40.1%
Total Expense	(30,244,698)	(31,082,533)	(31,276,949)	(194,416)	(0.6%)	(15,129,536)	48.4%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	(12,577,693)	(13,150,605)	(13,058,937)	91,668	0.7%	(5,664,991)	43.4%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(12,818,993)	(13,412,327)	(13,370,454)	41,873	0.3%	(5,790,000)	43.3%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(317,459)	(316,562)	(358,393)	(41,831)	(13.2%)	(65,344)	18.2%
Transfer from Reserves		38,888	99,683	60,795	156.3%		
Total new loan and reserves	(317,459)	(277,674)	(258,710)	18,964	6.8%	(65,344)	25.3%
Budget Result - Surplus/(Deficit)	(13,136,452)	(13,690,001)	(13,629,164)	60,837		(5,855,344)	

**Planning, Sustainability and Compliance
Q2 FY2023-24 Budget Statement**

	Original Budget	Current Budget	Q2 Proposed Budget	Change in Q2 budget		FY2023-24 ACTUAL YTD Dec (incl. commitments)	% to Q2 Proposed Budget
				\$	%		
Income							
User Charges	17,982,520	18,203,746	18,133,805	(69,941)	(0.4%)	9,503,903	52.4%
Other Revenues	13,852,280	14,272,994	14,238,364	(34,630)	(0.2%)	5,078,102	35.7%
Grants Subsidies & Contributions - Operational	717,000	406,616	628,249	221,633	54.5%	584,589	93.1%
Subtotal - Operating Income	32,944,608	33,713,763	33,830,825	117,062	0.3%	15,166,594	44.8%
Grants Subsidies & Contributions - Capital	4,849,491	4,673,851	5,871,815	1,197,964	25.6%	3,555,033	60.5%
Subtotal - Capital Income	4,849,491	4,673,851	5,871,815	1,197,964	25.6%	3,555,033	60.5%
Total Income	37,794,099	38,387,614	39,702,640	1,315,026	3.4%	18,721,626	47.2%
Expense and Loans Repayment							
Employee Costs	(15,744,998)	(16,190,408)	(16,196,742)	(6,334)	(0.0%)	(7,903,469)	48.8%
Materials & Contracts	(5,433,721)	(5,646,310)	(5,863,302)	(216,992)	(3.8%)	(2,300,013)	39.2%
Other Operating Expenses	(9,613,683)	(9,924,575)	(9,947,491)	(22,916)	(0.2%)	(4,364,462)	43.9%
Subtotal - Operating Expense	(30,792,402)	(31,761,293)	(32,007,535)	(246,242)	(0.8%)	(14,567,944)	45.5%
Capital Works Program	(530,000)	(660,000)	(660,000)			(67,078)	10.2%
Subtotal - Capital Expense & Loan Repayment	(530,000)	(660,000)	(660,000)			(67,078)	10.2%
Total Expense	(31,322,402)	(32,421,293)	(32,667,535)	(246,242)	(0.8%)	(14,635,022)	44.8%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	2,152,206	1,952,470	1,823,290	(129,180)	(6.6%)	598,650	32.8%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	6,471,697	5,966,321	7,035,105	1,068,784	17.9%	4,086,605	58.1%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(5,499,795)	(5,761,754)	(7,011,587)	(1,249,833)	(21.7%)	(2,527,571)	36.0%
Transfer from Reserves	125,346	406,299	406,299			8,525	2.1%
Total new loan and reserves	(5,374,449)	(5,355,455)	(6,605,288)	(1,249,833)	(23.3%)	(2,519,046)	38.1%
Budget Result - Surplus/(Deficit)	1,097,248	610,866	429,817	(181,049)		1,567,559	

**Corporate Services
Q2 FY2023-24 Budget Statement**

	Original Budget	Current Budget	Q2 Proposed Budget	Change in Q2 budget		FY2023-24 ACTUAL YTD Dec (incl. commitments)	% to Q2 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges	51,384,558	51,351,203	51,229,849	(121,354)	(0.2%)	51,199,590	99.9%
Investment Income	1,822,419	3,026,482	3,524,588	498,106	16.5%	2,791,770	79.2%
User Charges	581,647	581,647	580,283	(1,364)	(0.2%)	326,374	56.2%
Other Revenues	293,170	395,967	403,552	7,585	1.9%	307,639	76.2%
Grants Subsidies & Contributions - Operational	1,824,019	1,985,048	1,985,048			145,205	7.3%
Subtotal - Operating Income	55,905,813	57,340,347	57,723,320	382,973	0.7%	54,770,579	94.9%
Total Income	55,905,813	57,340,347	57,723,320	382,973	0.7%	54,770,579	94.9%
Expense and Loans Repayment							
Employee Costs	(10,432,289)	(11,242,397)	(11,043,260)	199,137	1.8%	(5,117,440)	46.3%
Borrowing Expenses	(40,152)	(40,152)	(40,152)			(15,021)	37.4%
Materials & Contracts	(10,462,413)	(8,674,451)	(9,030,418)	(355,967)	(4.1%)	(3,053,268)	33.8%
Other Operating Expenses	12,179,285	12,131,200	12,156,932	25,732	0.2%	6,014,578	49.5%
Subtotal - Operating Expense	(8,755,569)	(7,825,800)	(7,956,898)	(131,098)	(1.7%)	(2,171,150)	27.3%
Other Capital Purchases							
External Loans Principal Repayment	(472,460)	(472,460)	(472,460)			(231,051)	48.9%
Subtotal - Capital Expense & Loan Repayment	(472,460)	(472,460)	(472,460)			(231,051)	48.9%
Total Expense	(9,228,029)	(8,298,260)	(8,429,358)	(131,098)	(1.6%)	(2,402,202)	28.5%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	47,150,244	49,514,547	49,766,422	251,875	0.5%	52,599,429	105.7%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	46,677,784	49,042,087	49,293,962	251,875	0.5%	52,368,378	106.2%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(4,342,335)	(4,342,335)	(4,343,289)	(954)	(0.0%)	(2,170,302)	50.0%
Transfer from Reserves	2,122,379	1,863,172	1,921,193	58,021	3.1%		
Total new loan and reserves	(2,219,956)	(2,479,163)	(2,422,096)	57,067	2.3%	(2,170,302)	89.6%
Budget Result - Surplus/(Deficit)	44,457,828	46,562,924	46,871,866	308,942		50,198,076	

**Assets and Operations
Q2 FY2023-24 Budget Statement**

	Original Budget	Current Budget	Q2 Proposed Budget	Change in Q2 budget		FY2023-24 ACTUAL YTD Dec (incl. commitments)	% to Q2 Proposed Budget
				\$	%		
Income							
Rates & Annual Charges	19,970,424	19,970,424	19,970,424			20,019,729	100.2%
Investment Income	546,425	797,329	797,329			709	0.1%
User Charges	16,940,387	17,332,267	17,549,562	217,295	1.3%	8,258,575	47.1%
Other Revenues	4,922,903	5,161,400	5,217,851	56,451	1.1%	2,508,017	48.1%
Grants Subsidies & Contributions - Operational	2,155,908	2,741,928	2,688,723	(53,205)	(1.9%)	865,068	32.2%
Subtotal - Operating Income	44,536,047	46,003,348	46,223,889	220,541	0.5%	31,652,098	68.5%
Grants Subsidies & Contributions - Capital	6,297,445	11,024,024	10,157,562	(866,462)	(7.9%)	2,149,293	21.2%
Net gains from the disposal of assets	1,154,302	1,271,738	1,271,738			282,271	22.2%
Subtotal - Capital Income	7,451,747	12,295,762	11,429,300	(866,462)	(7.0%)	2,431,563	21.3%
Total Income	51,987,794	58,299,110	57,653,189	(645,921)	(1.1%)	34,083,661	59.1%
Expense and Loans Repayment							
Employee Costs	(27,945,570)	(28,995,194)	(28,566,515)	428,679	1.5%	(14,302,074)	50.1%
Materials & Contracts	(7,886,449)	(8,958,743)	(9,542,611)	(583,868)	(6.5%)	(3,680,749)	38.6%
Other Operating Expenses	(23,846,959)	(23,843,165)	(23,949,228)	(106,063)	(0.4%)	(11,630,227)	48.6%
Subtotal - Operating Expense	(59,678,978)	(61,797,102)	(62,058,354)	(261,252)	(0.4%)	(29,613,050)	47.7%
Other Capital Purchases	(4,670,624)	(4,704,347)	(4,710,524)	(6,177)	(0.1%)	(662,010)	14.1%
Capital Works Program	(37,110,000)	(55,709,362)	(55,026,302)	683,060	1.2%	(53,885,981)	97.9%
Subtotal - Capital Expense & Loan Repayment	(41,780,624)	(60,413,709)	(59,736,826)	676,883	1.1%	(54,547,991)	91.3%
Total Expense	(101,459,602)	(122,210,811)	(121,795,180)	415,631	0.3%	(84,161,041)	69.1%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	(15,142,931)	(15,793,754)	(15,834,465)	(40,711)	(0.3%)	2,039,048	(12.9%)
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(49,471,808)	(63,911,701)	(64,141,991)	(230,290)	(0.4%)	(50,077,380)	78.1%
Other Funding Sources from:							
New Loans							
Transfers to Reserves	(5,942,675)	(6,818,808)	(6,787,429)	31,379	0.5%	(15,716,245)	231.5%
Transfer from Reserves	25,093,206	39,352,635	39,362,818	10,183	0.0%	9,397,896	23.9%
Total new loan and reserves	19,150,531	32,533,827	32,575,389	41,562	0.1%	(6,318,348)	(19.4%)
Budget Result - Surplus/(Deficit)	(30,321,277)	(31,377,874)	(31,566,602)	(188,728)		(56,395,728)	

General Manager Unit Q2 FY2023-24 Budget Statement							
	Original Budget	Current Budget	Q2 Proposed Budget	Change in Q2 budget		FY2023-24 ACTUAL YTD Dec (incl. commitments)	% to Q2 Proposed Budget
				\$	%		
Income							
User Charges	13,000	13,000	13,000			5,479	42.1%
Subtotal - Operating Income	13,000	13,000	13,000			5,479	42.1%
Total Income	13,000	13,000	13,000			5,479	42.1%
Expense and Loans Repayment							
Employee Costs	(2,509,735)	(2,549,774)	(2,539,875)	9,899	0.4%	(1,338,681)	52.7%
Materials & Contracts	(585,750)	(1,260,377)	(1,418,897)	(158,520)	(12.6%)	(241,802)	17.0%
Other Operating Expenses	1,000,659	1,706,755	1,855,376	148,621	8.7%	410,982	22.2%
Subtotal - Operating Expense	(2,094,826)	(2,103,396)	(2,103,396)	(0)	(0.0%)	(1,169,502)	55.6%
Total Expense	(2,094,826)	(2,103,396)	(2,103,396)	(0)	(0.0%)	(1,169,502)	55.6%
Performance Result before capital items and loan repayment - (Surplus)/Deficit	(2,081,826)	(2,090,396)	(2,090,396)	(0)	(0.0%)	(1,164,023)	55.7%
Performance Result after capital items and loan repayment- (Surplus)/Deficit	(2,081,826)	(2,090,396)	(2,090,396)	(0)	(0.0%)	(1,164,023)	55.7%
Other Funding Sources from:							
Transfers to Reserves	(15,521)	(15,521)	(15,521)			(7,758)	50.0%
Total new loan and reserves	(15,521)	(15,521)	(15,521)			(7,758)	50.0%
Budget Result - Surplus/(Deficit)	(2,097,347)	(2,105,917)	(2,105,917)	(0)		(1,171,781)	

**REPORT
CM/7.3/24.02**



Subject: Investment Portfolio Report - November 2023

TRIM No: SF23/4025

Manager: Teena Su, Executive Manager, Finance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. Notes the Investment Summary Report for November 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

1. Executive Summary

For the month of November 2023, Council’s investment portfolio generated \$382,193 in interest.

The interest income for year to date achieved 47.15% (\$2,194,264) of the current approved budget forecast of \$4,654,218. Council is on track to achieve the investment income budgeted for the financial year 2023-24.

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 Original Budget (%)	Tracking Current 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%
October	2,761,652	458,244	1,812,070	65.62%	38.93%
November	4,654,218	382,193	2,194,264	79.45%	47.15%

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 21 November 2023	CM/7.4/21.11	That Council: <ol style="list-style-type: none"> 1. Notes the Investment Summary Report for October 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.

4. Discussion

As at 30 November 2023, Council’s cash investment portfolio for the financial year, generated total interest earnings of \$2,194,264 representing 47.15% of the current budget of \$4,654,218.

Council’s investment portfolio posted a marked-to-market return of 8.30% pa for the month versus the bank bill index benchmark return of 4.34% pa.

Without marked-to-market influences, Council’s investment portfolio yielded 4.78% 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 4.30%, versus the bank bill index benchmark’s 3.76%.

During November, Council had \$5m among two deposits mature with terms 12 months paying an average of 4.43% pa. Council invested \$2m in a Suncorp (non-fossil fuel) 12 month deposit yielding 5.48%.

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
14-Nov-23	\$2,000,000	12	5.48%	5.35%

As at 30 November 2023, Council’s investment portfolio has a current market value of \$138,936,380 which represents a gain of \$1,280,015 on the \$137,656,365 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	\$13,845,101	\$13,845,101
Floating Rate Note	\$24,800,000	\$24,764,328
Managed Funds	\$14,311,265	\$14,311,265
Term Deposit	\$84,700,000	\$86,015,687
Total	\$137,656,365	\$138,936,380

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	\$42,305,285
Internal Restriction Reserves	\$74,397,218
Unrestricted fund	\$20,953,863
Total	\$137,656,366

Analysis

Attached to this report is a summary of the investment portfolio for the month of November. 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 %
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
Nov-23	8.30	4.34	3.96
Average % return over the last 12 months	4.33	3.76	0.56

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 November 2023, 70% 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 20% of the portfolio. The remaining 10% is invested with TCorp.

Over the period of 66 months, from July 2018 to November 2023, Council has reduced its investment in fossil-fuel-lending ADIs from 59% to 20%, as shown in Figure 1 below.

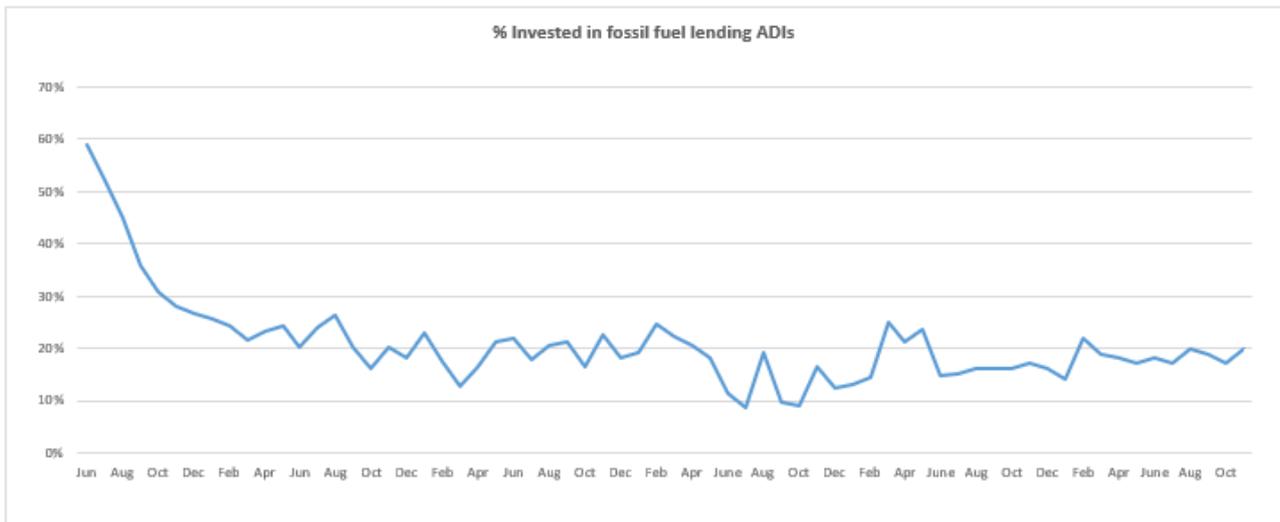


Figure 1. Investments in fossil-fuel-lending ADIs.

When excluding the working capital funds held in the Commonwealth Bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 77.13% of Council’s investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, while fossil-fuel-lending ADIs accounted for 11.31% of the portfolio. The remaining 11.56% is invested with TCorp as displayed in Figure 2 below.

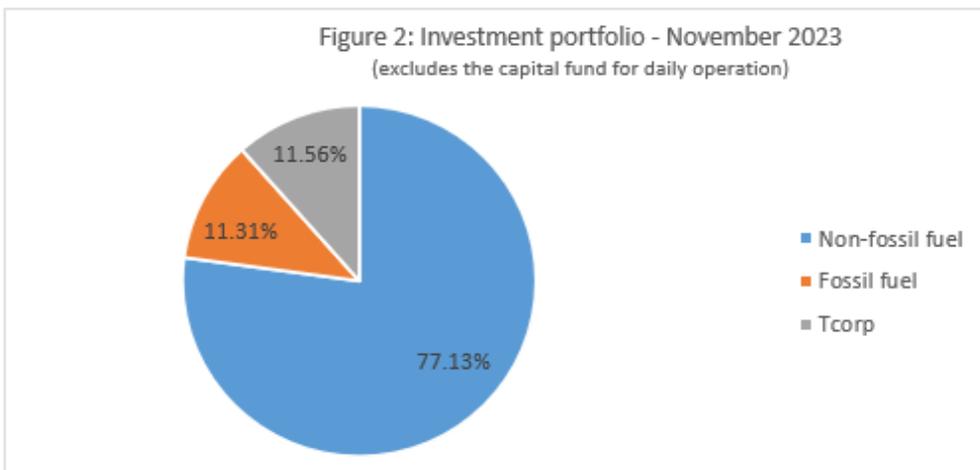


Figure 2. Investment portfolio.

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 \$2,194,264 for the year to date, representing 47.15% of the current budget of \$4,654,218.

7. Attachments

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



Investment Summary Report
November 2023

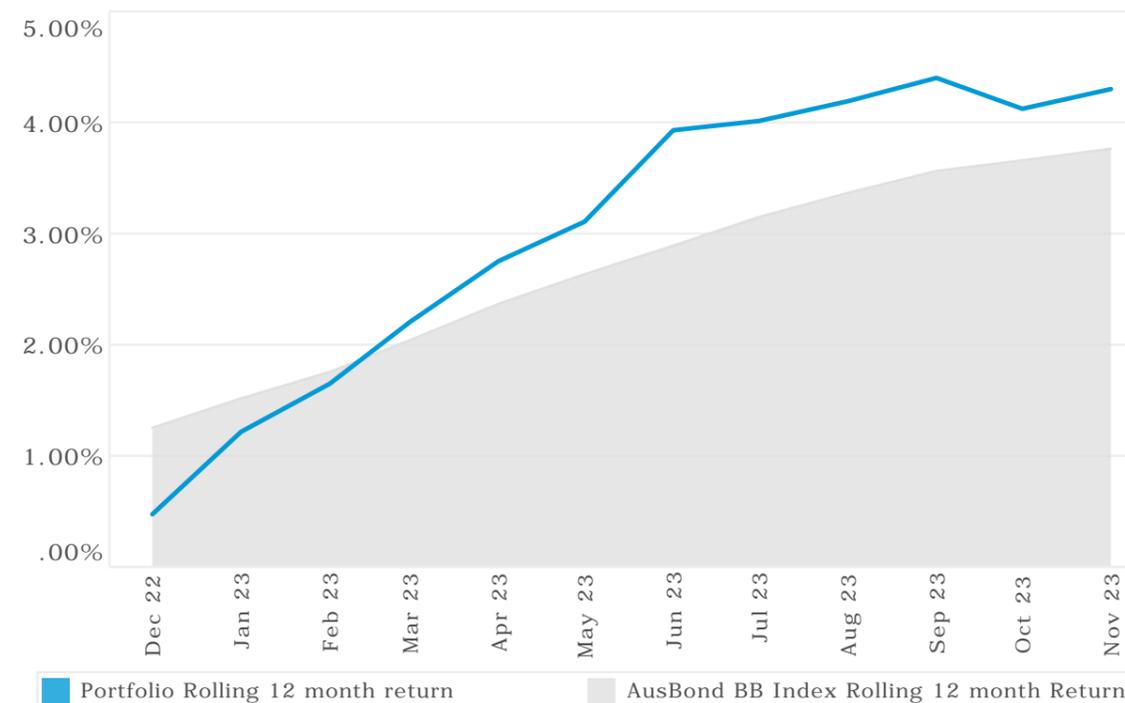
Waverley Council Executive Summary - November 2023



Investment Holdings

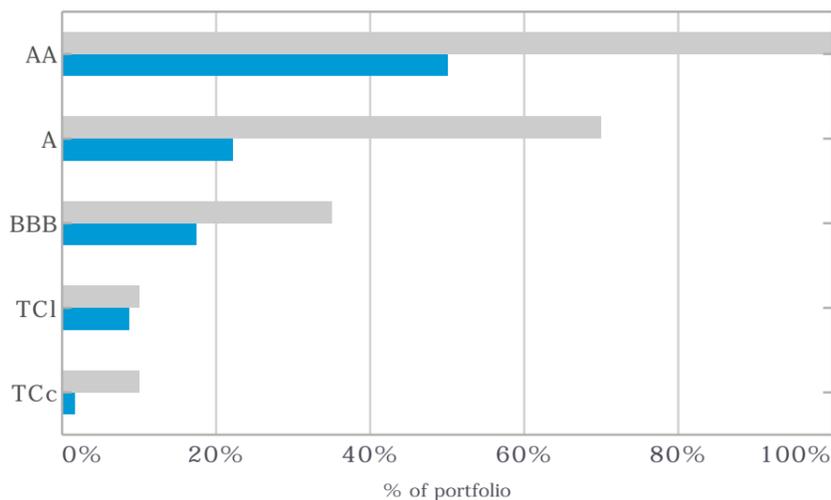
	Face Value (\$)	Current Value (\$)
Cash	13,845,101	13,845,101
Floating Rate Note	24,800,000	24,764,328
Managed Funds	14,311,265	14,311,265
Term Deposit	84,700,000	86,015,687
	137,656,365	138,936,380

Investment Performance

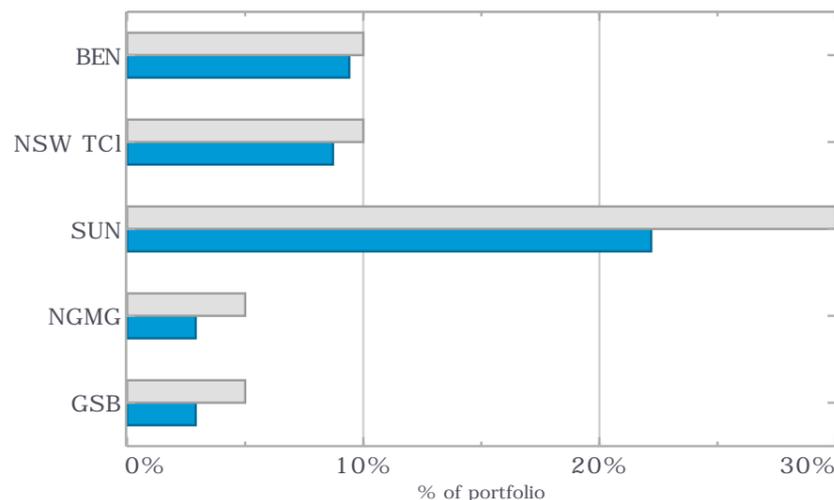


Investment Policy Compliance

Total Credit Exposure



Individual Institutional Exposures



Term to Maturities

	Face Value (\$)		Policy Max
Between 0 and 1 years	114,356,365	83%	100% a
Between 1 and 10 year:	23,300,000	17%	70% a
	137,656,365		

g Portfolio Exposure g Investment Policy Limit

Specific Sub Limits

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

Waverley Council

Investment Holdings Report - November 2023



Cash Accounts

Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
311.44	0.0000%	Commonwealth Bank of Australia	AA-	311.44	120796	Cemetery Funds
1,416.16	0.0000%	Commonwealth Bank of Australia	AA-	1,416.16	120799	Library CP
3,903.17	0.0000%	Commonwealth Bank of Australia	AA-	3,903.17	120801	Hollywood Av CP
9,828.76	0.0000%	Commonwealth Bank of Australia	AA-	9,828.76	120800	Eastgate CP
52,359.06	0.0000%	Commonwealth Bank of Australia	AA-	52,359.06	370151	Library Gift
92,778.82	0.0000%	Commonwealth Bank of Australia	AA-	92,778.82	120795	Trust Funds
125,265.17	0.0000%	Commonwealth Bank of Australia	AA-	125,265.17	120797	Depositor Funds
2,297,205.26	0.0000%	Commonwealth Bank of Australia	AA-	2,297,205.26	120794	General Funds
11,262,032.66	4.3500%	Commonwealth Bank of Australia	AA-	11,262,032.66	120789	24hr Call
13,845,100.50	3.5384%			13,845,100.50		

Managed Funds

Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name	Current Value (\$)	Deal No.	Reference
2,309,098.21	0.4592%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	2,309,098.21	411310	Builder Deposits
12,002,166.78	3.7680%	NSW T-Corp (LT)	TCl	Long Term Growth Fund	12,002,166.78	538089	
14,311,264.99	3.2342%				14,311,264.99		

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
19-Dec-23	5,000,000.00	5.1400%	Westpac Group	AA-	5,000,000.00	21-Jun-23	5,114,769.86	544217	114,769.86	At Maturity	Green
23-Jan-24	3,000,000.00	5.4500%	Bendigo and Adelaide Bank	BBB+	3,000,000.00	22-Jun-23	3,072,567.12	544218	72,567.12	At Maturity	
20-Feb-24	2,000,000.00	1.5800%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,001,904.66	542328	1,904.66	Quarterly	Green
27-Feb-24	1,700,000.00	5.1500%	Bendigo and Adelaide Bank	BBB+	1,700,000.00	28-Aug-23	1,722,786.99	544434	22,786.99	At Maturity	
5-Mar-24	4,000,000.00	1.8300%	Westpac Group	AA-	4,000,000.00	9-Mar-22	4,016,244.38	542424	16,244.38	Quarterly	Green
12-Mar-24	3,000,000.00	4.8500%	Westpac Group	AA-	3,000,000.00	3-Mar-23	3,108,826.03	543890	108,826.03	At Maturity	Green
13-Mar-24	3,000,000.00	4.8000%	Auswide Bank	Baa2	3,000,000.00	14-Mar-23	3,103,364.38	543961	103,364.38	At Maturity	

Waverley Council

Investment Holdings Report - November 2023



Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
19-Mar-24	3,000,000.00	4.7200%	Suncorp Bank	A+	3,000,000.00	13-Mar-23	3,102,029.59	543932	102,029.59	At Maturity	
2-Apr-24	3,000,000.00	5.1100%	Suncorp Bank	A+	3,000,000.00	8-Aug-23	3,048,300.00	544363	48,300.00	At Maturity	
9-Apr-24	2,000,000.00	5.4700%	Suncorp Bank	A+	2,000,000.00	18-Jul-23	2,040,762.74	544322	40,762.74	At Maturity	
16-Apr-24	3,000,000.00	4.9500%	Suncorp Bank	A+	3,000,000.00	23-May-23	3,078,115.07	544113	78,115.07	At Maturity	
23-Apr-24	3,000,000.00	5.1700%	Great Southern Bank	BBB	3,000,000.00	25-May-23	3,080,736.99	544129	80,736.99	At Maturity	
30-Apr-24	3,000,000.00	5.2500%	Suncorp Bank	A+	3,000,000.00	22-Aug-23	3,043,582.19	544409	43,582.19	At Maturity	
1-May-24	3,000,000.00	4.4600%	Westpac Group	AA-	3,000,000.00	28-Apr-23	3,079,546.85	544048	79,546.85	At Maturity	Green
15-May-24	3,000,000.00	5.2000%	Suncorp Bank	A+	3,000,000.00	16-Aug-23	3,045,731.51	544398	45,731.51	At Maturity	
28-May-24	1,000,000.00	5.1500%	Bendigo and Adelaide Bank	BBB+	1,000,000.00	24-Aug-23	1,013,968.49	544423	13,968.49	At Maturity	
28-May-24	3,000,000.00	5.1800%	National Australia Bank	AA-	3,000,000.00	31-Aug-23	3,039,169.32	544449	39,169.32	At Maturity	
20-Aug-24	3,000,000.00	5.0900%	Westpac Group	AA-	3,000,000.00	23-Aug-23	3,041,835.62	544416	41,835.62	At Maturity	Green
20-Aug-24	3,000,000.00	5.1600%	Westpac Group	AA-	3,000,000.00	15-Aug-23	3,006,785.75	544392	6,785.75	Quarterly	Green
27-Aug-24	3,000,000.00	5.4100%	Commonwealth Bank of Australia	AA-	3,000,000.00	29-Aug-23	3,041,797.81	544437	41,797.81	At Maturity	
27-Aug-24	4,000,000.00	5.0500%	Westpac Group	AA-	4,000,000.00	24-Aug-23	4,003,873.97	544424	3,873.97	Quarterly	Green
4-Sep-24	4,000,000.00	4.4000%	Westpac Group	AA-	4,000,000.00	2-Sep-22	4,042,432.88	543279	42,432.88	Quarterly	
4-Sep-24	4,000,000.00	5.2500%	National Australia Bank	AA-	4,000,000.00	5-Sep-23	4,050,054.79	544468	50,054.79	At Maturity	
5-Sep-24	2,000,000.00	5.0300%	Westpac Group	AA-	2,000,000.00	5-Sep-23	2,023,978.63	544467	23,978.63	Quarterly	Green
18-Sep-24	3,000,000.00	5.2000%	Suncorp Bank	A+	3,000,000.00	19-Sep-23	3,031,200.00	544580	31,200.00	At Maturity	
24-Sep-24	1,000,000.00	5.2500%	Suncorp Bank	A+	1,000,000.00	26-Sep-23	1,009,493.15	544534	9,493.15	At Maturity	
26-Sep-24	2,000,000.00	5.2200%	Westpac Group	AA-	2,000,000.00	26-Sep-23	2,018,877.81	544533	18,877.81	At Maturity	Green
2-Oct-24	3,000,000.00	5.2400%	Westpac Group	AA-	3,000,000.00	3-Oct-23	3,025,410.41	544556	25,410.41	At Maturity	Green
12-Nov-24	2,000,000.00	5.4800%	Suncorp Bank	A+	2,000,000.00	14-Nov-23	2,005,104.66	544722	5,104.66	At Maturity	
4-Mar-25	2,000,000.00	2.0200%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,002,435.07	542329	2,435.07	Quarterly	Green
	84,700,000.00	4.7733%			84,700,000.00		86,015,686.72		1,315,686.72		

Floating Rate Notes

Waverley Council

Investment Holdings Report - November 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	2,513,625.86	538331	11,225.86	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	1,005,947.05	538604	5,567.05	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	2,253,935.03	540603	25,197.53	4-Dec-23	
24-Feb-26	1,300,000.00	4.8286%	SUN Snr FRN (Feb26) BBSW+0.45%	A+	1,300,000.00	24-Feb-21	1,288,632.84	540958	1,203.84	26-Feb-24	
4-Mar-26	4,000,000.00	4.7550%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB	4,000,000.00	4-Mar-21	3,974,696.44	540983	45,856.44	4-Dec-23	
15-May-26	1,000,000.00	5.6474%	BEN Snr FRN (May26) BBSW+ 1.25%	BBB+	1,000,000.00	8-May-23	1,005,995.57	544084	2,475.57	15-Feb-24	
18-Jun-26	4,000,000.00	4.7694%	BEN Snr FRN (Jun26) BBSW+0.65%	BBB+	4,000,000.00	11-Jun-21	3,995,197.87	541523	38,677.87	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	3,736,648.16	541877	36,448.16	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	4,989,649.26	541916	41,749.26	27-Dec-23	
	24,800,000.00	4.7841%			24,800,000.00		24,764,328.08		208,401.58		

Waverley Council

Accrued Interest Report - November 2023



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Floating Rate Note									
SUN Snr FRN (Jul24) BBSW+0.78%	538331		2,500,000.00	30-Jul-19	30-Jul-24	0.00	30	10,524.24	5.12%
GSB Snr FRN (Oct24) BBSW+ 1.12%	538604		1,000,000.00	24-Oct-19	24-Oct-24	0.00	30	4,395.04	5.35%
BEN Snr FRN (Dec25) BBSW+0.52%	540603		2,250,000.00	2-Dec-20	2-Dec-25	0.00	30	8,590.06	4.64%
SUN Snr FRN (Feb26) BBSW+0.45%	540958		1,300,000.00	24-Feb-21	24-Feb-26	15,030.93	30	4,961.57	4.64%
NPBS Snr FRN (Mar26) BBSW+0.63%	540983		4,000,000.00	4-Mar-21	4-Mar-26	0.00	30	15,632.88	4.76%
BEN Snr FRN (May26) BBSW+ 1.25%	544084		1,000,000.00	15-May-23	15-May-26	13,665.40	30	4,555.09	5.54%
BEN Snr FRN (Jun26) BBSW+0.65%	541523		4,000,000.00	18-Jun-21	18-Jun-26	0.00	30	15,680.22	4.77%
SUN Snr FRN (Sep26) BBSW+0.48%	541877		3,750,000.00	15-Sep-21	15-Sep-26	0.00	30	14,200.58	4.61%
CBA Green Snr FRN (Dec26) BBSW+0.41%	541916		5,000,000.00	23-Sep-21	23-Dec-26	0.00	30	18,693.70	4.55%
						28,696.33		97,233.38	4.77%
Managed Funds									
NSW T-Corp Defensive Cash Funds	411310				1-Jul-24	0.00	0	10,555.22	5.73%
						0.00		10,555.22	5.73%
Term Deposits									
Westpac Group	543532		3,000,000.00	9-Nov-22	7-Nov-23	131,873.42	6	2,179.72	4.42%
Suncorp Bank	543558		2,000,000.00	15-Nov-22	14-Nov-23	88,357.26	13	3,155.62	4.43%
Westpac Group	544217		5,000,000.00	21-Jun-23	19-Dec-23	0.00	30	21,123.28	5.14%
Bendigo and Adelaide Bank	544218		3,000,000.00	22-Jun-23	23-Jan-24	0.00	30	13,438.35	5.45%
Westpac Group	542328		2,000,000.00	9-Feb-22	20-Feb-24	7,964.93	30	2,597.26	1.58%
Bendigo and Adelaide Bank	544434		1,700,000.00	28-Aug-23	27-Feb-24	0.00	30	7,195.89	5.15%
Westpac Group	542424		4,000,000.00	9-Mar-22	5-Mar-24	0.00	30	6,016.43	1.83%
Westpac Group	543890		3,000,000.00	3-Mar-23	12-Mar-24	0.00	30	11,958.91	4.85%
Auswide Bank	543961		3,000,000.00	14-Mar-23	13-Mar-24	0.00	30	11,835.61	4.80%
Suncorp Bank	543932		3,000,000.00	13-Mar-23	19-Mar-24	0.00	30	11,638.36	4.72%
Suncorp Bank	544363		3,000,000.00	8-Aug-23	2-Apr-24	0.00	30	12,600.00	5.11%
Suncorp Bank	544322		2,000,000.00	18-Jul-23	9-Apr-24	0.00	30	8,991.78	5.47%

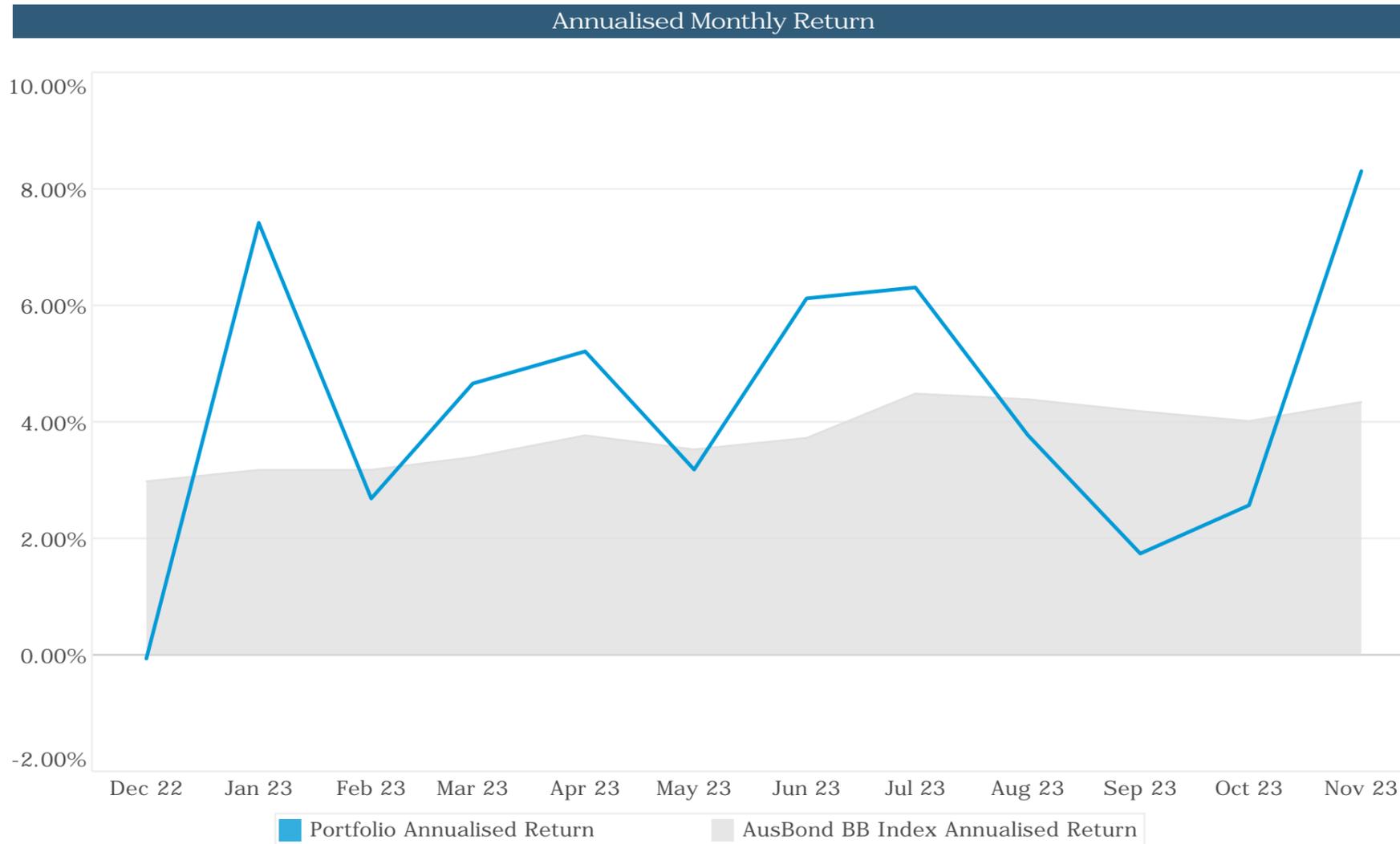
Waverley Council

Accrued Interest Report - November 2023



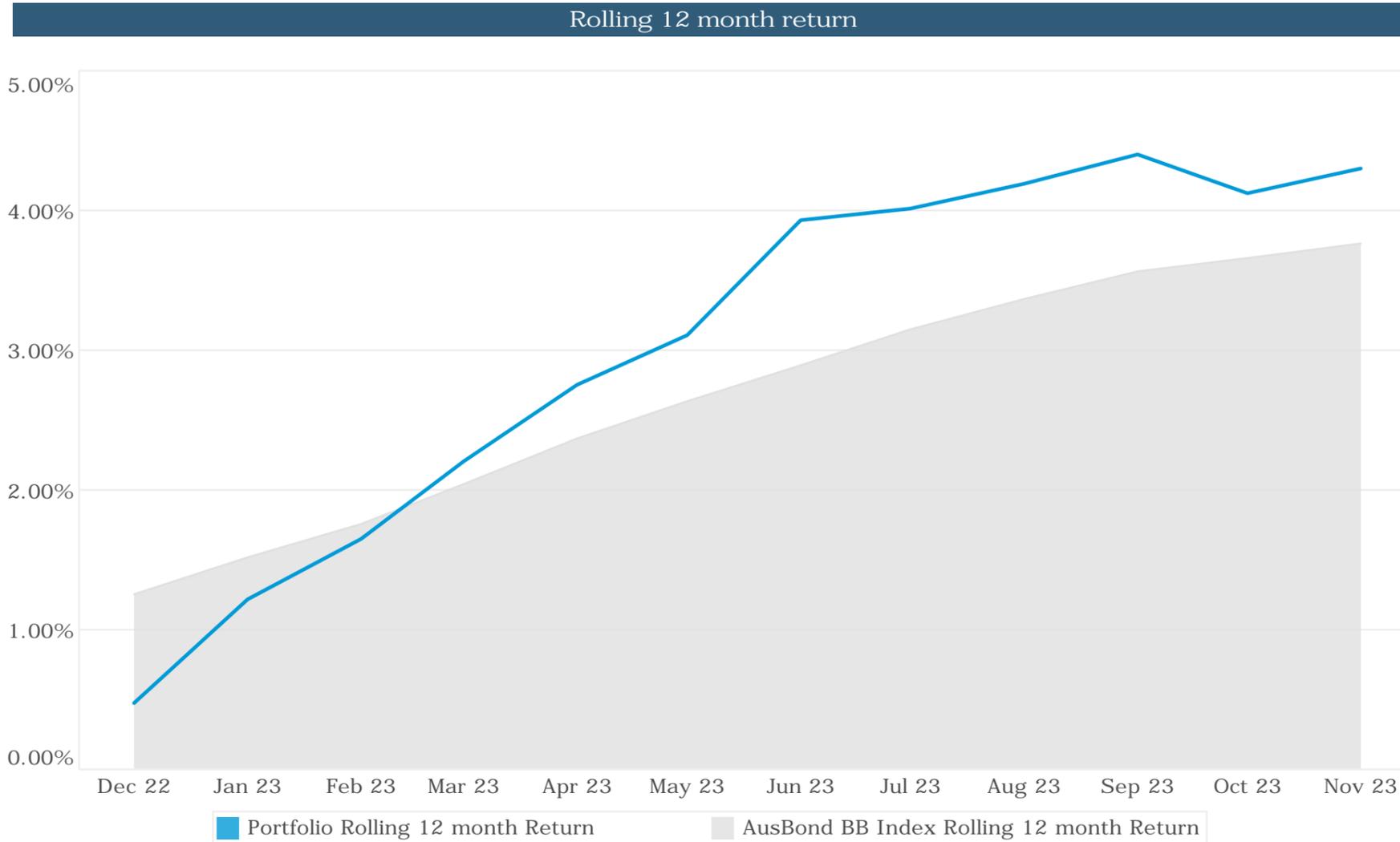
Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Suncorp Bank	544113		3,000,000.00	23-May-23	16-Apr-24	0.00	30	12,205.48	4.95%
Great Southern Bank	544129		3,000,000.00	25-May-23	23-Apr-24	0.00	30	12,747.95	5.17%
Suncorp Bank	544409		3,000,000.00	22-Aug-23	30-Apr-24	0.00	30	12,945.20	5.25%
Westpac Group	544048		3,000,000.00	28-Apr-23	1-May-24	0.00	30	10,997.26	4.46%
Suncorp Bank	544398		3,000,000.00	16-Aug-23	15-May-24	0.00	30	12,821.92	5.20%
Bendigo and Adelaide Bank	544423		1,000,000.00	24-Aug-23	28-May-24	0.00	30	4,232.87	5.15%
National Australia Bank	544449		3,000,000.00	31-Aug-23	28-May-24	0.00	30	12,772.61	5.18%
Westpac Group	544392		3,000,000.00	15-Aug-23	20-Aug-24	39,018.08	30	12,723.28	5.16%
Westpac Group	544416		3,000,000.00	23-Aug-23	20-Aug-24	0.00	30	12,550.69	5.09%
Commonwealth Bank of Australia	544437		3,000,000.00	29-Aug-23	27-Aug-24	0.00	30	13,339.73	5.41%
Westpac Group	544424		4,000,000.00	24-Aug-23	27-Aug-24	50,915.07	30	16,602.74	5.05%
National Australia Bank	544468		4,000,000.00	5-Sep-23	4-Sep-24	0.00	30	17,260.27	5.25%
Westpac Group	543279		4,000,000.00	2-Sep-22	4-Sep-24	0.00	30	14,465.76	4.40%
Westpac Group	544467		2,000,000.00	5-Sep-23	5-Sep-24	0.00	30	8,268.49	5.03%
Suncorp Bank	544580		3,000,000.00	19-Sep-23	18-Sep-24	0.00	30	12,821.92	5.20%
Suncorp Bank	544534		1,000,000.00	26-Sep-23	24-Sep-24	0.00	30	4,315.07	5.25%
Westpac Group	544533		2,000,000.00	26-Sep-23	26-Sep-24	0.00	30	8,580.82	5.22%
Westpac Group	544556		3,000,000.00	3-Oct-23	2-Oct-24	0.00	30	12,920.55	5.24%
Suncorp Bank	544722		2,000,000.00	14-Nov-23	12-Nov-24	0.00	17	5,104.66	5.48%
Westpac Group	542329		2,000,000.00	9-Feb-22	4-Mar-25	10,183.01	30	3,320.55	2.02%
						328,311.77		333,729.03	4.76%
Grand Totals						357,008.10		441,517.63	4.78%

Waverley Council Investment Performance Report - November 2023



Historical Performance Summary (% pa)			
	Portfolio	Annualised BB Index	Outperformance
Nov 2023	8.30%	4.34%	3.96%
Last 3 months	4.15%	4.18%	-0.03%
Last 6 months	4.77%	4.19%	0.58%
Financial Year to Date	4.50%	4.28%	0.22%
Last 12 months	4.30%	3.76%	0.54%

Waverley Council Investment Performance Report - November 2023



Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
Nov 2023	0.66%	0.35%	0.31%
Last 3 months	1.02%	1.03%	-0.01%
Last 6 months	2.36%	2.08%	0.28%
Financial Year to Date	1.86%	1.77%	0.09%
Last 12 months	4.30%	3.76%	0.54%

Waverley Council Environmental Commitments Report - November 2023



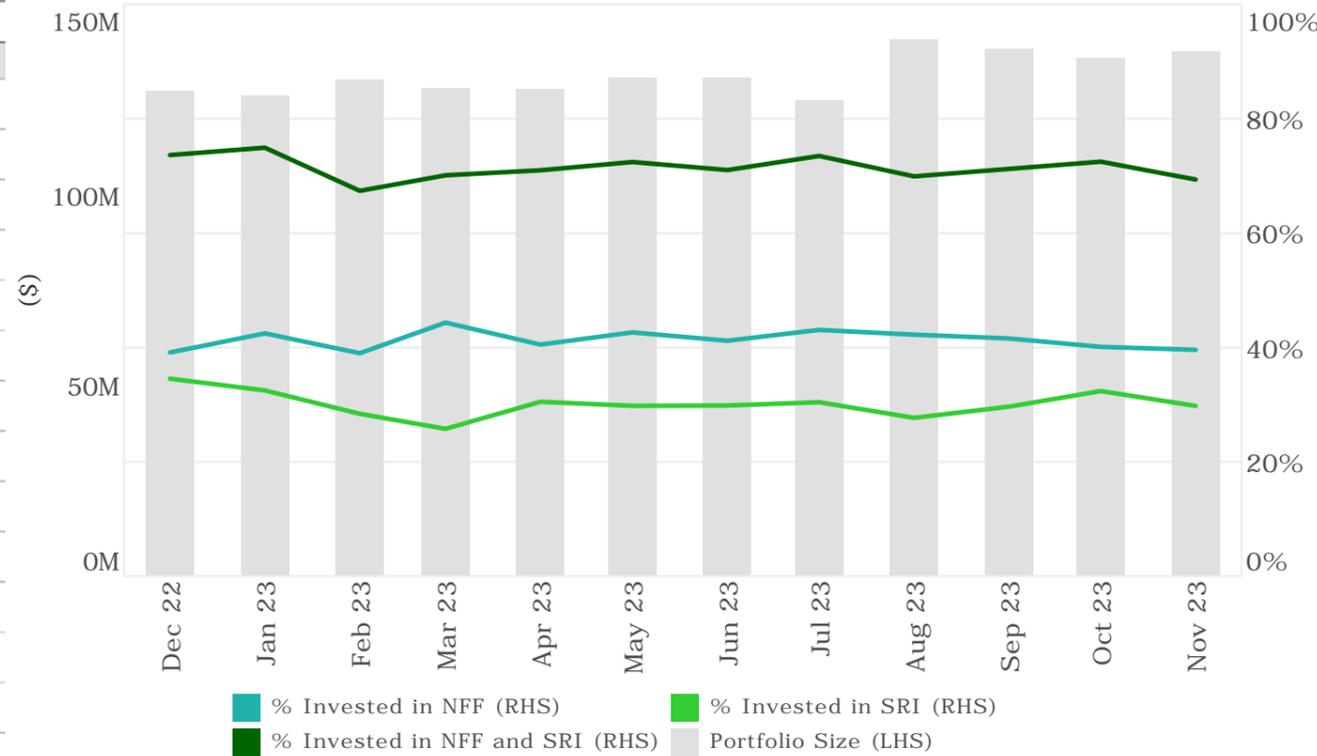
Current Breakdown

ADI Lending Status *	Current Month (\$)	Previous Month (\$)
Fossil Fuel Lending ADIs		
Commonwealth Bank of Australia	16,845,101	12,500,683
National Australia Bank	7,000,000	7,000,000
Westpac Group	4,000,000	4,000,000
	27,845,101 20%	23,500,683 17%
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	30,550,000
	54,500,000 40%	54,500,000 40%
Other		
NSW T-Corp (Cash)	2,309,098	2,298,543
NSW T-Corp (LT)	12,002,167	11,566,343
	14,311,265 10%	13,864,886 10%
Socially Responsible Investment		
CBA (Green)	5,000,000	5,000,000
Westpac Group (Green TD)	36,000,000	39,000,000
	41,000,000 30%	44,000,000 32%
	137,656,365	135,865,569

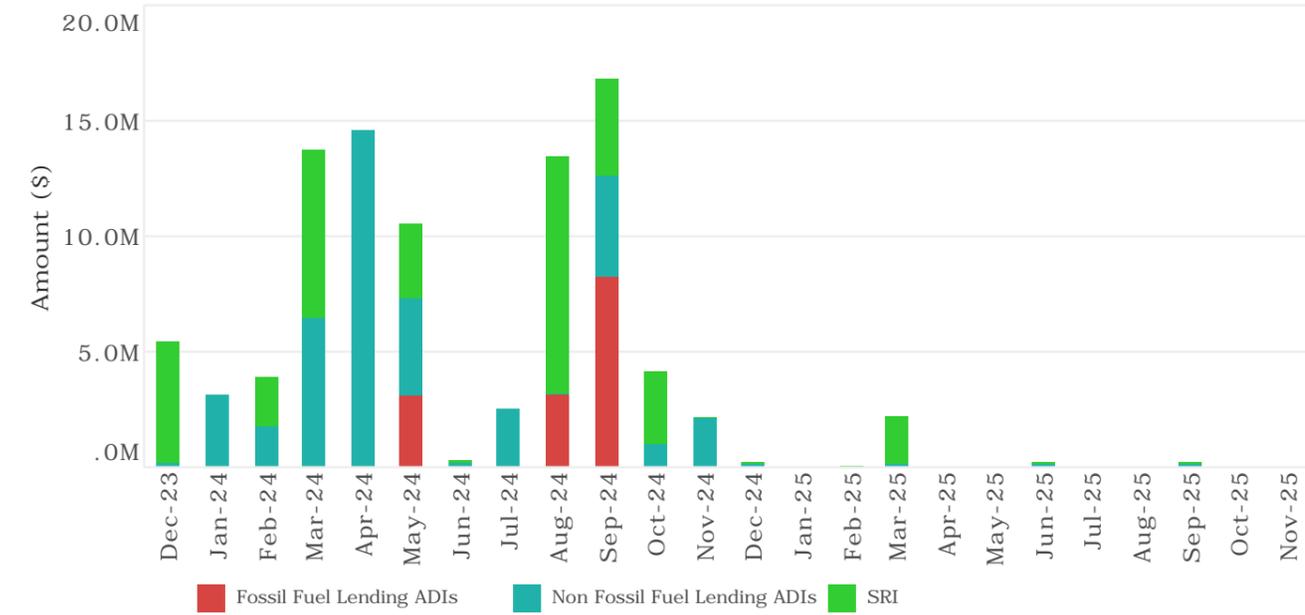
* source: Marketforces

Percentages may not add up to 100% due to rounding

Historical Portfolio Exposure to NFF Lending ADIs and SRIs



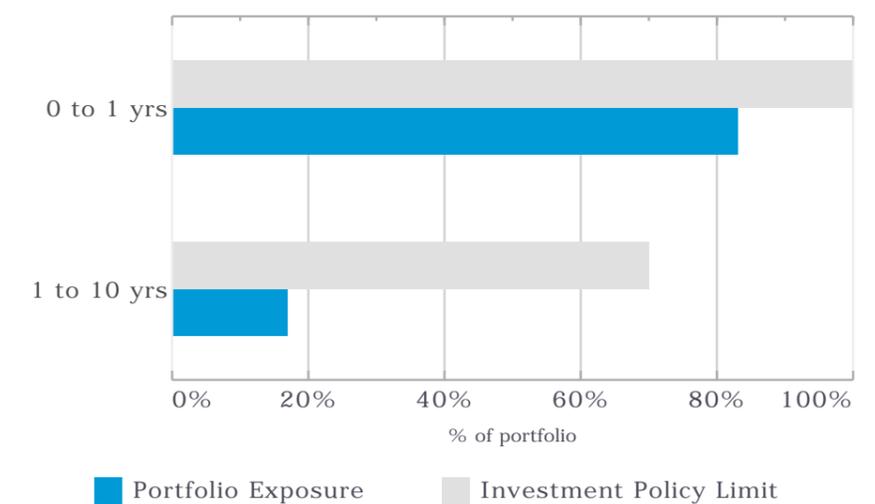
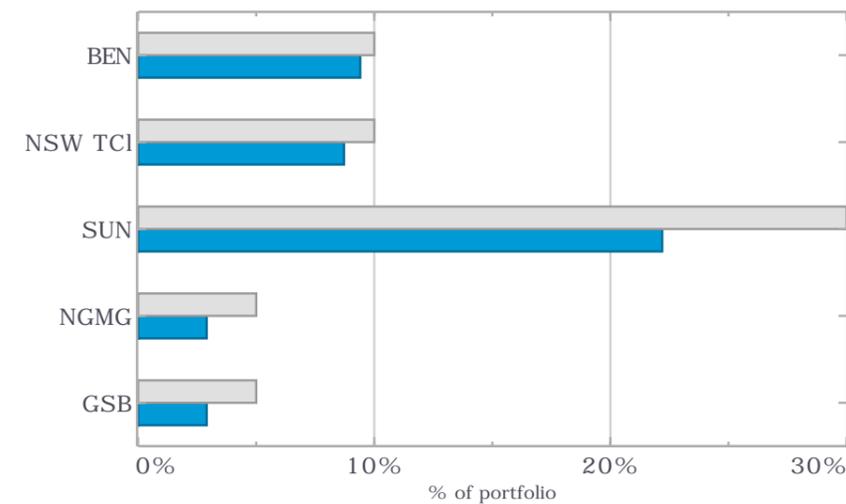
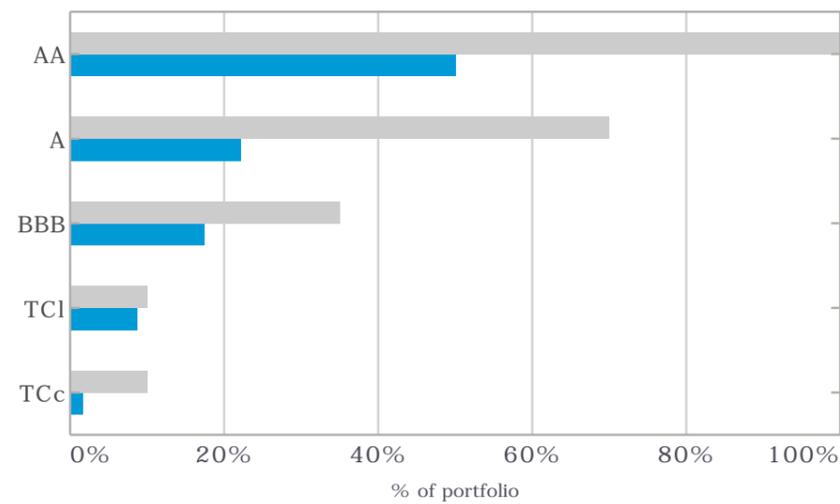
Upcoming Maturities



Waverley Council Investment Policy Compliance Report - November 2023



Total Credit Exposure Individual Institutional Exposures Term to Maturities



Credit Rating Group	Face Value (\$)	% of Portfolio	Policy Max (%)	Compliance
AA	68,845,101	50%	100%	a
A	30,550,000	22%	70%	a
BBB	23,950,000	17%	35%	a
TCl	12,002,167	9%	10%	a
TCc	2,309,098	2%	10%	a
Total	137,656,365			

Institution	% of Portfolio	Investment Policy Limit (%)	Compliance
Bendigo and Adelaide Bank (BBB+)	9%	10%	a
NSW T-Corp (TCl)	9%	10%	a
Suncorp Bank (A+)	22%	30%	a
Great Southern Bank (BBB)	3%	5%	a
Newcastle Greater Mutual Group (BBB)	3%	5%	a
Westpac Group (AA-)	29%	50%	a
Auswide Bank (Baa2)	2%	5%	a
Commonwealth Bank of Australia (AA-)	16%	50%	a
NSW T-Corp (TCc)	2%	10%	a
National Australia Bank (AA-)	5%	50%	a

Term to Maturity	Face Value (\$)	% of Portfolio	Policy Max (%)	Compliance
Between 0 and 1 years	114,356,365	83%	100%	a
Between 1 and 10 years	23,300,000	17%	70%	a
Total	137,656,365			

Specific Sub Limits	Face Value (\$)	% of Portfolio	Policy Max (%)	Compliance
BBB+	12,950,000	9%	35%	a
BBB	11,000,000	8%	15%	a

Specific Sub Limits	Face Value (\$)	% of Portfolio	Policy Max (%)	Compliance
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

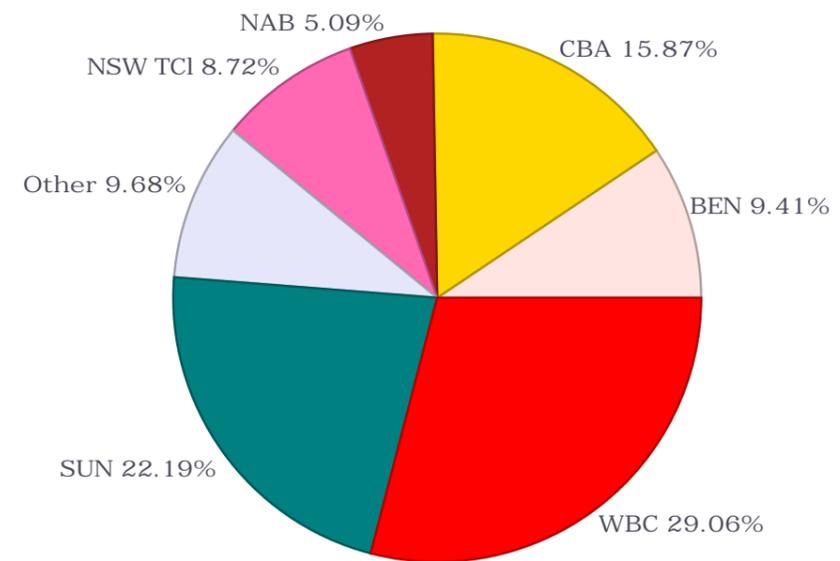
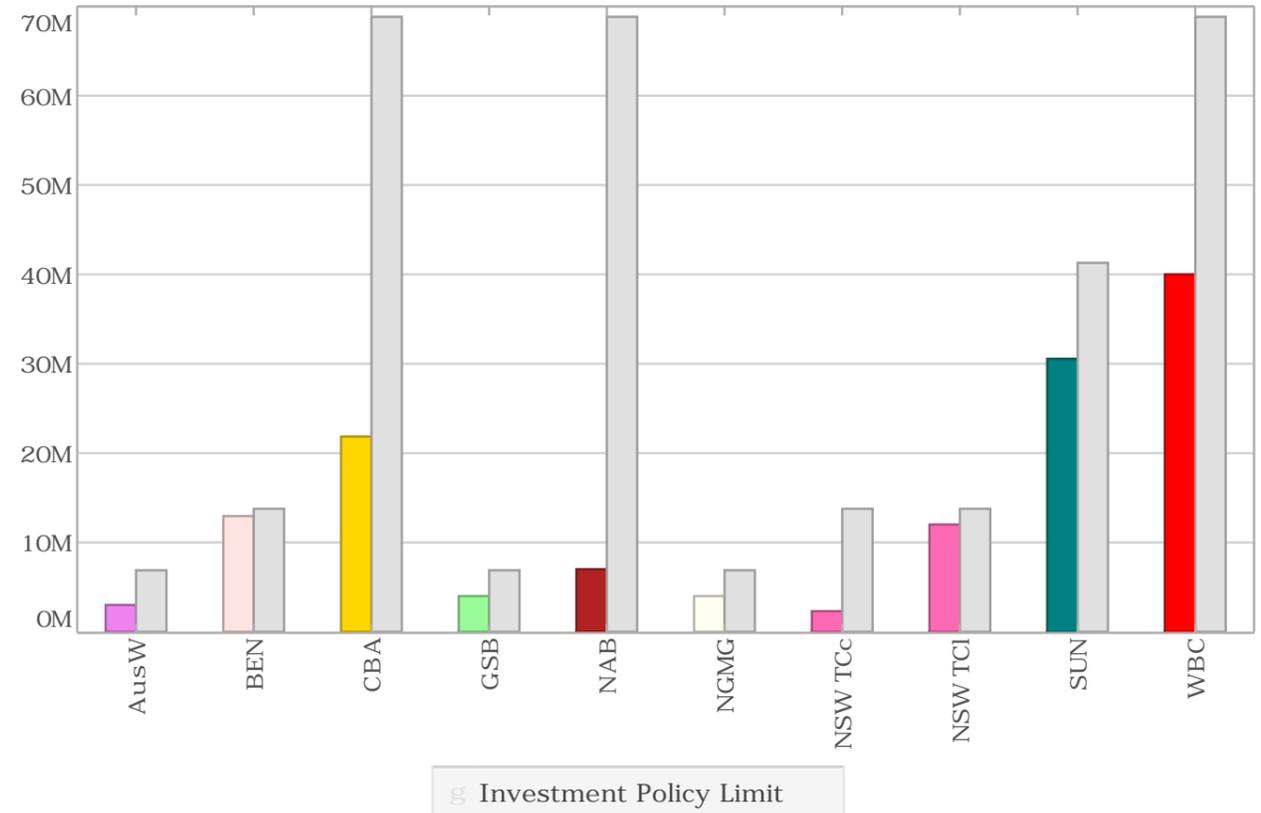
Waverley Council Individual Institutional Exposures Report - November 2023



Individual Institutional Exposures

Individual Institutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
Auswide Bank (Baa2)	3,000,000	2%	6,882,818	5%	3,882,818
Bendigo and Adelaide Bank (BBB+)	12,950,000	9%	13,765,637	10%	815,637
Commonwealth Bank of Australia (AA-)	21,845,101	16%	68,828,183	50%	46,983,082
Great Southern Bank (BBB)	4,000,000	3%	6,882,818	5%	2,882,818
National Australia Bank (AA-)	7,000,000	5%	68,828,183	50%	61,828,183
Newcastle Greater Mutual Group (BBB)	4,000,000	3%	6,882,818	5%	2,882,818
NSW T-Corp (TCC)	2,309,098	2%	13,765,637	10%	11,456,539
NSW T-Corp (TCI)	12,002,167	9%	13,765,637	10%	1,763,470
Suncorp Bank (A+)	30,550,000	22%	41,296,910	30%	10,746,910
Westpac Group (AA-)	40,000,000	29%	68,828,183	50%	28,828,183
	137,656,365				



Waverley Council

Cashflows Report - November 2023



Actual 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>
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>
14-Nov-23	544722	Suncorp Bank	Term Deposit	Settlement: Face Value	-2,000,000.00
<u>Deal Total</u>					<u>-2,000,000.00</u>
Day Total					88,357.26
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>3,357,008.11</u>

Waverley Council

Cashflows Report - November 2023



Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
Forecast Cashflows for December 2023					
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
4-Dec-23	540603	BEN Snr FRN (Dec25) BBSW+0.52%	Floating Rate Note	Coupon Date	26,056.54
				<u>Deal Total</u>	<u>26,056.54</u>
4-Dec-23	540983	NPBS Snr FRN (Mar26) BBSW+0.63%	Floating Rate Note	Coupon Date	47,419.73
				<u>Deal Total</u>	<u>47,419.73</u>
4-Dec-23	543279	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	43,879.45
				<u>Deal Total</u>	<u>43,879.45</u>
				Day Total	117,355.72
5-Dec-23	544467	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	25,081.10
				<u>Deal Total</u>	<u>25,081.10</u>
				Day Total	25,081.10
11-Dec-23	542424	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	18,249.86
				<u>Deal Total</u>	<u>18,249.86</u>
				Day Total	18,249.86
15-Dec-23	541877	SUN Snr FRN (Sep26) BBSW+0.48%	Floating Rate Note	Coupon Date	43,075.10
				<u>Deal Total</u>	<u>43,075.10</u>
				Day Total	43,075.10
18-Dec-23	541523	BEN Snr FRN (Jun26) BBSW+0.65%	Floating Rate Note	Coupon Date	47,563.33
				<u>Deal Total</u>	<u>47,563.33</u>
				Day Total	47,563.33
19-Dec-23	544217	Westpac Group	Term Deposit	Maturity: Face Value	5,000,000.00
		Westpac Group	Term Deposit	Maturity: Interest Received/Paid	127,443.84
				<u>Deal Total</u>	<u>5,127,443.84</u>
				Day Total	5,127,443.84
27-Dec-23	541916	CBA Green Snr FRN (Dec26) BBSW+0.41%	Floating Rate Note	Coupon Date	57,950.46

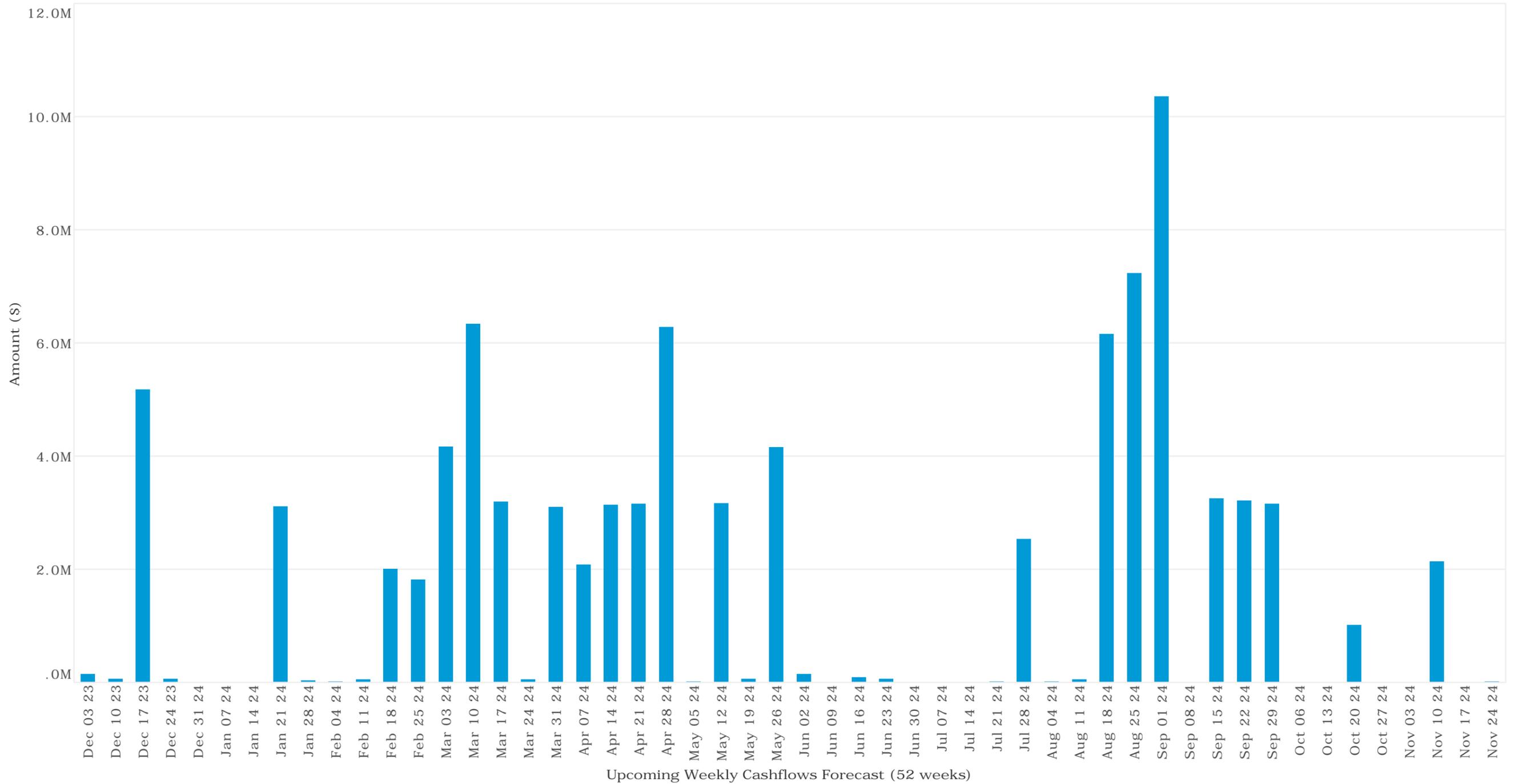
Waverley Council

Cashflows Report - November 2023

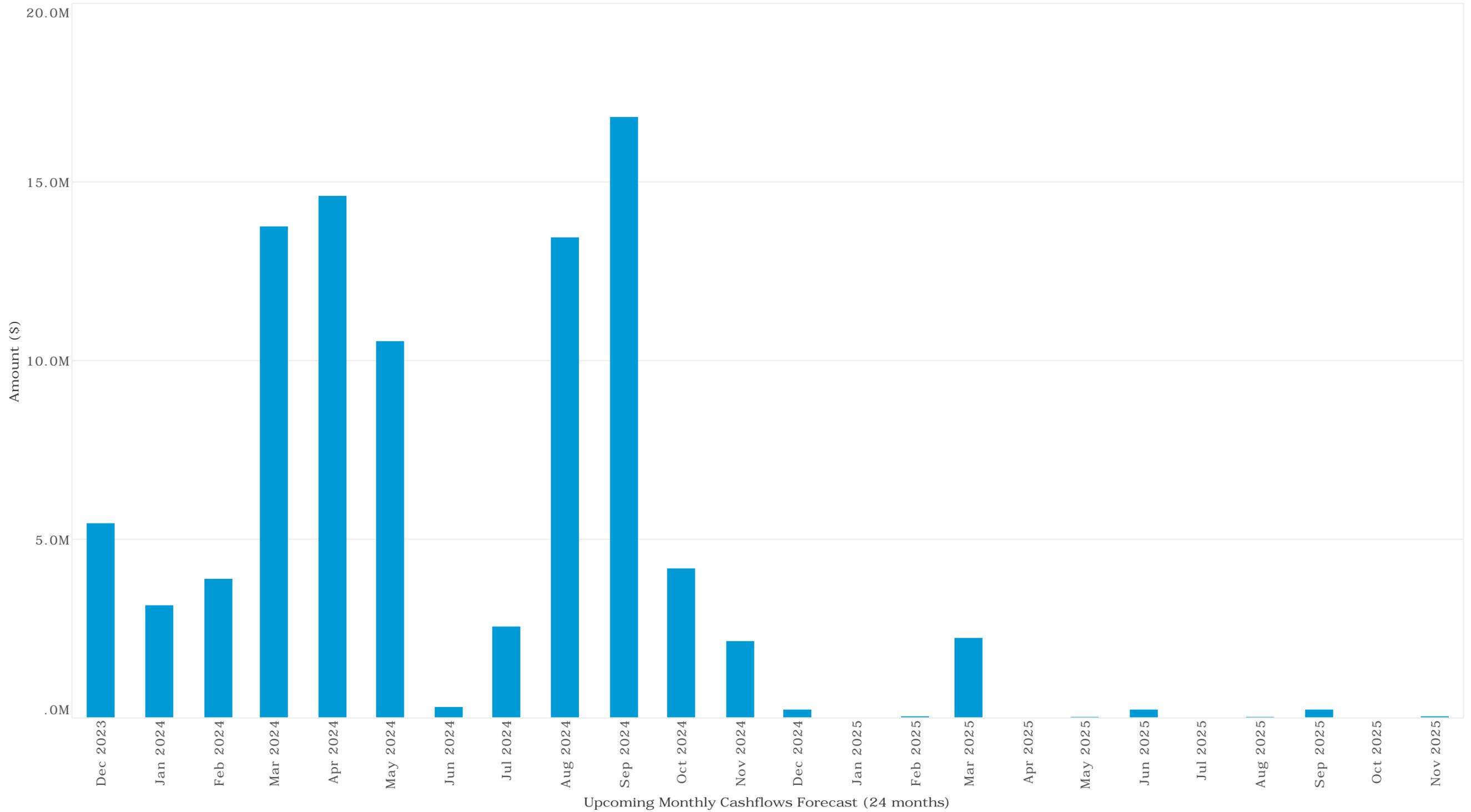


Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
				<u>Deal Total</u>	<u>57,950.46</u>
				Day Total	57,950.46
				<u>Total for Month</u>	<u>5,436,719.41</u>

Waverley Council Cashflows Report - November 2023



Waverley Council Cashflows Report - November 2023



**REPORT
CM/7.4/24.02**



Subject: Investment Portfolio Report - December 2023

TRIM No: SF23/4025

Manager: Teena Su, Executive Manager, Finance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. Notes the Investment Summary Report for December 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

1. Executive Summary

For the month of December 2023, Council’s investment portfolio generated \$598,216 in interest.

The interest income for year to date achieved 60.00% (\$2,792,479) of the current approved 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 Original Budget (%)	Tracking Current 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%
October	2,761,652	458,244	1,812,070	65.62%	38.93%
November	4,654,218	382,193	2,194,264	79.45%	47.15%
December	4,654,218	598,216	2,792,479	101.12%	60.00%

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 21 November 2023	CM/7.4/21.11	That Council: <ol style="list-style-type: none"> 1. Notes the Investment Summary Report for October 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.

4. Discussion

As at 31 December 2023, Council's cash investment portfolio for the financial year, generated total interest earnings of \$2,792,479 representing 60.00% of the current budget of \$4,654,218.

Council's investment portfolio posted a marked-to-market return of 7.70% pa for the month versus the bank bill index benchmark return of 4.43% pa.

Without marked-to-market influences, Council's investment portfolio yielded 4.80% 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 4.97%, versus the bank bill index benchmark's 3.89%.

During December, Council had a \$5m six-month Westpac Green term deposit mature, which had a yield of 5.14%pa. No new investments were made during the month.

As at 31 December 2023, Council's investment portfolio has a current market value of \$138,507,544 which represents a gain of \$1,305,790 on the \$137,201,754 face value of the portfolio. The table below provides a summary by investment (asset) type.

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

Asset group	Face Value	Current Value
Cash	\$18,011,190	\$18,011,190
Floating Rate Note	\$24,800,000	\$24,670,537
Managed Funds	\$14,690,564	\$14,690,564
Term Deposit	\$79,700,000	\$81,135,253
Total	\$137,201,754	\$138,507,544

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 3. Portfolio value – Summary by investment (reserve) type.

Reserves	Value
External Restriction Reserves	\$41,334,061
Internal Restriction Reserves	\$73,258,690
Unrestricted fund	\$22,609,003
Total	\$137,201,754

Analysis

Attached to this report is a summary of the investment portfolio for the month of December. 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 4. Portfolio return.

Month	Portfolio return %	Ausbond BB index %	Variance %
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
Nov-23	8.30	4.34	3.96
Dec-23	7.70	4.43	3.27
Average % return over the last 12 months	4.97	3.88	1.09

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 December 2023, 66% 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 23% of the portfolio. The remaining 11% is invested with TCorp.

Over the period of 67 months, from July 2018 to December 2023, Council has reduced its investment in fossil-fuel-lending ADIs from 59% to 23%, as shown in Figure 1 below.

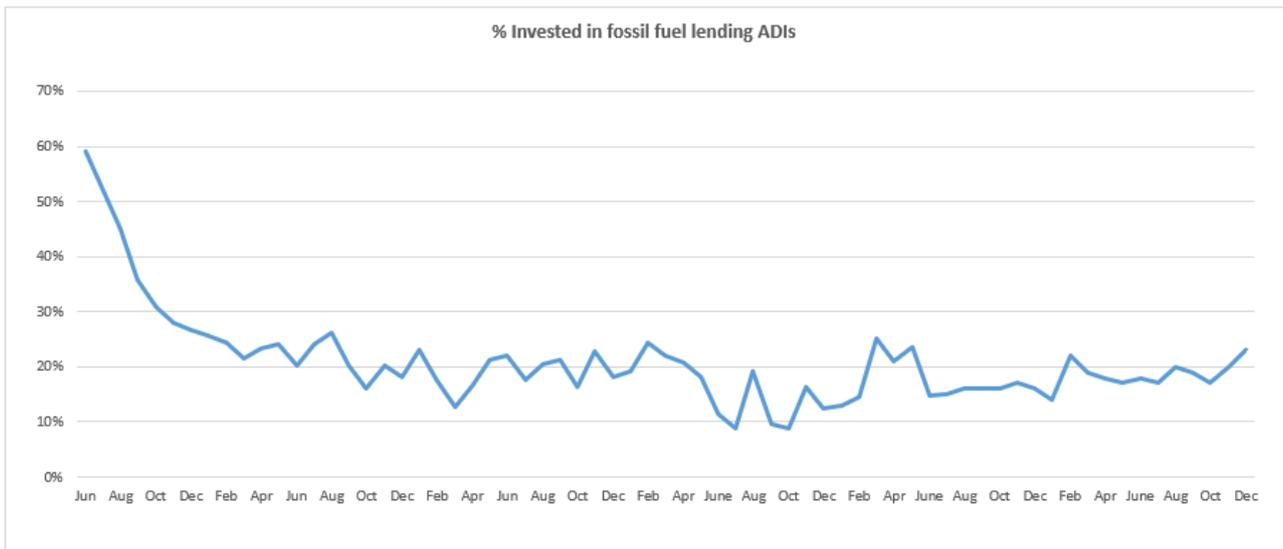


Figure 1. Investments in fossil-fuel-lending ADIs.

When excluding the working capital funds held in the Commonwealth Bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 75.93% of Council’s investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, while fossil-fuel-lending ADIs accounted for 11.75% of the portfolio. The remaining 12.33% is invested with TCorp as displayed in Figure 2 below.

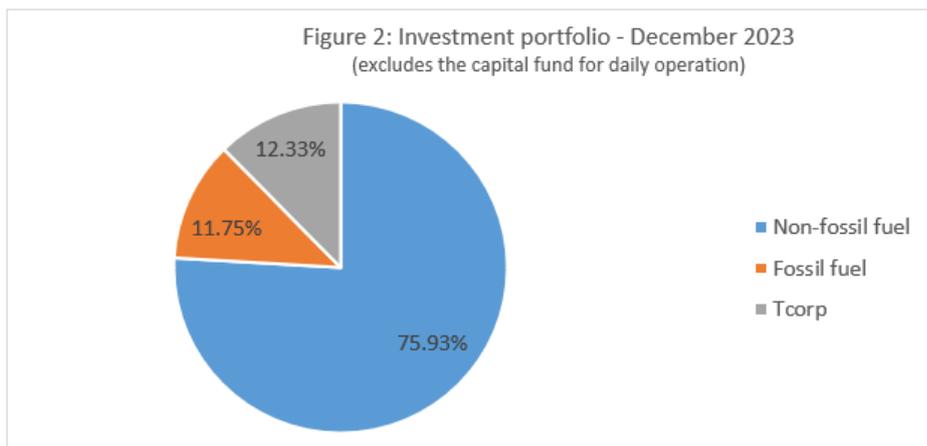


Figure 2. Investment portfolio.

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 \$2,792,479 for the year to date, representing 60.00% of the approved budget of \$4,654,218.

7. Attachments

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



Investment Summary Report
December 2023

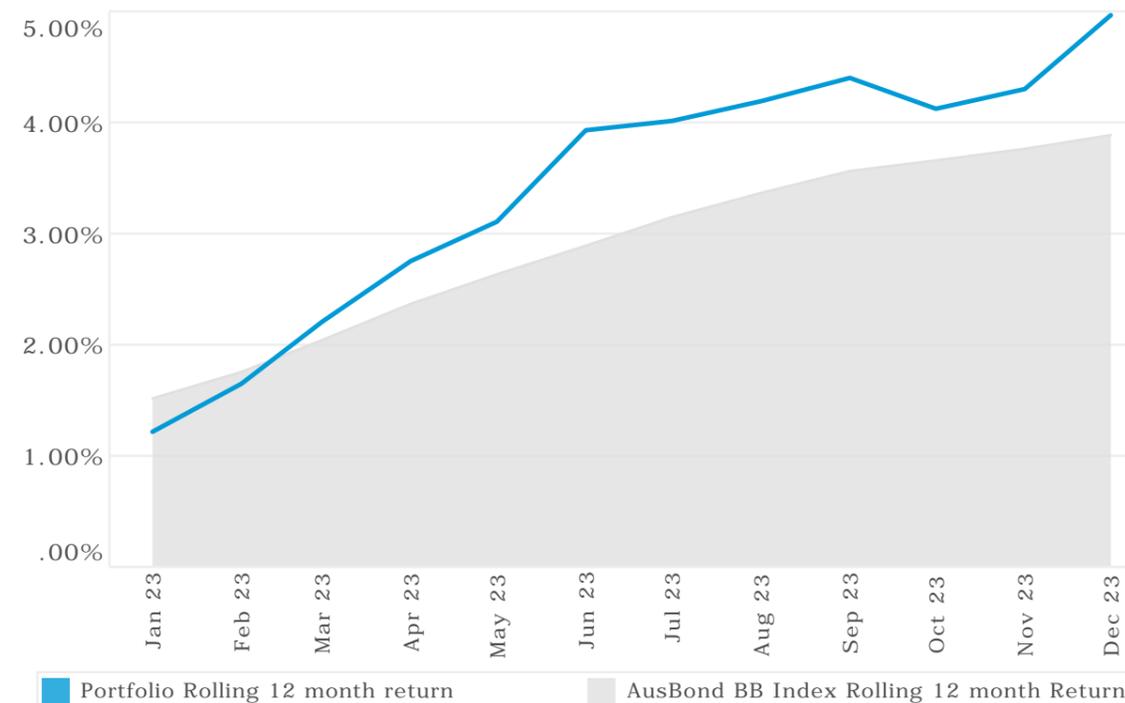
Waverley Council Executive Summary - December 2023



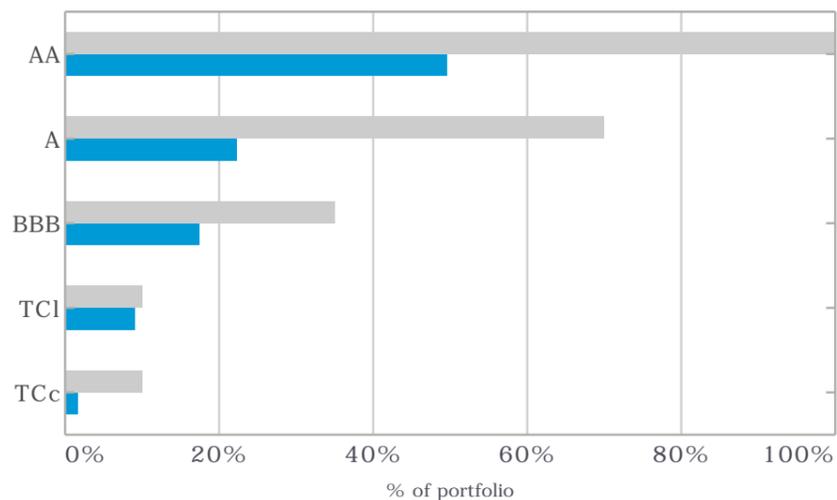
Investment Holdings

	Face Value (\$)	Current Value (\$)
Cash	18,011,190	18,011,190
Floating Rate Note	24,800,000	24,670,537
Managed Funds	14,690,564	14,690,564
Term Deposit	79,700,000	81,135,253
	137,201,754	138,507,544

Investment Performance

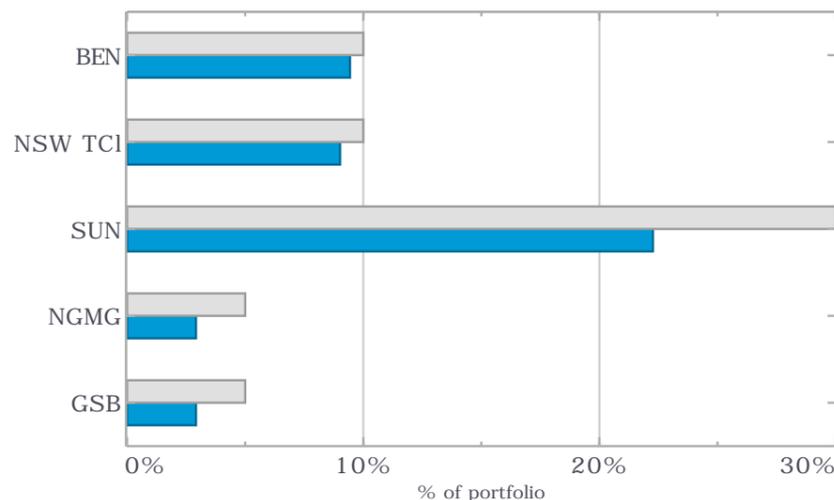


Total Credit Exposure



Investment Policy Compliance

Individual Institutional Exposures



Term to Maturities

	Face Value (\$)		Policy Max
Between 0 and 1 years	113,901,754	83%	100% a
Between 1 and 10 year:	23,300,000	17%	70% a
	137,201,754		

g Portfolio Exposure
g Investment Policy Limit

Specific Sub Limits

Between 3 and 10 year:	0	0%	50% a
Between 5 and 10 year:	0	0%	25% a

Waverley Council

Investment Holdings Report - December 2023



Cash Accounts

Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
9,551.12	0.0000%	Commonwealth Bank of Australia	AA-	9,551.12	120800	Eastgate CP
12,524.84	0.0000%	Commonwealth Bank of Australia	AA-	12,524.84	120796	Cemetery Funds
15,934.72	0.0000%	Commonwealth Bank of Australia	AA-	15,934.72	120799	Library CP
21,782.38	0.0000%	Commonwealth Bank of Australia	AA-	21,782.38	120801	Hollywood Av CP
47,718.21	0.0000%	Commonwealth Bank of Australia	AA-	47,718.21	120795	Trust Funds
52,359.06	0.0000%	Commonwealth Bank of Australia	AA-	52,359.06	370151	Library Gift
112,960.85	0.0000%	Commonwealth Bank of Australia	AA-	112,960.85	120797	Depositor Funds
1,533,540.04	0.0000%	Commonwealth Bank of Australia	AA-	1,533,540.04	120794	General Funds
16,204,818.62	4.3500%	Commonwealth Bank of Australia	AA-	16,204,818.62	120789	24hr Call
18,011,189.84	3.9137%			18,011,189.84		

Managed Funds

Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name	Current Value (\$)	Deal No.	Reference
2,319,302.85	0.4419%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	2,319,302.85	411310	Builder Deposits
12,371,261.09	3.0752%	NSW T-Corp (LT)	TCl	Long Term Growth Fund	12,371,261.09	538089	
14,690,563.94	2.6595%				14,690,563.94		

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
23-Jan-24	3,000,000.00	5.4500%	Bendigo and Adelaide Bank	BBB+	3,000,000.00	22-Jun-23	3,086,453.42	544218	86,453.42	At Maturity	
20-Feb-24	2,000,000.00	1.5800%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,004,588.49	542328	4,588.49	Quarterly	Green
27-Feb-24	1,700,000.00	5.1500%	Bendigo and Adelaide Bank	BBB+	1,700,000.00	28-Aug-23	1,730,222.74	544434	30,222.74	At Maturity	
5-Mar-24	4,000,000.00	1.8300%	Westpac Group	AA-	4,000,000.00	9-Mar-22	4,004,211.51	542424	4,211.51	Quarterly	Green
12-Mar-24	3,000,000.00	4.8500%	Westpac Group	AA-	3,000,000.00	3-Mar-23	3,121,183.56	543890	121,183.56	At Maturity	Green
13-Mar-24	3,000,000.00	4.8000%	Auswide Bank	Baa2	3,000,000.00	14-Mar-23	3,115,594.52	543961	115,594.52	At Maturity	
19-Mar-24	3,000,000.00	4.7200%	Suncorp Bank	A+	3,000,000.00	13-Mar-23	3,114,055.89	543932	114,055.89	At Maturity	

Waverley Council

Investment Holdings Report - December 2023



Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
2-Apr-24	3,000,000.00	5.1100%	Suncorp Bank	A+	3,000,000.00	8-Aug-23	3,061,320.00	544363	61,320.00	At Maturity	
9-Apr-24	2,000,000.00	5.4700%	Suncorp Bank	A+	2,000,000.00	18-Jul-23	2,050,054.25	544322	50,054.25	At Maturity	
16-Apr-24	3,000,000.00	4.9500%	Suncorp Bank	A+	3,000,000.00	23-May-23	3,090,727.40	544113	90,727.40	At Maturity	
23-Apr-24	3,000,000.00	5.1700%	Great Southern Bank	BBB	3,000,000.00	25-May-23	3,093,909.86	544129	93,909.86	At Maturity	
30-Apr-24	3,000,000.00	5.2500%	Suncorp Bank	A+	3,000,000.00	22-Aug-23	3,056,958.90	544409	56,958.90	At Maturity	
1-May-24	3,000,000.00	4.4600%	Westpac Group	AA-	3,000,000.00	28-Apr-23	3,090,910.68	544048	90,910.68	At Maturity	Green
15-May-24	3,000,000.00	5.2000%	Suncorp Bank	A+	3,000,000.00	16-Aug-23	3,058,980.82	544398	58,980.82	At Maturity	
28-May-24	1,000,000.00	5.1500%	Bendigo and Adelaide Bank	BBB+	1,000,000.00	24-Aug-23	1,018,342.47	544423	18,342.47	At Maturity	
28-May-24	3,000,000.00	5.1800%	National Australia Bank	AA-	3,000,000.00	31-Aug-23	3,052,367.67	544449	52,367.67	At Maturity	
20-Aug-24	3,000,000.00	5.0900%	Westpac Group	AA-	3,000,000.00	23-Aug-23	3,054,804.66	544416	54,804.66	At Maturity	Green
20-Aug-24	3,000,000.00	5.1600%	Westpac Group	AA-	3,000,000.00	15-Aug-23	3,019,933.15	544392	19,933.15	Quarterly	Green
27-Aug-24	3,000,000.00	5.4100%	Commonwealth Bank of Australia	AA-	3,000,000.00	29-Aug-23	3,055,582.19	544437	55,582.19	At Maturity	
27-Aug-24	4,000,000.00	5.0500%	Westpac Group	AA-	4,000,000.00	24-Aug-23	4,021,030.14	544424	21,030.14	Quarterly	Green
4-Sep-24	4,000,000.00	4.4000%	Westpac Group	AA-	4,000,000.00	2-Sep-22	4,013,501.37	543279	13,501.37	Quarterly	
4-Sep-24	4,000,000.00	5.2500%	National Australia Bank	AA-	4,000,000.00	5-Sep-23	4,067,890.41	544468	67,890.41	At Maturity	
5-Sep-24	2,000,000.00	5.0300%	Westpac Group	AA-	2,000,000.00	5-Sep-23	2,007,441.64	544467	7,441.64	Quarterly	Green
18-Sep-24	3,000,000.00	5.2000%	Suncorp Bank	A+	3,000,000.00	19-Sep-23	3,044,449.32	544580	44,449.32	At Maturity	
24-Sep-24	1,000,000.00	5.2500%	Suncorp Bank	A+	1,000,000.00	26-Sep-23	1,013,952.05	544534	13,952.05	At Maturity	
26-Sep-24	2,000,000.00	5.2200%	Westpac Group	AA-	2,000,000.00	26-Sep-23	2,027,744.66	544533	27,744.66	At Maturity	Green
2-Oct-24	3,000,000.00	5.2400%	Westpac Group	AA-	3,000,000.00	3-Oct-23	3,038,761.64	544556	38,761.64	At Maturity	Green
12-Nov-24	2,000,000.00	5.4800%	Suncorp Bank	A+	2,000,000.00	14-Nov-23	2,014,413.15	544722	14,413.15	At Maturity	
4-Mar-25	2,000,000.00	2.0200%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,005,866.30	542329	5,866.30	Quarterly	Green
	79,700,000.00	4.7503%			79,700,000.00		81,135,252.86		1,435,252.86		

Floating Rate Notes

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	2,524,825.92	538331	22,100.92	30-Jan-24	

Waverley Council

Investment Holdings Report - December 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
24-Oct-24	1,000,000.00	5.3473%	GSB Snr FRN (Oct24) BBSW+ 1.12%	BBB	1,000,000.00	24-Oct-19	1,010,568.59	538604	10,108.59	24-Jan-24	
2-Dec-25	2,250,000.00	4.8868%	BEN Snr FRN (Dec25) BBSW+0.52%	BBB+	2,250,000.00	2-Dec-20	2,240,097.25	540603	8,434.75	4-Mar-24	
24-Feb-26	1,300,000.00	4.8286%	SUN Snr FRN (Feb26) BBSW+0.45%	A+	1,300,000.00	24-Feb-21	1,295,446.15	540958	6,535.15	26-Feb-24	
4-Mar-26	4,000,000.00	4.9968%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB	4,000,000.00	4-Mar-21	3,949,012.65	540983	15,332.65	4-Mar-24	
15-May-26	1,000,000.00	5.6474%	BEN Snr FRN (May26) BBSW+ 1.25%	BBB+	1,000,000.00	8-May-23	1,011,101.99	544084	7,271.99	15-Feb-24	
18-Jun-26	4,000,000.00	5.0125%	BEN Snr FRN (Jun26) BBSW+0.65%	BBB+	4,000,000.00	11-Jun-21	3,967,890.41	541523	7,690.41	18-Mar-24	
15-Sep-26	3,750,000.00	4.8300%	SUN Snr FRN (Sep26) BBSW+0.48%	A+	3,750,000.00	9-Sep-21	3,714,073.46	541877	8,435.96	15-Mar-24	
23-Dec-26	5,000,000.00	4.7751%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	5,000,000.00	21-Sep-21	4,957,520.62	541916	3,270.62	25-Mar-24	
	24,800,000.00	4.9636%			24,800,000.00		24,670,537.04		89,181.04		

Waverley Council

Accrued Interest Report - December 2023



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Floating Rate Note									
SUN Snr FRN (Jul24) BBSW+0.78%	538331		2,500,000.00	30-Jul-19	30-Jul-24	0.00	31	10,875.06	5.12%
GSB Snr FRN (Oct24) BBSW+ 1.12%	538604		1,000,000.00	24-Oct-19	24-Oct-24	0.00	31	4,541.54	5.35%
BEN Snr FRN (Dec25) BBSW+0.52%	540603		2,250,000.00	2-Dec-20	2-Dec-25	26,056.54	31	9,293.76	4.86%
SUN Snr FRN (Feb26) BBSW+0.45%	540958		1,300,000.00	24-Feb-21	24-Feb-26	0.00	31	5,331.31	4.83%
NPBS Snr FRN (Mar26) BBSW+0.63%	540983		4,000,000.00	4-Mar-21	4-Mar-26	47,419.73	31	16,895.94	4.97%
BEN Snr FRN (May26) BBSW+ 1.25%	544084		1,000,000.00	15-May-23	15-May-26	0.00	31	4,796.42	5.65%
BEN Snr FRN (Jun26) BBSW+0.65%	541523		4,000,000.00	18-Jun-21	18-Jun-26	47,563.33	31	16,575.87	4.88%
SUN Snr FRN (Sep26) BBSW+0.48%	541877		3,750,000.00	15-Sep-21	15-Sep-26	43,075.10	31	15,062.90	4.73%
CBA Green Snr FRN (Dec26) BBSW+0.41%	541916		5,000,000.00	23-Sep-21	23-Dec-26	57,950.47	31	19,471.83	4.59%
						222,065.17		102,844.63	4.88%
Managed Funds									
NSW T-Corp Defensive Cash Funds	411310				1-Jul-24	0.00	0	10,204.64	5.33%
						0.00		10,204.64	5.33%
Term Deposits									
Westpac Group	544217		5,000,000.00	21-Jun-23	19-Dec-23	127,443.84	18	12,673.98	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%
Westpac Group	542328		2,000,000.00	9-Feb-22	20-Feb-24	0.00	31	2,683.83	1.58%
Bendigo and Adelaide Bank	544434		1,700,000.00	28-Aug-23	27-Feb-24	0.00	31	7,435.75	5.15%
Westpac Group	542424		4,000,000.00	9-Mar-22	5-Mar-24	18,249.86	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%
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%
Suncorp Bank	544363		3,000,000.00	8-Aug-23	2-Apr-24	0.00	31	13,020.00	5.11%
Suncorp Bank	544322		2,000,000.00	18-Jul-23	9-Apr-24	0.00	31	9,291.51	5.47%
Suncorp Bank	544113		3,000,000.00	23-May-23	16-Apr-24	0.00	31	12,612.33	4.95%
Great Southern Bank	544129		3,000,000.00	25-May-23	23-Apr-24	0.00	31	13,172.87	5.17%

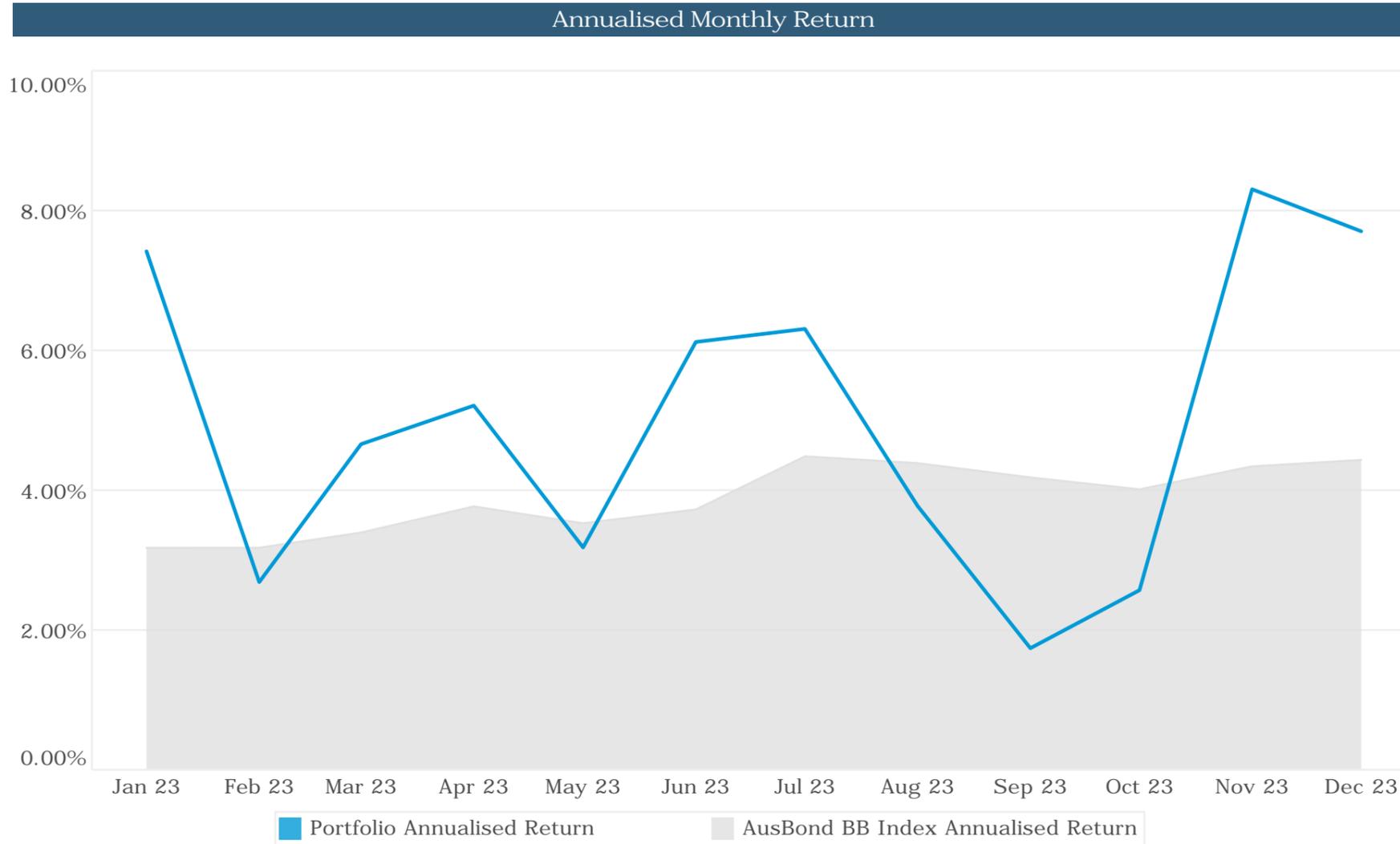
Waverley Council

Accrued Interest Report - December 2023



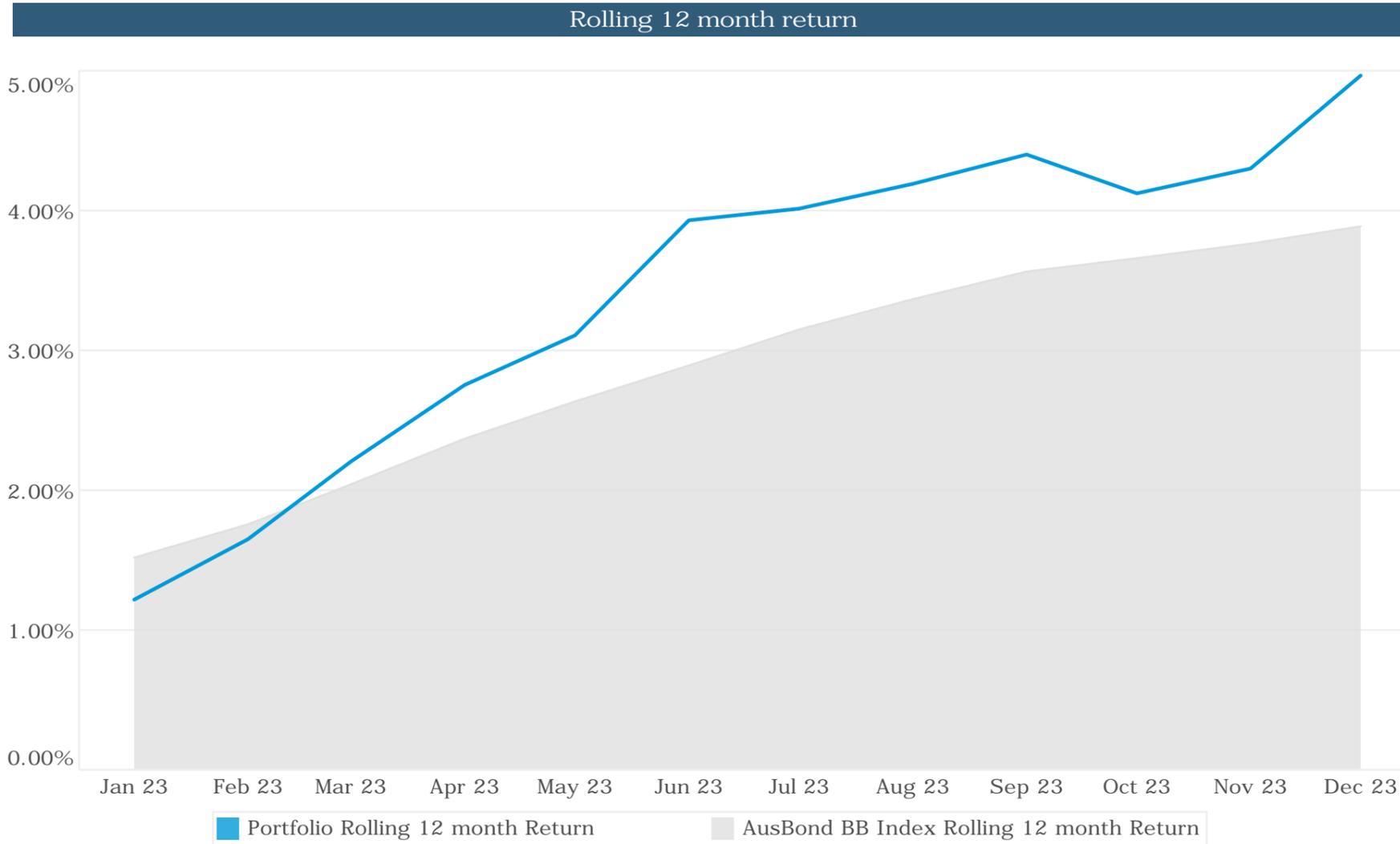
Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Suncorp Bank	544409		3,000,000.00	22-Aug-23	30-Apr-24	0.00	31	13,376.71	5.25%
Westpac Group	544048		3,000,000.00	28-Apr-23	1-May-24	0.00	31	11,363.83	4.46%
Suncorp Bank	544398		3,000,000.00	16-Aug-23	15-May-24	0.00	31	13,249.31	5.20%
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%
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%
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	544424		4,000,000.00	24-Aug-23	27-Aug-24	0.00	31	17,156.17	5.05%
National Australia Bank	544468		4,000,000.00	5-Sep-23	4-Sep-24	0.00	31	17,835.62	5.25%
Westpac Group	543279		4,000,000.00	2-Sep-22	4-Sep-24	43,879.45	31	14,947.94	4.40%
Westpac Group	544467		2,000,000.00	5-Sep-23	5-Sep-24	25,081.10	31	8,544.11	5.03%
Suncorp Bank	544580		3,000,000.00	19-Sep-23	18-Sep-24	0.00	31	13,249.32	5.20%
Suncorp Bank	544534		1,000,000.00	26-Sep-23	24-Sep-24	0.00	31	4,458.90	5.25%
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	31	13,351.23	5.24%
Suncorp Bank	544722		2,000,000.00	14-Nov-23	12-Nov-24	0.00	31	9,308.49	5.48%
Westpac Group	542329		2,000,000.00	9-Feb-22	4-Mar-25	0.00	31	3,431.23	2.02%
						214,654.25		334,220.39	4.76%
Grand Totals						436,719.42		447,269.66	4.80%

Waverley Council Investment Performance Report - December 2023



Historical Performance Summary (% pa)			
	Portfolio	Annualised BB Index	Outperformance
Dec 2023	7.70%	4.43%	3.27%
Last 3 months	6.14%	4.26%	1.88%
Last 6 months	5.04%	4.31%	0.73%
Financial Year to Date	5.04%	4.31%	0.73%
Last 12 months	4.97%	3.89%	1.08%

Waverley Council Investment Performance Report - December 2023



Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
Dec 2023	0.63%	0.37%	0.26%
Last 3 months	1.51%	1.06%	0.45%
Last 6 months	2.51%	2.15%	0.36%
Financial Year to Date	2.51%	2.15%	0.36%
Last 12 months	4.97%	3.89%	1.08%

Waverley Council Environmental Commitments Report - December 2023



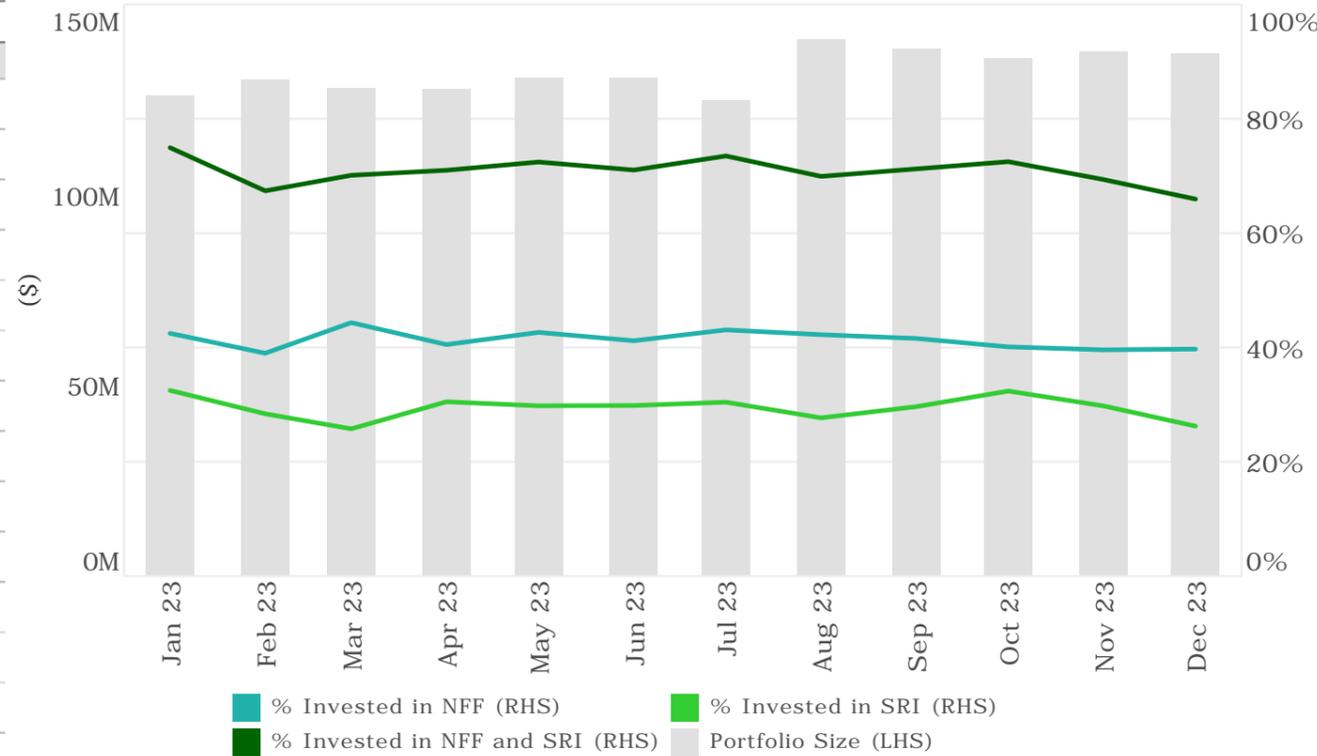
Current Breakdown

ADI Lending Status *	Current Month (\$)	Previous Month (\$)
Fossil Fuel Lending ADIs		
Commonwealth Bank of Australia	21,011,190	16,845,101
National Australia Bank	7,000,000	7,000,000
Westpac Group	4,000,000	4,000,000
	32,011,190 23%	27,845,101 20%
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	30,550,000
	54,500,000 40%	54,500,000 40%
Other		
NSW T-Corp (Cash)	2,319,303	2,309,098
NSW T-Corp (LT)	12,371,261	12,002,167
	14,690,564 11%	14,311,265 10%
Socially Responsible Investment		
CBA (Green)	5,000,000	5,000,000
Westpac Group (Green TD)	31,000,000	36,000,000
	36,000,000 26%	41,000,000 30%
	137,201,754	137,656,365

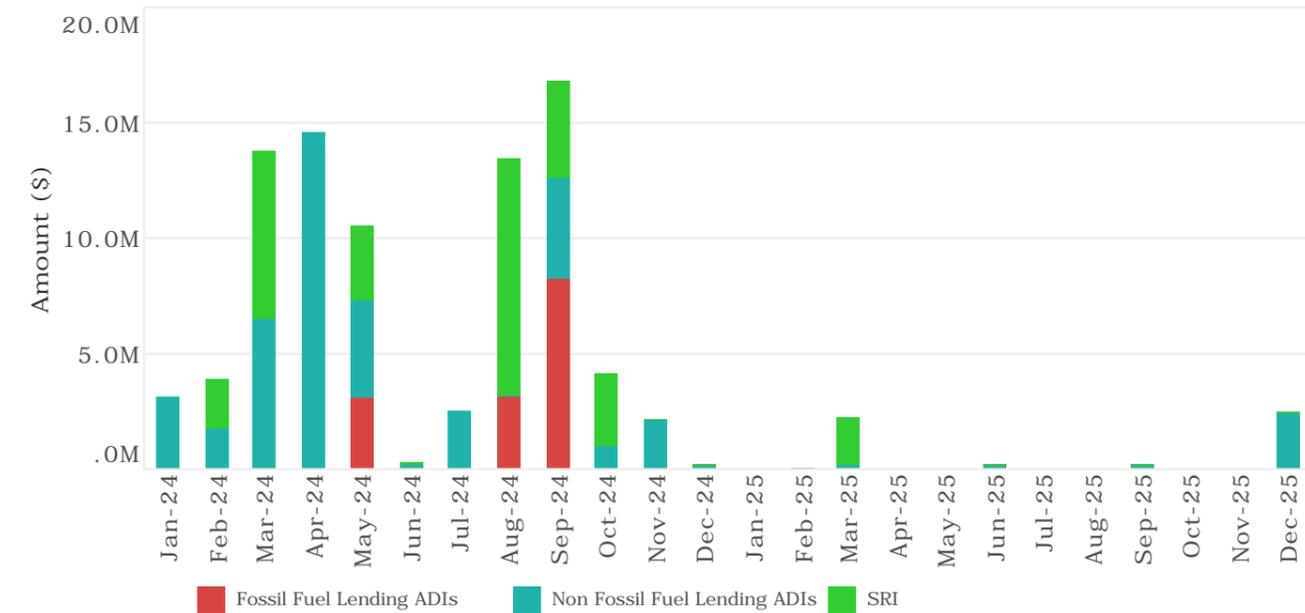
* source: Marketforces

Percentages may not add up to 100% due to rounding

Historical Portfolio Exposure to NFF Lending ADIs and SRIs



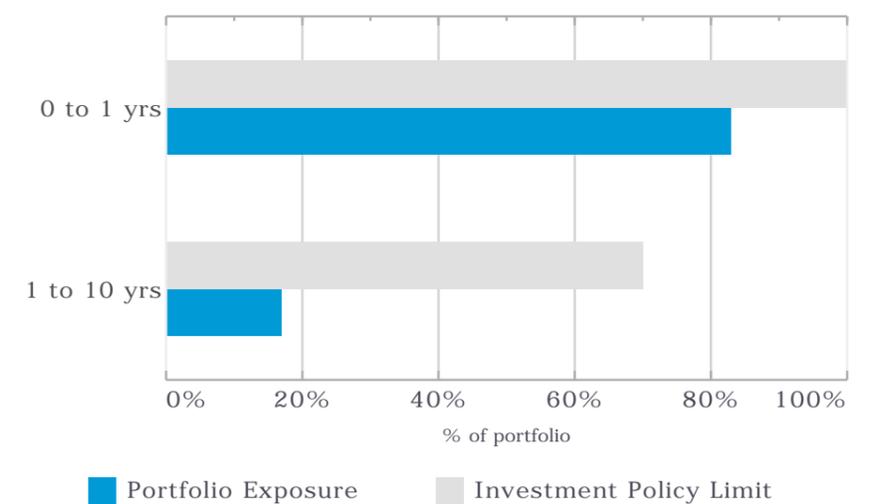
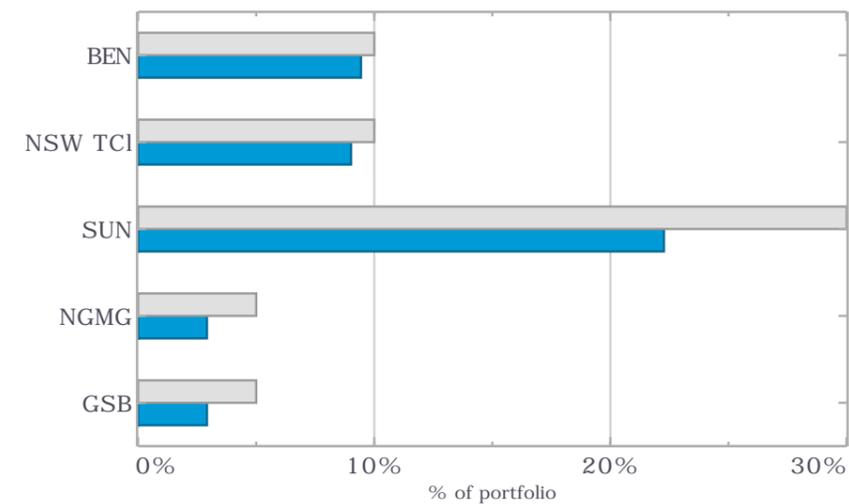
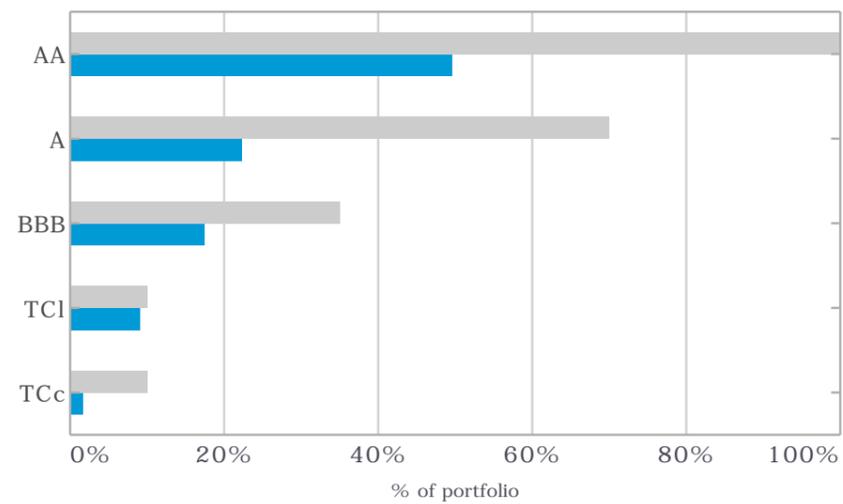
Upcoming Maturities



Waverley Council Investment Policy Compliance Report - December 2023



Total Credit Exposure Individual Institutional Exposures Term to Maturities



Credit Rating Group	Face Value (\$)	% of Portfolio	Policy Max	Compliance
AA	68,011,190	50%	100%	a
A	30,550,000	22%	70%	a
BBB	23,950,000	17%	35%	a
TCI	12,371,261	9%	10%	a
TCc	2,319,303	2%	10%	a
Total	137,201,754			

Specific Sub Limits	Face Value (\$)	% of Portfolio	Policy Max	Compliance
BBB+	12,950,000	9%	35%	a
BBB	11,000,000	8%	15%	a

Institution	% of Portfolio	Investment Policy Limit	Compliance
Bendigo and Adelaide Bank (BBB+)	9%	10%	a
NSW T-Corp (TCI)	9%	10%	a
Suncorp Bank (A+)	22%	30%	a
Great Southern Bank (BBB)	3%	5%	a
Newcastle Greater Mutual Group (BBB)	3%	5%	a
Westpac Group (AA-)	26%	50%	a
Auswide Bank (Baa2)	2%	5%	a
Commonwealth Bank of Australia (AA-)	19%	50%	a
NSW T-Corp (TCc)	2%	10%	a
National Australia Bank (AA-)	5%	50%	a

Term to Maturity	Face Value (\$)	% of Portfolio	Policy Max	Compliance
Between 0 and 1 years	113,901,754	83%	100%	a
Between 1 and 10 years	23,300,000	17%	70%	a
Total	137,201,754			

Specific Sub Limits	Face Value (\$)	% of Portfolio	Policy Max	Compliance
Between 3 and 10 years	0	0%	50%	a
Between 5 and 10 years	0	0%	25%	a

a = compliant
r = non-compliant

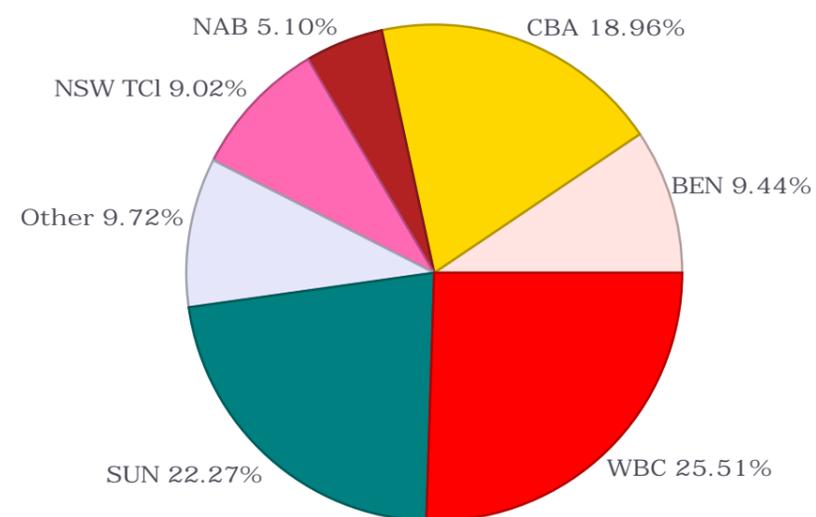
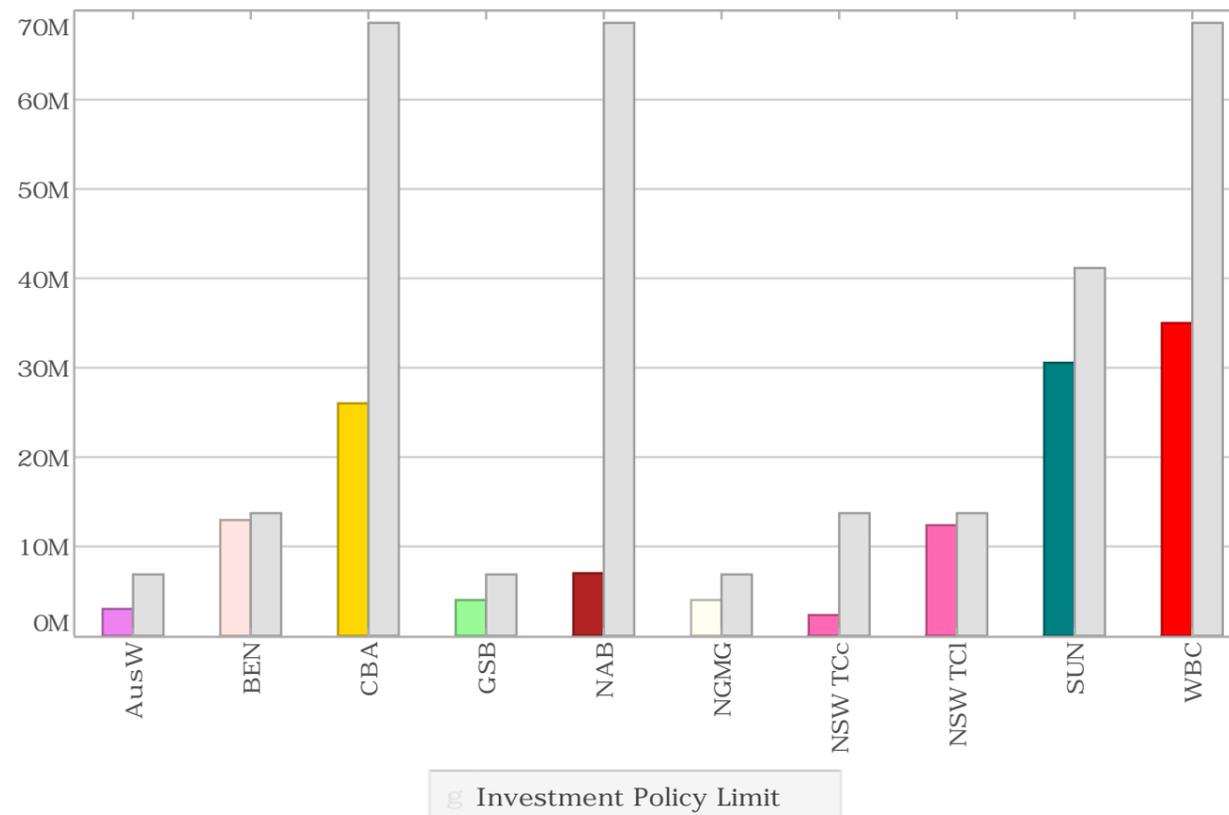
Waverley Council Individual Institutional Exposures Report - December 2023



Individual Institutional Exposures

Individual Institutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
Auswide Bank (Baa2)	3,000,000	2%	6,860,088	5%	3,860,088
Bendigo and Adelaide Bank (BBB+)	12,950,000	9%	13,720,175	10%	770,175
Commonwealth Bank of Australia (AA-)	26,011,190	19%	68,600,877	50%	42,589,687
Great Southern Bank (BBB)	4,000,000	3%	6,860,088	5%	2,860,088
National Australia Bank (AA-)	7,000,000	5%	68,600,877	50%	61,600,877
Newcastle Greater Mutual Group (BBB)	4,000,000	3%	6,860,088	5%	2,860,088
NSW T-Corp (TCc)	2,319,303	2%	13,720,175	10%	11,400,872
NSW T-Corp (TCI)	12,371,261	9%	13,720,175	10%	1,348,914
Suncorp Bank (A+)	30,550,000	22%	41,160,526	30%	10,610,526
Westpac Group (AA-)	35,000,000	26%	68,600,877	50%	33,600,877
	137,201,754				



Waverley Council

Cashflows Report - December 2023



Actual Cashflows for December 2023

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
4-Dec-23	540603	BEN Snr FRN (Dec25) BBSW+0.52%	Floating Rate Note	Coupon Date	26,056.54
				<u>Deal Total</u>	<u>26,056.54</u>
4-Dec-23	540983	NPBS Snr FRN (Mar26) BBSW+0.63%	Floating Rate Note	Coupon Date	47,419.73
				<u>Deal Total</u>	<u>47,419.73</u>
4-Dec-23	543279	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	43,879.45
				<u>Deal Total</u>	<u>43,879.45</u>
				Day Total	117,355.72
5-Dec-23	544467	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	25,081.10
				<u>Deal Total</u>	<u>25,081.10</u>
				Day Total	25,081.10
11-Dec-23	542424	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	18,249.86
				<u>Deal Total</u>	<u>18,249.86</u>
				Day Total	18,249.86
15-Dec-23	541877	SUN Snr FRN (Sep26) BBSW+0.48%	Floating Rate Note	Coupon Date	43,075.10
				<u>Deal Total</u>	<u>43,075.10</u>
				Day Total	43,075.10
18-Dec-23	541523	BEN Snr FRN (Jun26) BBSW+0.65%	Floating Rate Note	Coupon Date	47,563.33
				<u>Deal Total</u>	<u>47,563.33</u>
				Day Total	47,563.33
19-Dec-23	544217	Westpac Group	Term Deposit	Maturity: Face Value	5,000,000.00
		Westpac Group	Term Deposit	Maturity: Interest Received/Paid	127,443.84
				<u>Deal Total</u>	<u>5,127,443.84</u>
				Day Total	5,127,443.84
27-Dec-23	541916	CBA Green Snr FRN (Dec26) BBSW+0.41%	Floating Rate Note	Coupon Date	57,950.46
				<u>Deal Total</u>	<u>57,950.46</u>
				Day Total	57,950.46

Waverley Council

Cashflows Report - December 2023

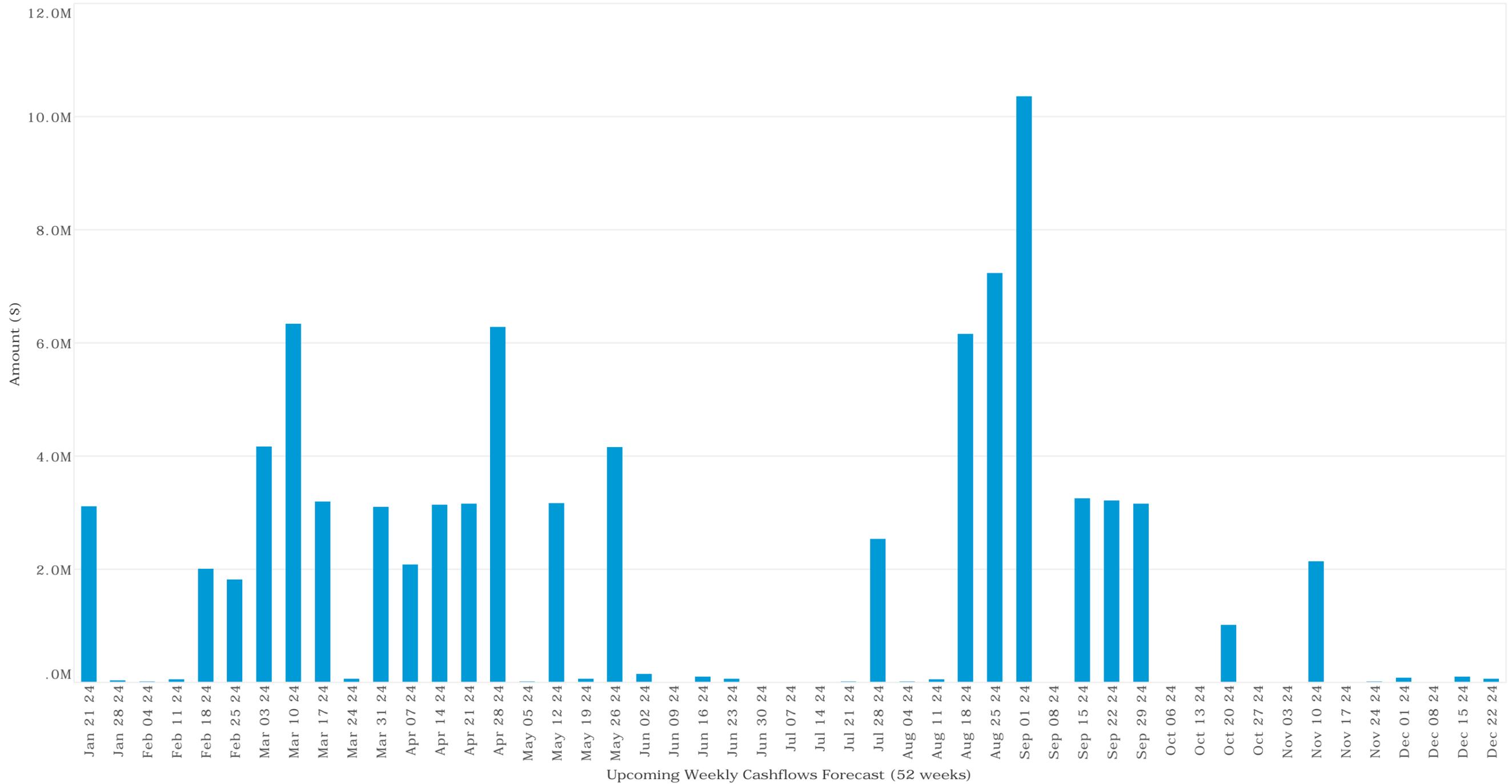


Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
				<u>Total for Month</u>	<u>5,436,719.41</u>

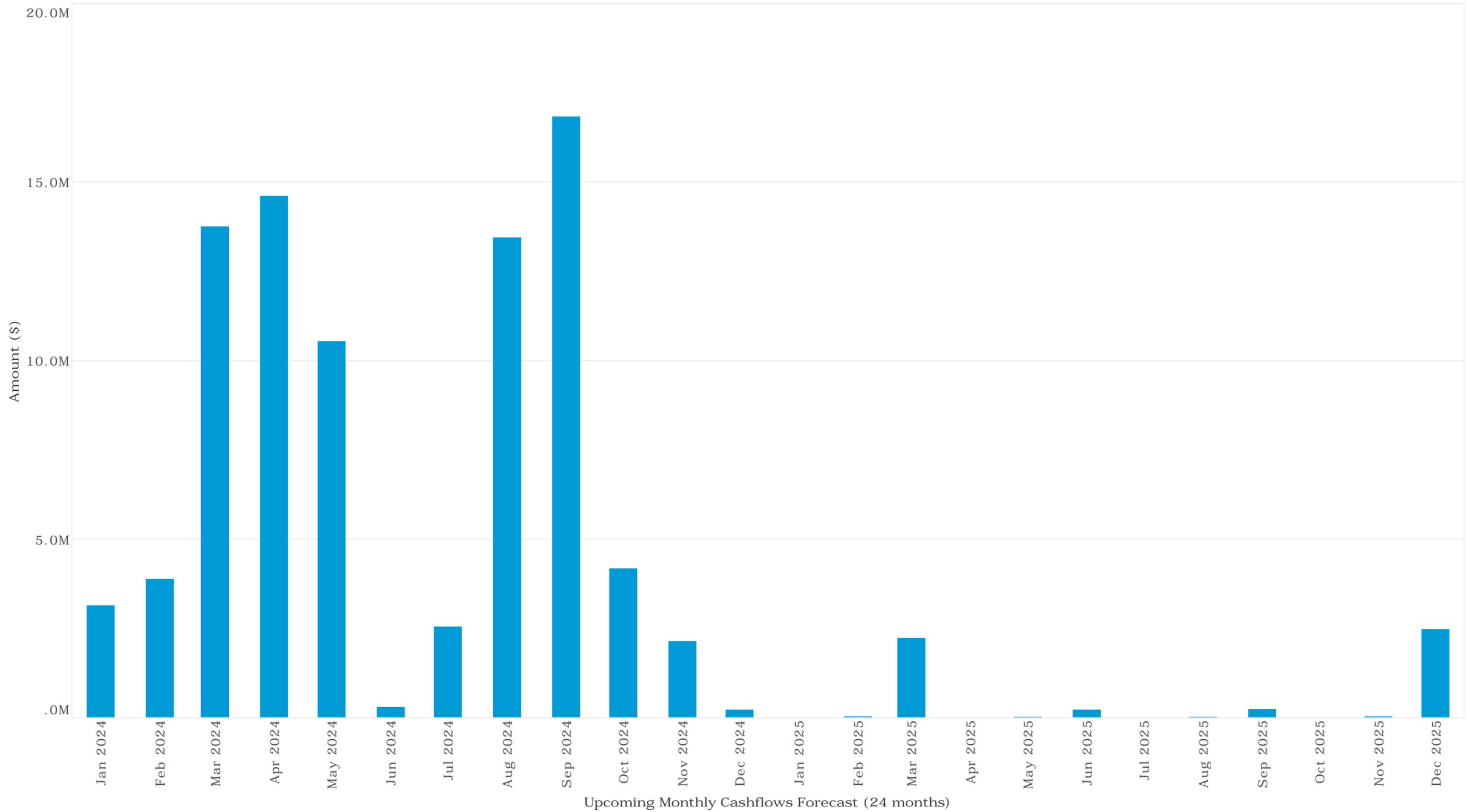
Forecast Cashflows for January 2024

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
23-Jan-24	544218	Bendigo and Adelaide Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		Bendigo and Adelaide Bank	Term Deposit	Maturity: Interest Received/Paid	96,308.22
				<u>Deal Total</u>	<u>3,096,308.22</u>
				Day Total	3,096,308.22
24-Jan-24	538604	GSB Snr FRN (Oct24) BBSW+ 1.12%	Floating Rate Note	Coupon Date	13,478.13
				<u>Deal Total</u>	<u>13,478.13</u>
				Day Total	13,478.13
30-Jan-24	538331	SUN Snr FRN (Jul24) BBSW+ 0.78%	Floating Rate Note	Coupon Date	32,274.36
				<u>Deal Total</u>	<u>32,274.36</u>
				Day Total	32,274.36
				<u>Total for Month</u>	<u>3,142,060.70</u>

Waverley Council Cashflows Report - December 2023



Waverley Council Cashflows Report - December 2023



**REPORT
CM/7.5/24.02**

Subject: Investment Portfolio Report - January 2024

TRIM No: SF23/4025

Manager: Teena Su, Executive Manager, Finance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. Notes the Investment Summary Report for January 2024 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

1. Executive Summary

For the month of January 2024, Council's investment portfolio generated \$442,431 in interest.

The interest on investment budget for the 2023-24 financial year adopted by Council at its meeting on 21 November 2023 was set at \$4,654,218. It proposed to increase to \$5,152,324 as part of the Q2 budget review exercise.

The interest income for year to date achieved 69.50% (\$3,234,911) of the current approved budget of \$4,654,218. The year-to-date income represents 62.79% of the Q2 proposed budget of \$5,152,324.

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 Current Budget (%)	Tracking Q2 proposed Budget (%)
July	2,761,652	363,154	363,154	13.15%	7.05%
August	2,761,652	363,312	726,466	15.61%	14.10%
September	2,761,652	627,360	1,353,826	29.09%	26.28%
October	2,761,652	458,244	1,812,070	38.93%	35.17%
November	4,654,218	382,193	2,194,264	47.15%	42.59%
December	4,654,218	598,216	2,792,479	60.00%	54.20%
January	4,654,218	442,431	3,234,911	69.50%	62.79%

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 21 November 2023	CM/7.4/21.11	That Council: <ol style="list-style-type: none"> 1. Notes the Investment Summary Report for October 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.

4. Discussion

As at 31 January 2024, Council's cash investment portfolio for the financial year, generated total interest earnings of \$3,234,911 representing 62.79% of the Q2 proposed budget of \$5,152,324.

Council's investment portfolio posted a marked-to-market return of 5.93% pa for the month versus the bank bill index benchmark return of 4.44% pa.

Without marked-to-market influences, Council's investment portfolio yielded 4.82% 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 4.84%, versus the bank bill index benchmark's 4.00%.

During January, Council had a \$3m seven-month Bendigo/Adelaide Bank term deposit mature, which had a yield of 5.45% pa. Council invested \$6m among eight- and 10-month deposits paying an average of 5.18%pa, locking in a good level above 5%, which is gradually getting more difficult as rates are trending lower.

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
04-Jan-24	\$3,000,000	10	5.17%	5.25%
23-Jan-24	\$3,000,000	8	5.20%	5.17%

As at 31 January 2024, Council’s investment portfolio has a current market value of \$137,150,632 which represents a gain of \$1,615,439 on the \$135,535,193 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	\$13,158,795	\$13,158,795
Floating Rate Note	\$24,800,000	\$24,743,235
Managed Funds	\$14,876,398	\$14,876,398
Term Deposit	\$82,700,000	\$84,372,204
Total	\$135,535,193	\$137,150,632

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	\$ 41,919,162
Internal Restriction Reserves	\$ 72,934,920
Unrestricted fund	\$ 20,681,111
Total	\$135,535,193

Analysis

Attached to this report is a summary of the investment portfolio for the month of January. 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 %
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
Nov-23	8.30	4.34	3.96
Dec-23	7.70	4.43	3.27
Jan-24	5.93	4.44	1.49
Average % return over the last 12 months	4.85	3.99	0.86

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 January 2024, 69% 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 20% of the portfolio. The remaining 11% is invested with TCorp.

Over the period of 68 months, from July 2018 to January 2024, Council has reduced its investment in fossil-fuel-lending ADIs from 59% to 20%, as shown in Figure 1 below.

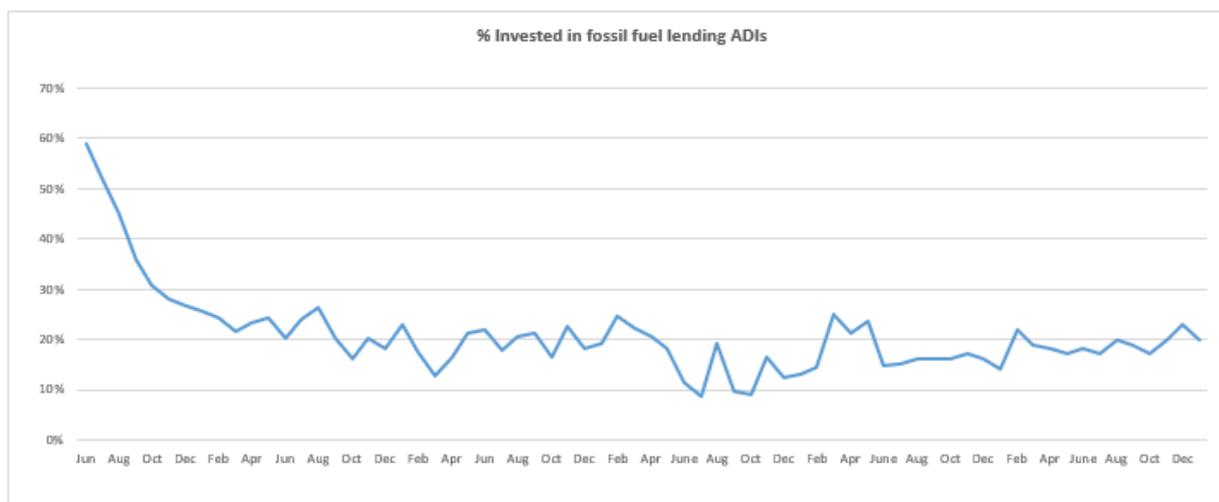


Figure 1. Investments in fossil-fuel-lending ADIs.

When excluding the working capital funds held in the Commonwealth Bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 76.40% of Council’s investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, while fossil-fuel-lending ADIs accounted for 11.44% of the portfolio. The remaining 12.16% is invested with TCorp as displayed in Figure 2 below.

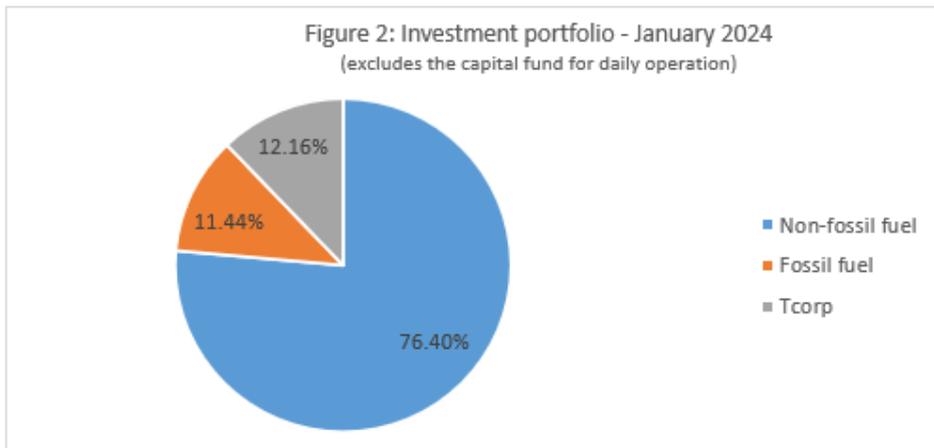


Figure 2. Investment portfolio.

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 \$3,234,911 for the year to date, representing 69.50% of the approved budget of \$4,654,218. It represents 62.79% of the Q2 proposed budget of \$5,152,324.

7. Attachments

1. Investment Summary Report - January 2024 [↓](#) .



Investment Summary Report
January 2024

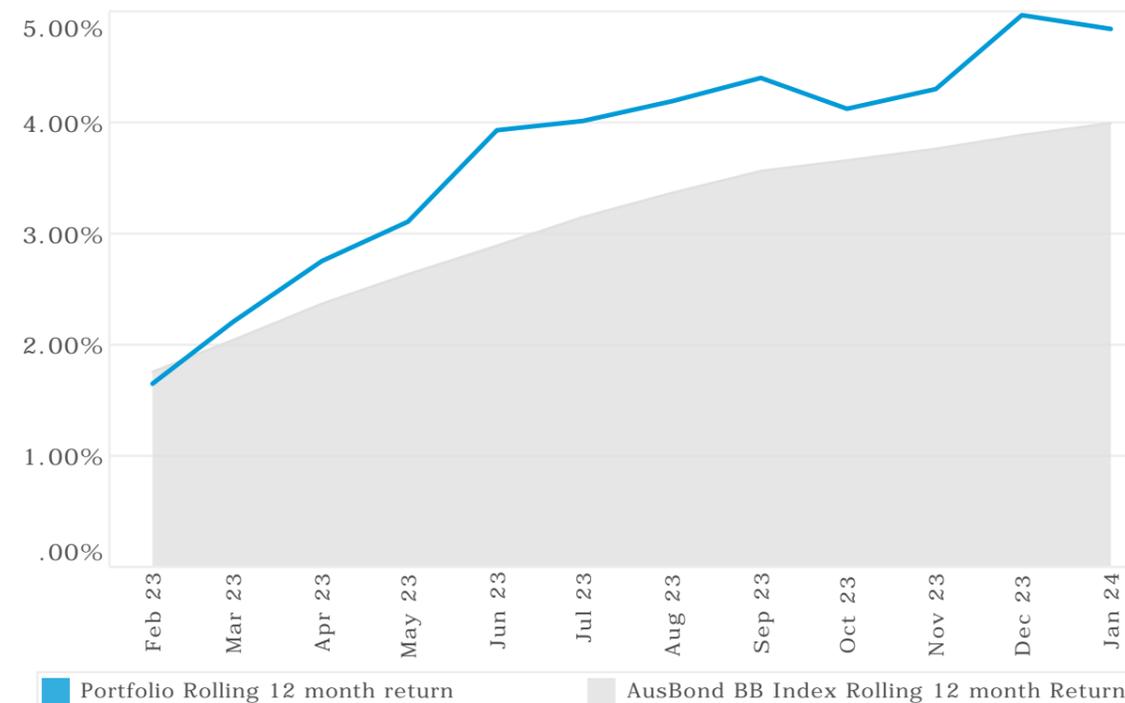
Waverley Council Executive Summary - January 2024



Investment Holdings

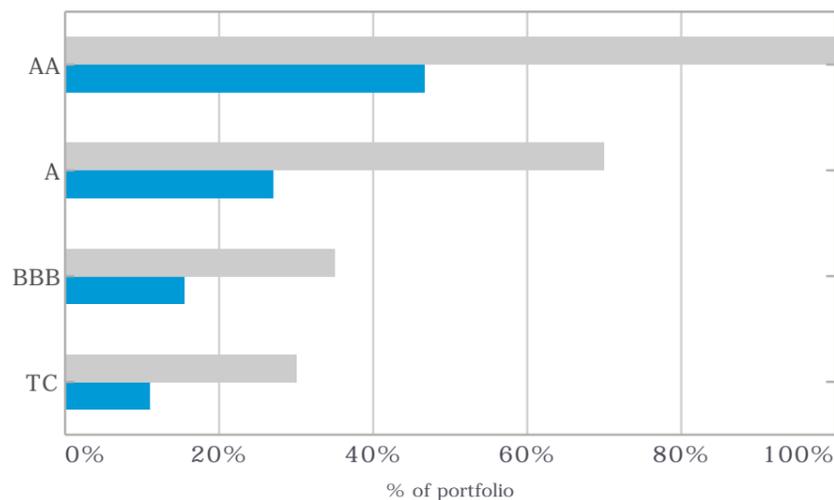
	Face Value (\$)	Current Value (\$)
Cash	13,158,795	13,158,795
Floating Rate Note	24,800,000	24,743,235
Managed Funds	14,876,398	14,876,398
Term Deposit	82,700,000	84,372,204
	135,535,193	137,150,632

Investment Performance

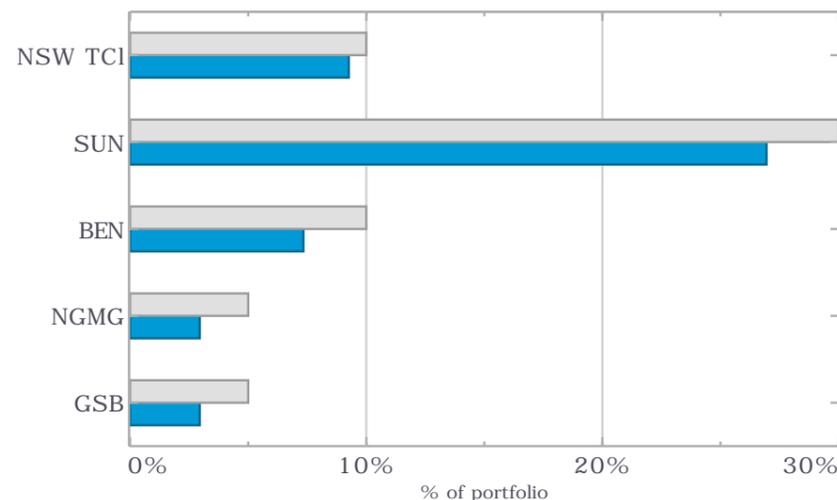


Investment Policy Compliance

Total Credit Exposure



Individual Institutional Exposures



Term to Maturities

	Face Value (\$)	Policy Max
Between 0 and 1 years	112,235,193	83% 100% a
Between 1 and 10 year:	23,300,000	17% 70% a
	135,535,193	

g Portfolio Exposure
g Investment Policy Limit

Specific Sub Limits

Between 3 and 10 year:	0	0%	50%	a
Between 5 and 10 year:	0	0%	25%	a

Waverley Council

Investment Holdings Report - January 2024



Cash Accounts

Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
10,167.01	0.0000%	Commonwealth Bank of Australia	AA-	10,167.01	120799	Library CP
12,472.74	0.0000%	Commonwealth Bank of Australia	AA-	12,472.74	120801	Hollywood Av CP
18,972.49	0.0000%	Commonwealth Bank of Australia	AA-	18,972.49	120800	Eastgate CP
21,328.78	0.0000%	Commonwealth Bank of Australia	AA-	21,328.78	120796	Cemetery Funds
22,447.76	0.0000%	Commonwealth Bank of Australia	AA-	22,447.76	120795	Trust Funds
52,359.06	0.0000%	Commonwealth Bank of Australia	AA-	52,359.06	370151	Library Gift
289,850.01	0.0000%	Commonwealth Bank of Australia	AA-	289,850.01	120797	Depositor Funds
2,518,795.36	0.0000%	Commonwealth Bank of Australia	AA-	2,518,795.36	120794	General Funds
10,212,401.82	4.3500%	Commonwealth Bank of Australia	AA-	10,212,401.82	120789	24hr Call
13,158,795.03	3.3760%			13,158,795.03		

Managed Funds

Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name	Current Value (\$)	Deal No.	Reference
2,329,689.00	0.4478%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	2,329,689.00	411310	Builder Deposits
12,546,708.76	1.4182%	NSW T-Corp (LT)	TCl	Long Term Growth Fund	12,546,708.76	538089	
14,876,397.76	1.2662%				14,876,397.76		

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
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	1,737,658.49	544434	37,658.49	At Maturity	
5-Mar-24	4,000,000.00	1.8300%	Westpac Group	AA-	4,000,000.00	9-Mar-22	4,010,428.49	542424	10,428.49	Quarterly	Green
12-Mar-24	3,000,000.00	4.8500%	Westpac Group	AA-	3,000,000.00	3-Mar-23	3,133,541.10	543890	133,541.10	At Maturity	Green
13-Mar-24	3,000,000.00	4.8000%	Auswide Bank	Baa2	3,000,000.00	14-Mar-23	3,127,824.66	543961	127,824.66	At Maturity	
19-Mar-24	3,000,000.00	4.7200%	Suncorp Bank	A+	3,000,000.00	13-Mar-23	3,126,082.19	543932	126,082.19	At Maturity	
2-Apr-24	3,000,000.00	5.1100%	Suncorp Bank	A+	3,000,000.00	8-Aug-23	3,074,340.00	544363	74,340.00	At Maturity	

Waverley Council

Investment Holdings Report - January 2024



Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
9-Apr-24	2,000,000.00	5.4700%	Suncorp Bank	A+	2,000,000.00	18-Jul-23	2,059,345.75	544322	59,345.75	At Maturity	
16-Apr-24	3,000,000.00	4.9500%	Suncorp Bank	A+	3,000,000.00	23-May-23	3,103,339.73	544113	103,339.73	At Maturity	
23-Apr-24	3,000,000.00	5.1700%	Great Southern Bank	BBB	3,000,000.00	25-May-23	3,107,082.74	544129	107,082.74	At Maturity	
30-Apr-24	3,000,000.00	5.2500%	Suncorp Bank	A+	3,000,000.00	22-Aug-23	3,070,335.62	544409	70,335.62	At Maturity	
1-May-24	3,000,000.00	4.4600%	Westpac Group	AA-	3,000,000.00	28-Apr-23	3,102,274.52	544048	102,274.52	At Maturity	Green
15-May-24	3,000,000.00	5.2000%	Suncorp Bank	A+	3,000,000.00	16-Aug-23	3,072,230.14	544398	72,230.14	At Maturity	
28-May-24	1,000,000.00	5.1500%	Bendigo and Adelaide Bank	BBB+	1,000,000.00	24-Aug-23	1,022,716.44	544423	22,716.44	At Maturity	
28-May-24	3,000,000.00	5.1800%	National Australia Bank	AA-	3,000,000.00	31-Aug-23	3,065,566.03	544449	65,566.03	At Maturity	
20-Aug-24	3,000,000.00	5.0900%	Westpac Group	AA-	3,000,000.00	23-Aug-23	3,067,773.70	544416	67,773.70	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	3,069,366.58	544437	69,366.58	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	4,028,449.32	543279	28,449.32	Quarterly	
4-Sep-24	4,000,000.00	5.2500%	National Australia Bank	AA-	4,000,000.00	5-Sep-23	4,085,726.03	544468	85,726.03	At Maturity	
5-Sep-24	2,000,000.00	5.0300%	Westpac Group	AA-	2,000,000.00	5-Sep-23	2,015,985.75	544467	15,985.75	Quarterly	Green
18-Sep-24	3,000,000.00	5.2000%	Suncorp Bank	A+	3,000,000.00	19-Sep-23	3,057,698.63	544580	57,698.63	At Maturity	
24-Sep-24	1,000,000.00	5.2500%	Suncorp Bank	A+	1,000,000.00	26-Sep-23	1,018,410.96	544534	18,410.96	At Maturity	
24-Sep-24	3,000,000.00	5.2000%	Suncorp Bank	A+	3,000,000.00	23-Jan-24	3,003,846.58	544805	3,846.58	At Maturity	
26-Sep-24	2,000,000.00	5.2200%	Westpac Group	AA-	2,000,000.00	26-Sep-23	2,036,611.51	544533	36,611.51	At Maturity	Green
2-Oct-24	3,000,000.00	5.2400%	Westpac Group	AA-	3,000,000.00	3-Oct-23	3,052,112.88	544556	52,112.88	At Maturity	Green
5-Nov-24	3,000,000.00	5.1700%	Suncorp Bank	A+	3,000,000.00	4-Jan-24	3,011,898.08	544763	11,898.08	At Maturity	
12-Nov-24	2,000,000.00	5.4800%	Suncorp Bank	A+	2,000,000.00	14-Nov-23	2,023,721.64	544722	23,721.64	At Maturity	
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
	82,700,000.00	4.7564%			82,700,000.00		84,372,204.27		1,672,204.27		

Floating Rate Notes

Waverley Council

Investment Holdings Report - January 2024



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	5.1243%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,500,000.00	30-Jul-19	2,503,501.96	538331	701.96	30-Apr-24	
24-Oct-24	1,000,000.00	5.4701%	GSB Snr FRN (Oct24) BBSW+ 1.12%	BBB	1,000,000.00	24-Oct-19	1,002,188.93	538604	1,198.93	24-Apr-24	
2-Dec-25	2,250,000.00	4.8868%	BEN Snr FRN (Dec25) BBSW+0.52%	BBB+	2,250,000.00	2-Dec-20	2,250,605.72	540603	17,773.22	4-Mar-24	
24-Feb-26	1,300,000.00	4.8286%	SUN Snr FRN (Feb26) BBSW+0.45%	A+	1,300,000.00	24-Feb-21	1,301,167.45	540958	11,866.45	26-Feb-24	
4-Mar-26	4,000,000.00	4.9968%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB	4,000,000.00	4-Mar-21	3,972,268.08	540983	32,308.08	4-Mar-24	
15-May-26	1,000,000.00	5.6474%	BEN Snr FRN (May26) BBSW+ 1.25%	BBB+	1,000,000.00	8-May-23	1,016,178.42	544084	12,068.42	15-Feb-24	
18-Jun-26	4,000,000.00	5.0125%	BEN Snr FRN (Jun26) BBSW+0.65%	BBB+	4,000,000.00	11-Jun-21	3,987,919.18	541523	24,719.18	18-Mar-24	
15-Sep-26	3,750,000.00	4.8300%	SUN Snr FRN (Sep26) BBSW+0.48%	A+	3,750,000.00	9-Sep-21	3,731,706.68	541877	23,819.18	15-Mar-24	
23-Dec-26	5,000,000.00	4.7751%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	5,000,000.00	21-Sep-21	4,977,698.44	541916	23,548.44	25-Mar-24	
	24,800,000.00	4.9688%			24,800,000.00		24,743,234.86		148,003.86		

Waverley Council

Accrued Interest Report - January 2024



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Floating Rate Note									
SUN Snr FRN (Jul24) BBSW+0.78%	538331		2,500,000.00	30-Jul-19	30-Jul-24	32,274.36	31	10,875.40	5.12%
GSB Snr FRN (Oct24) BBSW+ 1.12%	538604		1,000,000.00	24-Oct-19	24-Oct-24	13,478.13	31	4,568.47	5.38%
BEN Snr FRN (Dec25) BBSW+0.52%	540603		2,250,000.00	2-Dec-20	2-Dec-25	0.00	31	9,338.47	4.89%
SUN Snr FRN (Feb26) BBSW+0.45%	540958		1,300,000.00	24-Feb-21	24-Feb-26	0.00	31	5,331.30	4.83%
NPBS Snr FRN (Mar26) BBSW+0.63%	540983		4,000,000.00	4-Mar-21	4-Mar-26	0.00	31	16,975.43	5.00%
BEN Snr FRN (May26) BBSW+ 1.25%	544084		1,000,000.00	15-May-23	15-May-26	0.00	31	4,796.43	5.65%
BEN Snr FRN (Jun26) BBSW+0.65%	541523		4,000,000.00	18-Jun-21	18-Jun-26	0.00	31	17,028.77	5.01%
SUN Snr FRN (Sep26) BBSW+0.48%	541877		3,750,000.00	15-Sep-21	15-Sep-26	0.00	31	15,383.22	4.83%
CBA Green Snr FRN (Dec26) BBSW+0.41%	541916		5,000,000.00	23-Sep-21	23-Dec-26	0.00	31	20,277.82	4.78%
						45,752.49		104,575.31	4.96%
Managed Funds									
NSW T-Corp Defensive Cash Funds	411310				1-Jul-24	0.00	0	10,386.15	5.40%
						0.00		10,386.15	5.40%
Term Deposits									
Bendigo and Adelaide Bank	544218		3,000,000.00	22-Jun-23	23-Jan-24	96,308.22	22	9,854.80	5.45%
Westpac Group	542328		2,000,000.00	9-Feb-22	20-Feb-24	0.00	31	2,683.84	1.58%
Bendigo and Adelaide Bank	544434		1,700,000.00	28-Aug-23	27-Feb-24	0.00	31	7,435.75	5.15%
Westpac Group	542424		4,000,000.00	9-Mar-22	5-Mar-24	0.00	31	6,216.98	1.83%
Westpac Group	543890		3,000,000.00	3-Mar-23	12-Mar-24	0.00	31	12,357.54	4.85%
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%
Suncorp Bank	544363		3,000,000.00	8-Aug-23	2-Apr-24	0.00	31	13,020.00	5.11%
Suncorp Bank	544322		2,000,000.00	18-Jul-23	9-Apr-24	0.00	31	9,291.50	5.47%
Suncorp Bank	544113		3,000,000.00	23-May-23	16-Apr-24	0.00	31	12,612.33	4.95%
Great Southern Bank	544129		3,000,000.00	25-May-23	23-Apr-24	0.00	31	13,172.88	5.17%
Suncorp Bank	544409		3,000,000.00	22-Aug-23	30-Apr-24	0.00	31	13,376.72	5.25%

Waverley Council

Accrued Interest Report - January 2024

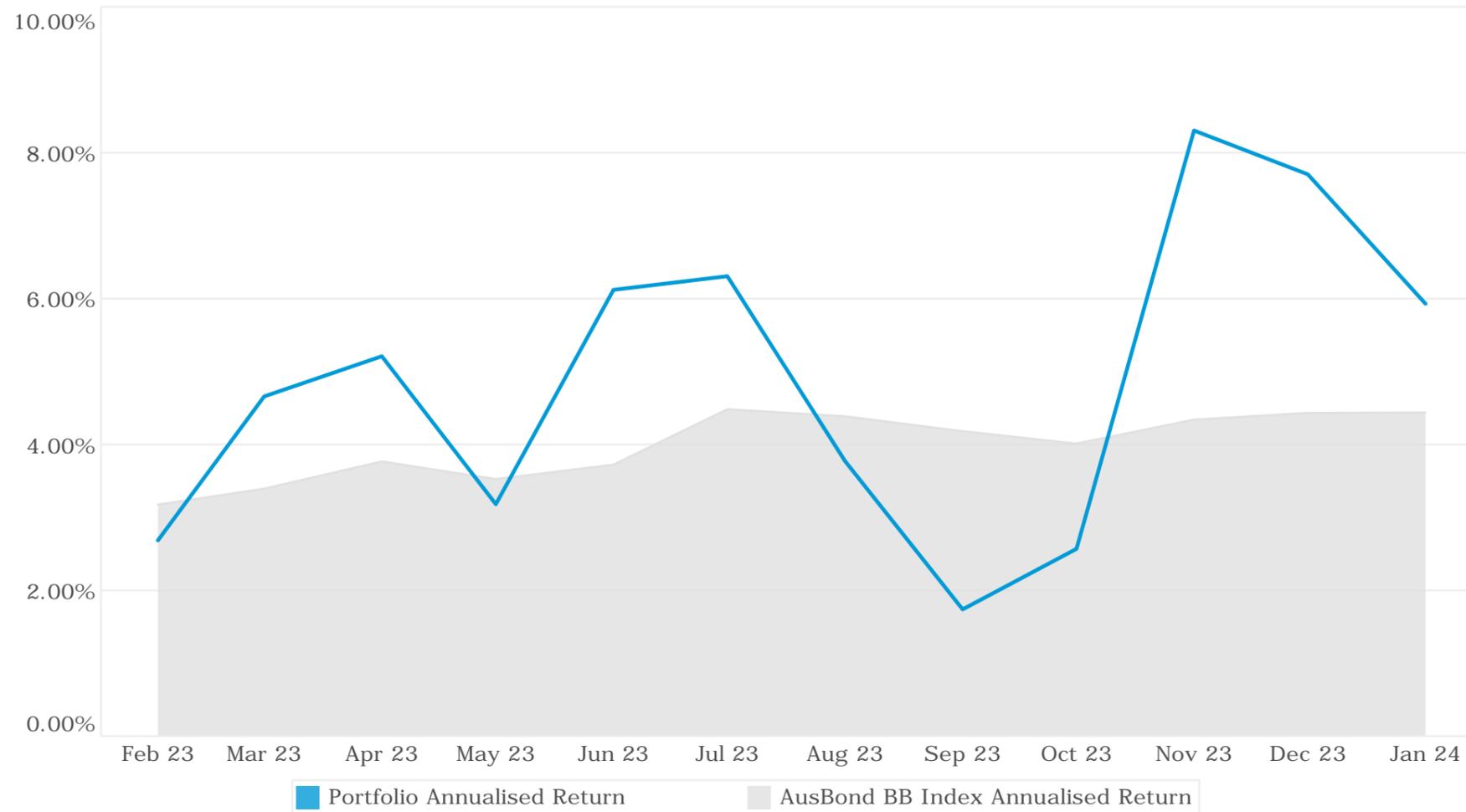


Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Westpac Group	544048		3,000,000.00	28-Apr-23	1-May-24	0.00	31	11,363.84	4.46%
Suncorp Bank	544398		3,000,000.00	16-Aug-23	15-May-24	0.00	31	13,249.32	5.20%
Bendigo and Adelaide Bank	544423		1,000,000.00	24-Aug-23	28-May-24	0.00	31	4,373.97	5.15%
National Australia Bank	544449		3,000,000.00	31-Aug-23	28-May-24	0.00	31	13,198.36	5.18%
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%
Commonwealth Bank of Australia	544437		3,000,000.00	29-Aug-23	27-Aug-24	0.00	31	13,784.39	5.41%
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%
Westpac Group	543279		4,000,000.00	2-Sep-22	4-Sep-24	0.00	31	14,947.95	4.40%
Westpac Group	544467		2,000,000.00	5-Sep-23	5-Sep-24	0.00	31	8,544.11	5.03%
Suncorp Bank	544580		3,000,000.00	19-Sep-23	18-Sep-24	0.00	31	13,249.31	5.20%
Suncorp Bank	544534		1,000,000.00	26-Sep-23	24-Sep-24	0.00	31	4,458.91	5.25%
Suncorp Bank	544805		3,000,000.00	23-Jan-24	24-Sep-24	0.00	9	3,846.58	5.20%
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	31	13,351.24	5.24%
Suncorp Bank	544763		3,000,000.00	4-Jan-24	5-Nov-24	0.00	28	11,898.08	5.17%
Suncorp Bank	544722		2,000,000.00	14-Nov-23	12-Nov-24	0.00	31	9,308.49	5.48%
Westpac Group	542329		2,000,000.00	9-Feb-22	4-Mar-25	0.00	31	3,431.23	2.02%
						96,308.22		333,259.63	4.76%
Grand Totals						142,060.71		448,221.09	4.82%

Waverley Council Investment Performance Report - January 2024

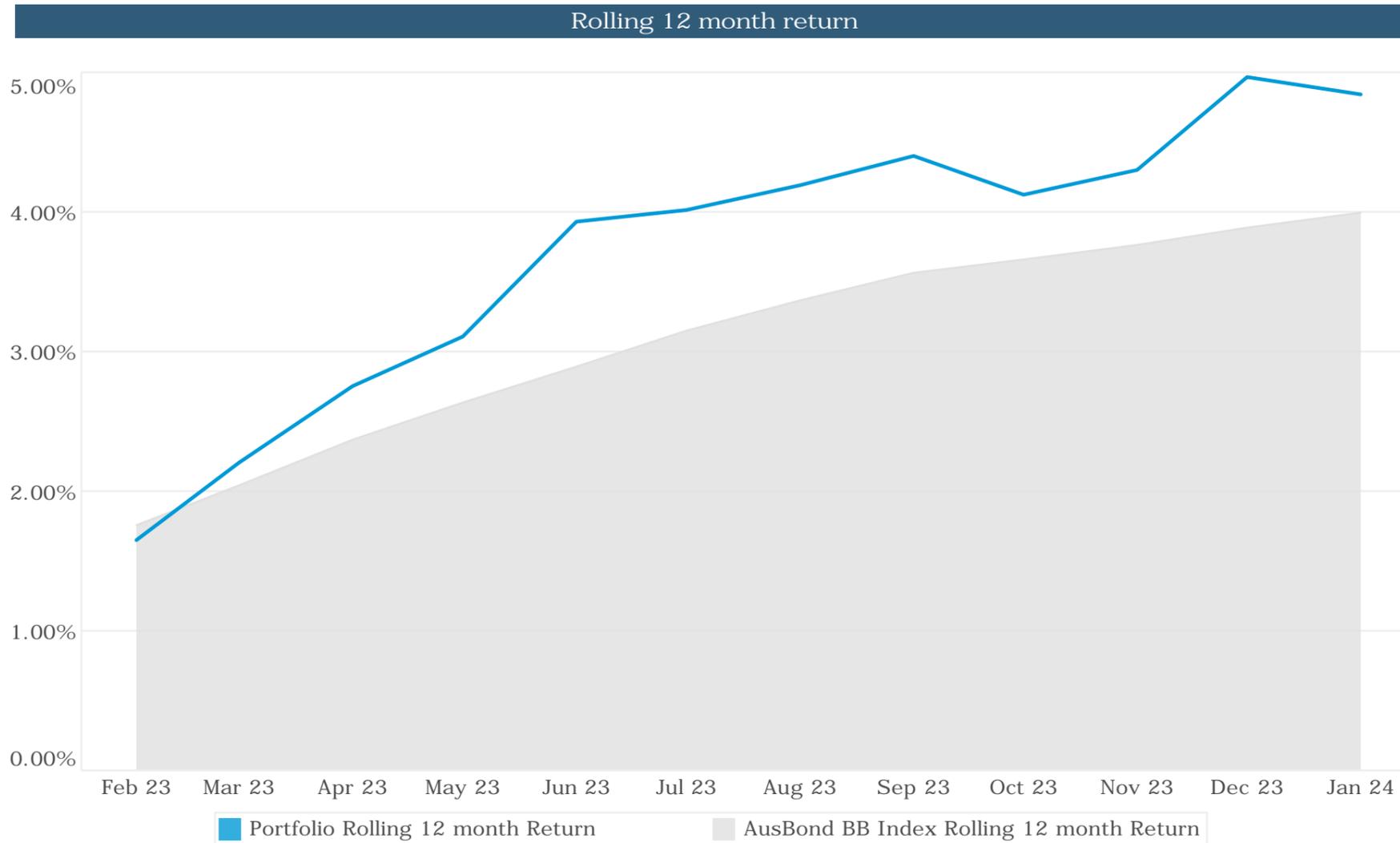


Annualised Monthly Return



Historical Performance Summary (% pa)			
	Portfolio	Annualised BB Index	Outperformance
Jan 2024	5.93%	4.44%	1.49%
Last 3 months	7.30%	4.41%	2.89%
Last 6 months	4.97%	4.30%	0.67%
Financial Year to Date	5.16%	4.33%	0.83%
Last 12 months	4.84%	4.00%	0.84%

Waverley Council Investment Performance Report - January 2024



Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
Jan 2024	0.49%	0.37%	0.12%
Last 3 months	1.79%	1.09%	0.70%
Last 6 months	2.48%	2.15%	0.33%
Financial Year to Date	3.01%	2.53%	0.48%
Last 12 months	4.84%	4.00%	0.84%

Waverley Council Environmental Commitments Report - January 2024



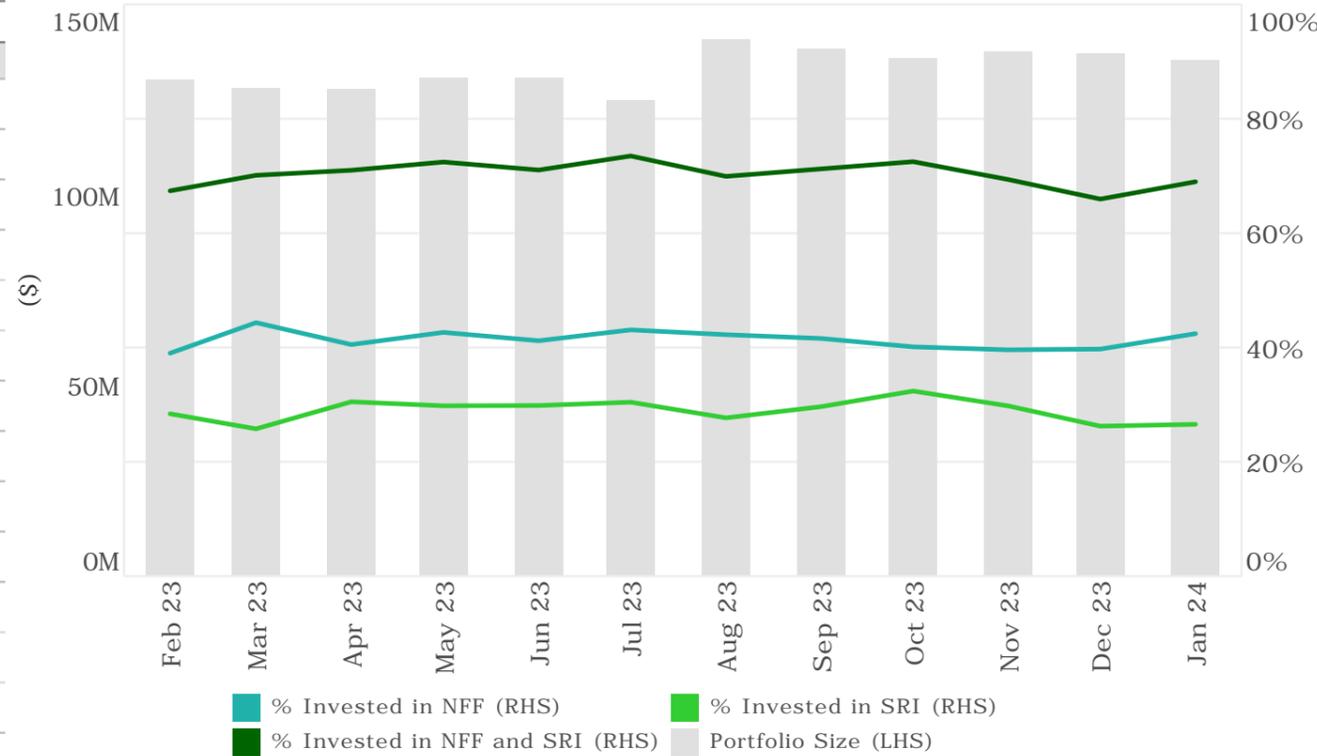
Current Breakdown

ADI Lending Status *	Current Month (\$)	Previous Month (\$)
Fossil Fuel Lending ADIs		
Commonwealth Bank of Australia	16,158,795	21,011,190
National Australia Bank	7,000,000	7,000,000
Westpac Group	4,000,000	4,000,000
	27,158,795 20%	32,011,190 23%
Non Fossil Fuel Lending ADIs		
Auswide Bank	3,000,000	3,000,000
Bendigo and Adelaide Bank	9,950,000	12,950,000
Great Southern Bank	4,000,000	4,000,000
Newcastle Greater Mutual Group	4,000,000	4,000,000
Suncorp Bank	36,550,000	30,550,000
	57,500,000 42%	54,500,000 40%
Other		
NSW T-Corp (Cash)	2,329,689	2,319,303
NSW T-Corp (LT)	12,546,709	12,371,261
	14,876,398 11%	14,690,564 11%
Socially Responsible Investment		
CBA (Green)	5,000,000	5,000,000
Westpac Group (Green TD)	31,000,000	31,000,000
	36,000,000 27%	36,000,000 26%
	135,535,193	137,201,754

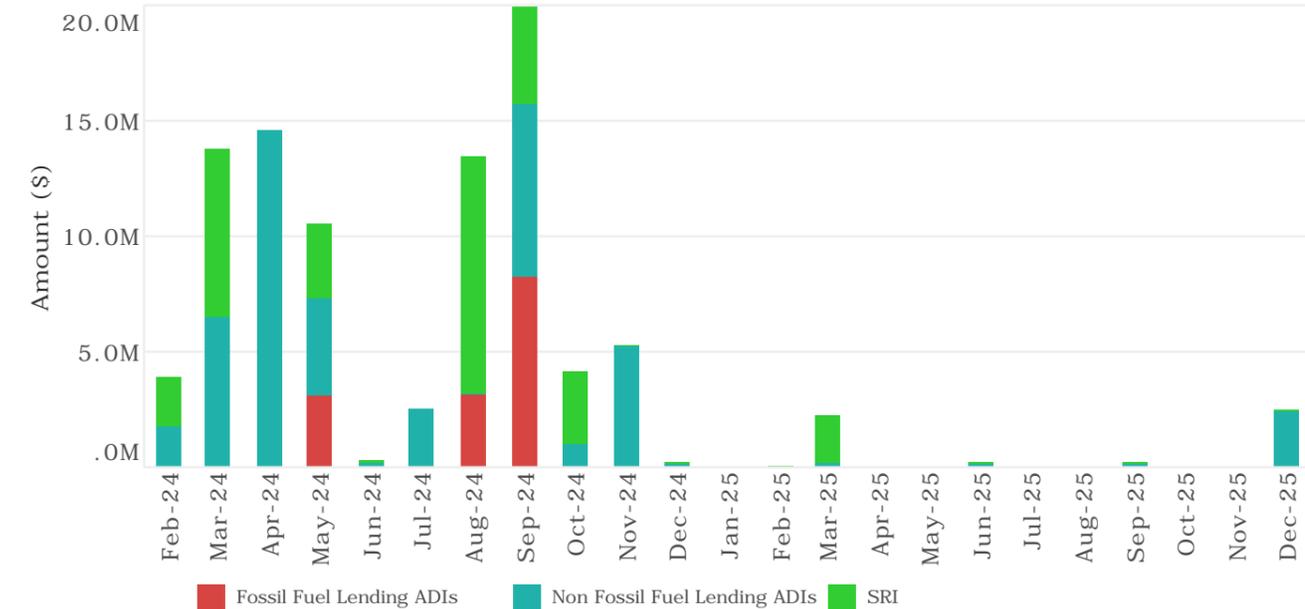
* source: Marketforces

Percentages may not add up to 100% due to rounding

Historical Portfolio Exposure to NFF Lending ADIs and SRIs



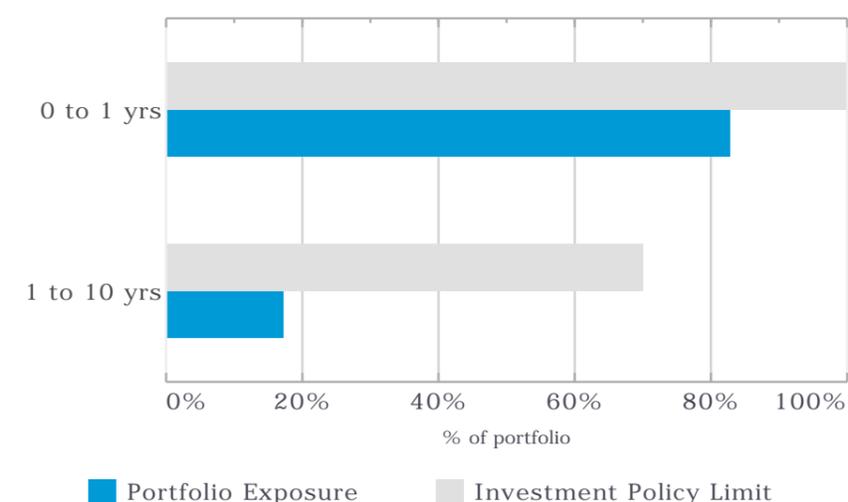
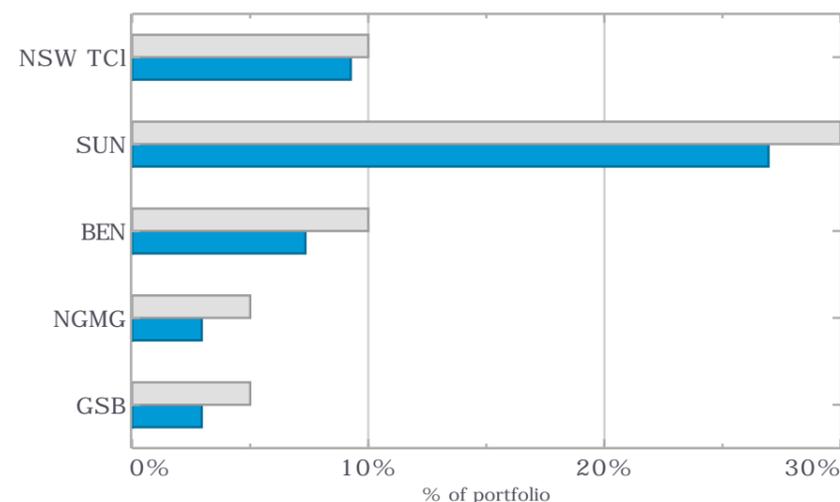
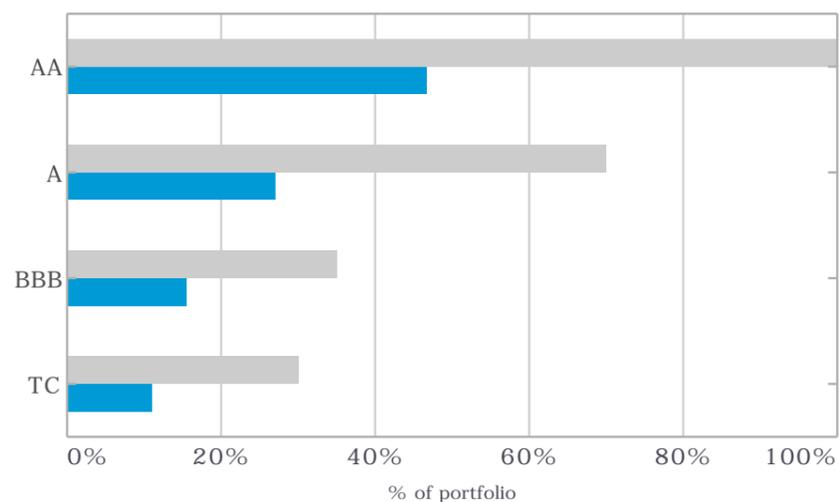
Upcoming Maturities



Waverley Council Investment Policy Compliance Report - January 2024



Total Credit Exposure Individual Institutional Exposures Term to Maturities



Credit Rating Group	Face Value (\$)	Policy Max
AA	63,158,795	100%
A	36,550,000	70%
BBB	20,950,000	35%
TC	14,876,398	30%
	135,535,193	

Institution	% of portfolio	Investment Policy Limit
NSW T-Corp (TCI)	9%	10%
Suncorp Bank (A+)	27%	30%
Bendigo and Adelaide Bank (BBB+)	7%	10%
Great Southern Bank (BBB)	3%	5%
Newcastle Greater Mutual Group (BBB)	3%	5%
Westpac Group (AA-)	26%	50%
Auswide Bank (Baa2)	2%	5%
Commonwealth Bank of Australia (AA-)	16%	50%
NSW T-Corp (TCc)	2%	10%
National Australia Bank (AA-)	5%	50%

	Face Value (\$)	Policy Max
Between 0 and 1 years	112,235,193	83% 100%
Between 1 and 10 years	23,300,000	17% 70%
	135,535,193	

Specific Sub Limits	Face Value (\$)	Policy Max
BBB+	9,950,000	7% 35%
BBB	11,000,000	8% 15%

Specific Sub Limits	Face Value (\$)	Policy Max
Between 3 and 10 years	0	0% 50%
Between 5 and 10 years	0	0% 25%

a = compliant
r = non-compliant

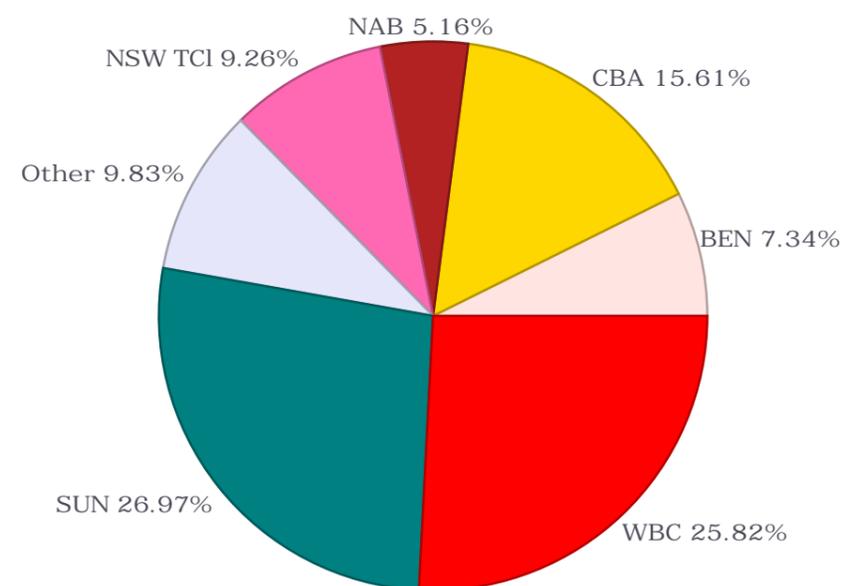
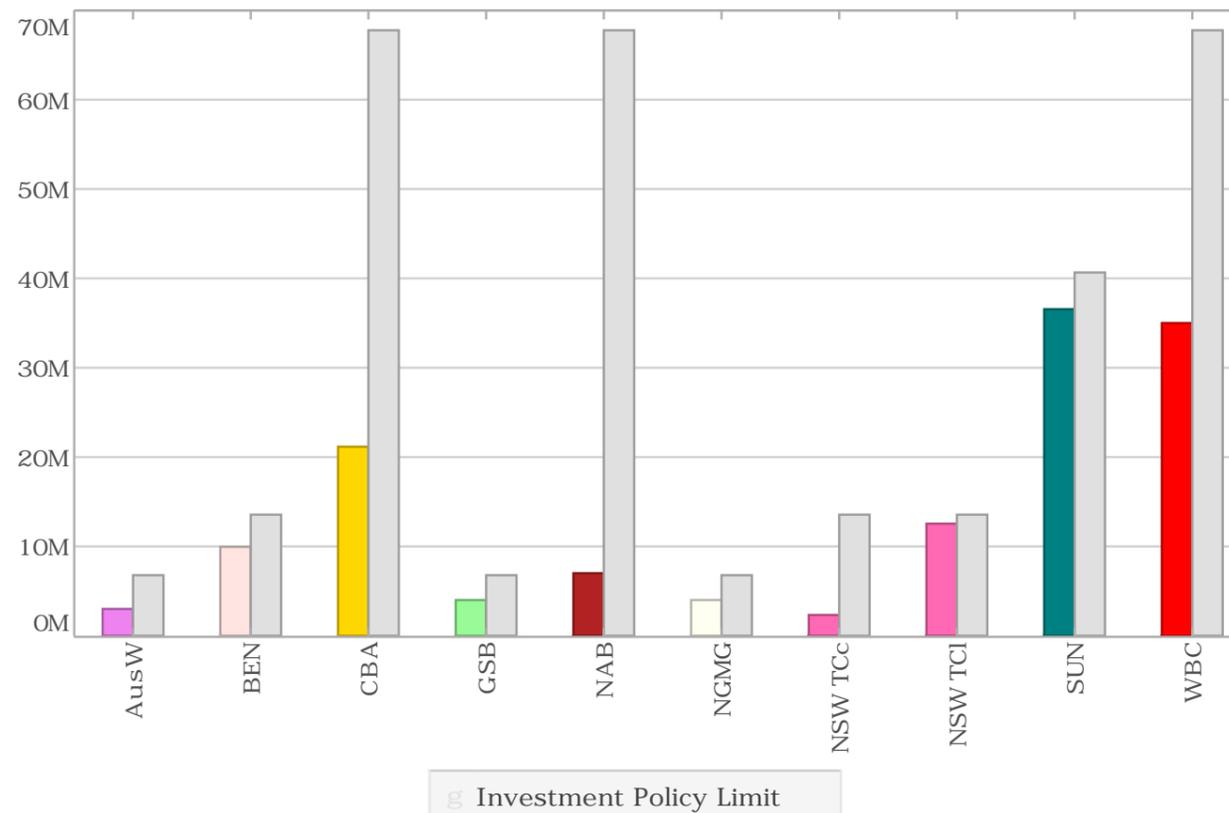
Waverley Council Individual Institutional Exposures Report - January 2024



Individual Institutional Exposures

Individual Institutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
Auswide Bank (Baa2)	3,000,000	2%	6,776,760	5%	3,776,760
Bendigo and Adelaide Bank (BBB+)	9,950,000	7%	13,553,519	10%	3,603,519
Commonwealth Bank of Australia (AA-)	21,158,795	16%	67,767,596	50%	46,608,801
Great Southern Bank (BBB)	4,000,000	3%	6,776,760	5%	2,776,760
National Australia Bank (AA-)	7,000,000	5%	67,767,596	50%	60,767,596
Newcastle Greater Mutual Group (BBB)	4,000,000	3%	6,776,760	5%	2,776,760
NSW T-Corp (TCC)	2,329,689	2%	13,553,519	10%	11,223,830
NSW T-Corp (TCI)	12,546,709	9%	13,553,519	10%	1,006,810
Suncorp Bank (A+)	36,550,000	27%	40,660,558	30%	4,110,558
Westpac Group (AA-)	35,000,000	26%	67,767,596	50%	32,767,596
	135,535,193				



Waverley Council

Cashflows Report - January 2024



Actual Cashflows for January 2024

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
4-Jan-24	544763	Suncorp Bank	Term Deposit	Settlement: Face Value	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
				Day Total	-3,000,000.00
23-Jan-24	544218	Bendigo and Adelaide Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		Bendigo and Adelaide Bank	Term Deposit	Maturity: Interest Received/Paid	96,308.22
				<u>Deal Total</u>	<u>3,096,308.22</u>
23-Jan-24	544805	Suncorp Bank	Term Deposit	Settlement: Face Value	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
				Day Total	96,308.22
24-Jan-24	538604	GSB Snr FRN (Oct24) BBSW+ 1.12%	Floating Rate Note	Coupon Date	13,478.13
				<u>Deal Total</u>	<u>13,478.13</u>
				Day Total	13,478.13
30-Jan-24	538331	SUN Snr FRN (Jul24) BBSW+0.78%	Floating Rate Note	Coupon Date	32,274.36
				<u>Deal Total</u>	<u>32,274.36</u>
				Day Total	32,274.36
				<u>Total for Month</u>	<u>-2,857,939.30</u>

Forecast Cashflows for February 2024

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
9-Feb-24	542328	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	7,964.93
				<u>Deal Total</u>	<u>7,964.93</u>
9-Feb-24	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
15-Feb-24	544084	BEN Snr FRN (May26) BBSW+ 1.25%	Floating Rate Note	Coupon Date	14,234.54
				<u>Deal Total</u>	<u>14,234.54</u>

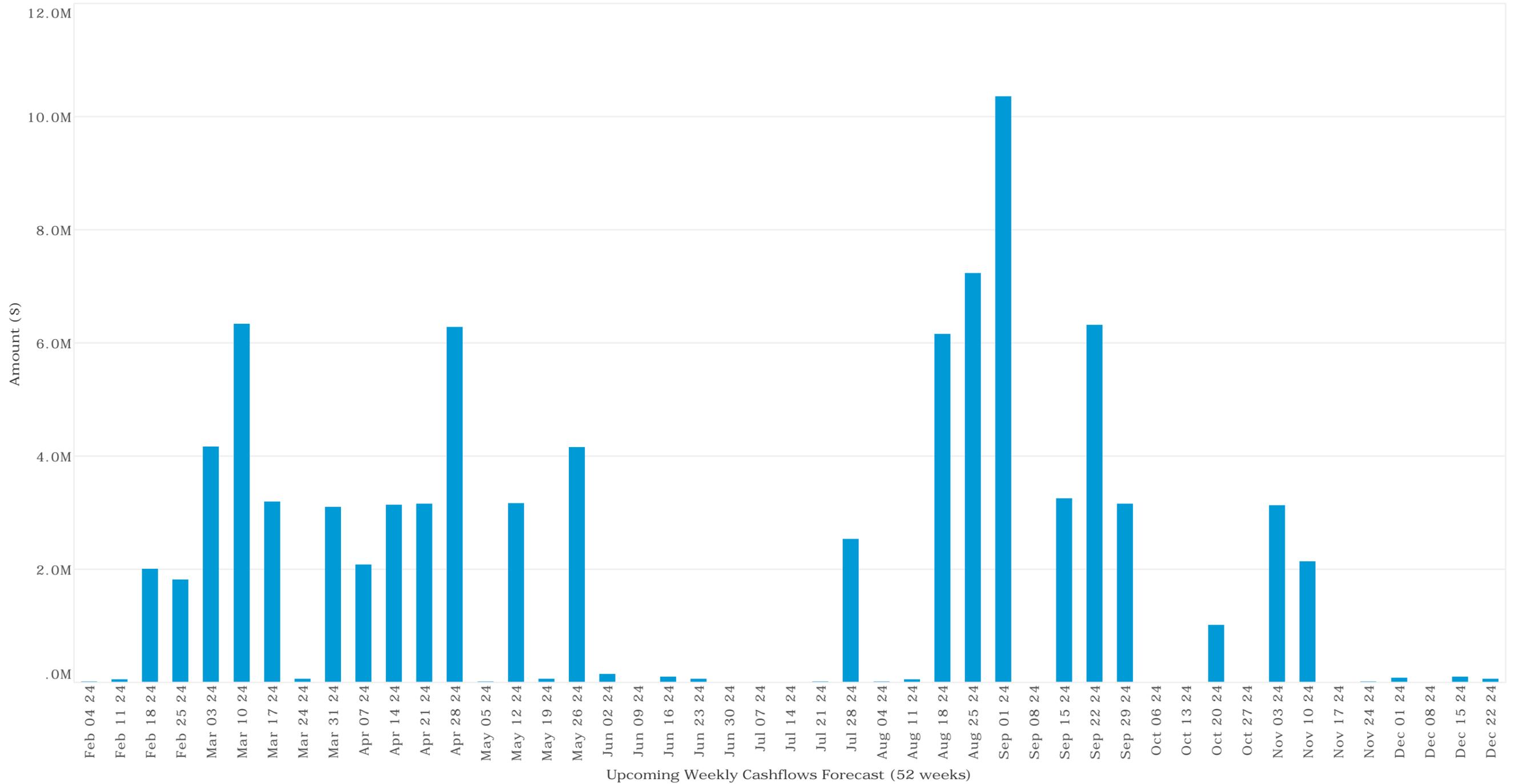
Waverley Council

Cashflows Report - January 2024

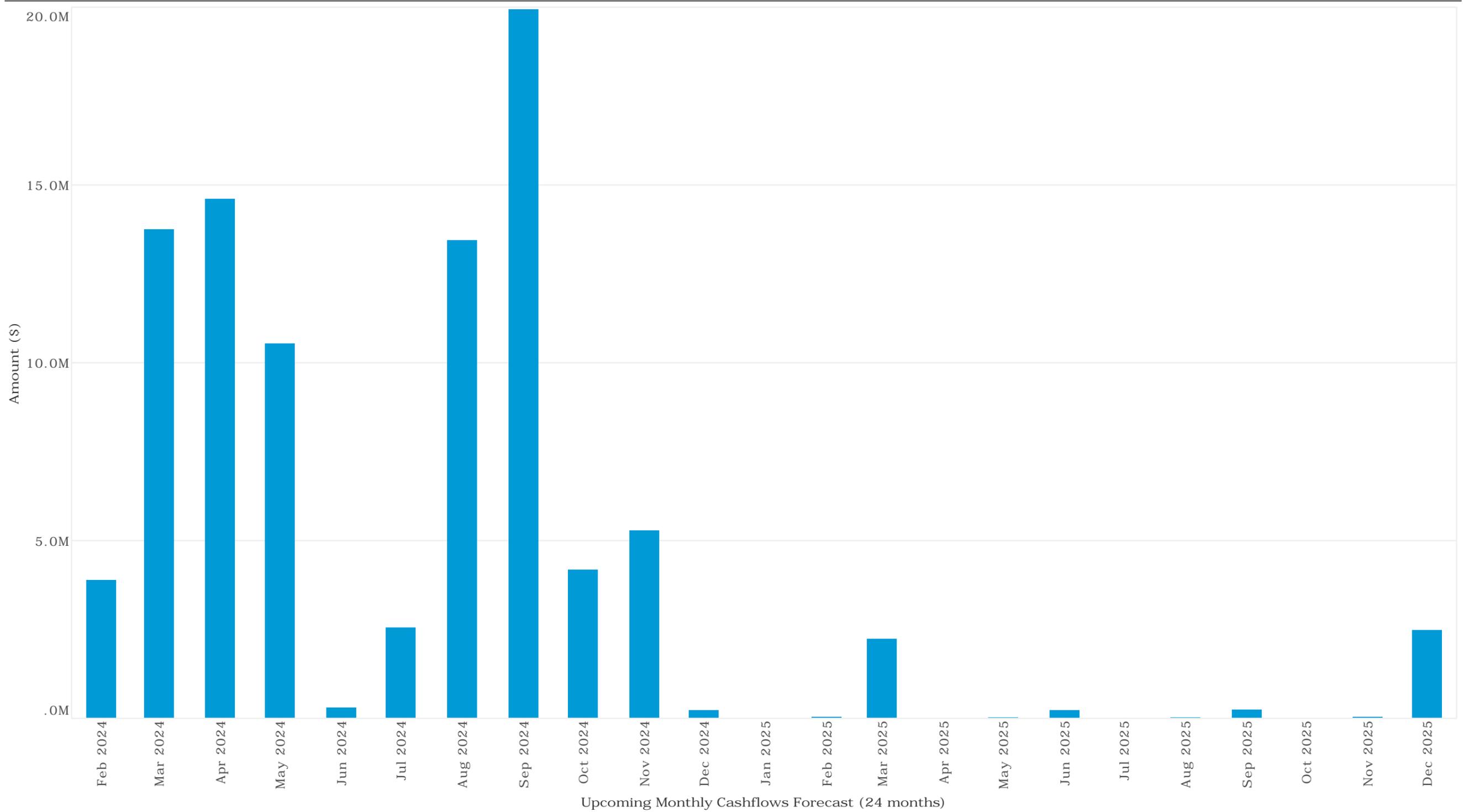


Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
15-Feb-24	544392	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	39,018.08
				<u>Deal Total</u>	<u>39,018.08</u>
				Day Total	53,252.62
20-Feb-24	542328	Westpac Group	Term Deposit	Maturity: Face Value	2,000,000.00
		Westpac Group	Term Deposit	Maturity: Interest Received/Paid	952.33
				<u>Deal Total</u>	<u>2,000,952.33</u>
				Day Total	2,000,952.33
26-Feb-24	540958	SUN Snr FRN (Feb26) BBSW+0.45%	Floating Rate Note	Coupon Date	16,165.89
				<u>Deal Total</u>	<u>16,165.89</u>
26-Feb-24	544424	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	52,021.92
				<u>Deal Total</u>	<u>52,021.92</u>
				Day Total	68,187.81
27-Feb-24	544434	Bendigo and Adelaide Bank	Term Deposit	Maturity: Face Value	1,700,000.00
		Bendigo and Adelaide Bank	Term Deposit	Maturity: Interest Received/Paid	43,894.93
				<u>Deal Total</u>	<u>1,743,894.93</u>
				Day Total	1,743,894.93
				<u>Total for Month</u>	<u>3,884,435.63</u>

Waverley Council Cashflows Report - January 2024



Waverley Council Cashflows Report - January 2024



REPORT
CM/7.6/24.02**Subject:** Appointment of Chair and Deputy Chair to Committees**TRIM No:** SF23/196**Manager:** Richard Coelho, Executive Manager, Governance**Director:** Tara Czinner, Director, Corporate Services**RECOMMENDATION:**

That Council:

1. Appoints Cr [INSERT NAME] as chair of the Finance, Operations and Community Services Committee up to and including 13 September 2024.
2. Appoints Cr [INSERT NAME] as deputy chair of the Strategic Planning and Development Committee up to and including 13 September 2024.

1. Executive Summary

At its extraordinary meeting in October 2023, Council removed Cr Wy Kanak as chair of the Finance, Operations and Community Services Committee (FC Committee) and Cr Fabiano as deputy chair of the Strategic Planning and Development Committee (PD Committee), leaving these positions vacant. Council has therefore had to elect chairs of these committees at each meeting when the deputy chair and chair of the FC and PD Committees respectively have not been present or not able to chair.

It is recommended that Council appoints a chair of the FC Committee and a deputy chair of the PD Committee up to and including 13 September 2024. Councillors cease to hold office on 14 September 2024, which is the date of the next local government election.

2. Introduction/Background

The Mayor automatically chairs Council Committees unless she declines to do so. If the Mayor declines, Council should appoint a chair of the committee.

At its meeting on 12 September 2023, Council appointed:

- Cr Wy Kanak as chair of the FC Committee and Cr Murray as deputy chair of the Committee.
- Cr Lewis as chair of the PD Committee and Cr Fabiano as deputy chair of the Committee.

At its extraordinary meeting on 26 October 2023, Council removed Cr Wy Kanak as chair of the FC Committee and Cr Fabiano as deputy chair of the PD Committee, leaving both positions vacant.

Clause 20.14 of the Code of Meeting Practice states that:

The chair is to preside at a meeting of a committee of the council. If the chair is unable or unwilling to preside, the deputy chair (if any) is to preside at the meeting, but if neither the chair nor the deputy chair is able or willing to preside, the acting chair is to preside at the meeting.

Clause 20.13 of the Code states that:

If neither the chair nor the deputy chair of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chair of the committee.

Council had to elect acting chairs at the FC and PD meetings in November and December 2023, as the deputy chair and chair respectively were unable to preside.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Extraordinary Council 26 October 2023	CM/4.2/23.10E	<p>That Council:</p> <ol style="list-style-type: none"> 1. Removes Crs Fabiano and Wy Kanak as voting members of the following committees: <ol style="list-style-type: none"> (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.
Council 12 September 2023	CM/7.2/23.09	<p>That Council:</p> <ol style="list-style-type: none"> 1. Disestablishes the Surf Life Saving Club Committee for the reasons set out in the report. 2. Appoints Councillors to the committees as listed below up to and including 13 September 2024. 3. Appoints delegates to the organisations as listed below up to and including 13 September 2024. <p>...</p> <p>Committee name: Finance, Operations and Community Services Committee.</p> <p>No. of Councillors to be appointed: All Councillors are members of this committee.</p> <p>Chair of Committee: The Mayor unless s/he declines in which case Council will appoint the Chair.</p> <p>Membership: Crs Wy Kanak (Chair), Murray</p>

		<p>(Deputy Chair) and all other Councillors.</p> <p>...</p> <p>Committee name: Strategic Planning and Development Committee.</p> <p>No. of Councillors to be appointed: All Councillors are members of this committee.</p> <p>Chair of Committee: The Mayor unless s/he declines in which case Council will appoint the Chair.</p> <p>Membership: Crs Lewis (Chair), Fabiano (Deputy Chair) and all other Councillors.</p> <p>...</p> <p>Committee name: Traffic Committee</p> <p>No. of Councillors to be appointed: Council must appoint one voting representative to the Committee. Council's voting representative may be the Mayor, a Councillor or an employee of Council. Council must also appoint an alternate.</p> <p>Chair of Committee: The Chair of the Committee is Council's voting representative.</p> <p>Membership: Cr Masselos (Chair), Crs Kay and Fabiano (Deputy Chairs).</p> <p>...</p> <p>Committee name: Audit, Risk and Improvement Committee</p> <p>No. of Councillors to be appointed: One and an alternate. The Mayor cannot be a member of this Committee.</p> <p>Chair of Committee: An Independent Member (non-Councillor).</p> <p>Membership: Cr Wy Kanak, alternates: Crs Murray and Betts.</p> <p>...</p> <p>Committee name: Multicultural Advisory Committee</p> <p>No. of Councillors to be appointed: The Mayor (or</p>
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		<p>the Mayor's nominee) and up to three Councillors.</p> <p>Chair of Committee: The Mayor, or if the Mayor declines the position, the Mayor shall nominate a Councillor to chair the Committee.</p> <p>Membership: Crs Masselos (Chair) and Fabiano (Deputy Chair) and Goltsman.</p>
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4. Discussion

FC and PD Committees

It is recommended that Council appoints a chair of the FC Committee and a deputy chair of the PD Committee. This will provide certainty, assist in the management of meetings and avoid the need to elect acting chairs.

The term of appointments will be up to and including 13 September 2024, as Councillors cease to hold office on 14 September 2024, which is the date of the next local government election. Council will make fresh appointments to all Council committees and advisory committees in October 2024 after the local government election.

Other committees

At its extraordinary meeting on 26 October 2023, Council also removed:

- Cr Fabiano as deputy chair of the Traffic Committee and Multicultural Advisory Committee.
- Cr Wy Kanak as Councillor representative on the Audit, Risk and Improvement Committee.

These positions were likewise left vacant. However, officers recommend no further action regarding these vacancies for the following reasons:

- The Traffic Committee has a chair (Cr Masselos) and an alternate deputy chair (Cr Kay).
- The Audit, Risk and Improvement Committee has two alternate Councillor representatives (Cr Murray and Cr Betts).
- The Multicultural Advisory Committee has a chair (Cr Masselos), and a senior officer can chair the meeting should the chair be unable to attend the meeting (see cl 5.3 of the Committee's Terms of Reference).

5. Financial impact statement/Time frame/Consultation

There is no unbudgeted cost to Council in appointing Councillors to the committees.

Time frame

The term of appointment is up to and including 13 September 2024, which is the day before the next local government elections, when Councillors cease to hold office.

Consultation

No consultation has been undertaken.

6. Conclusion

It is recommended that Council appoints a chair of the FC Committee and a deputy chair of the PD Committee up to and including 13 September 2024.

7. Attachments

Nil .

REPORT
CM/7.7/24.02

Subject: Australian Local Government Association - National General Assembly 2024 - Attendance and Motions

TRIM No: A13/0314

Manager: Richard Coelho, Executive Manager, Governance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. Nominates Cr [INSERT NAME] and Cr [INSERT NAME] and any other interested Councillors to attend the 2024 Australian Local Government Association National General Assembly to be held at the National Convention Centre in Canberra from Tuesday, 2 July, to Thursday, 4 July 2024.
2. Nominates Cr [INSERT NAME] as Council's voting delegate and Cr [INSERT NAME] as reserve voting delegate, if more than one Councillor is nominated to attend.
3. Meets the applicable registration fees and travel, accommodation, meal and incidental expenses, in accordance with its Councillor Expenses and Facilities Policy for those Councillors nominated to attend the Assembly.
4. Approves the attendance of the General Manager at the Assembly.
5. Considers any motions for submission to the conference at the Council meeting on 19 March 2024.
6. Cancels the meetings of the Finance, Operations and Community Services Committee and the Strategic Planning and Development Committee scheduled to be held on 2 July 2024.

1. Executive Summary

The Australian Local Government Association (ALGA) National General Assembly 2024 will be held at the National Convention Centre, Canberra, from Tuesday, 2 July, to Thursday, 4 July 2024.

The National General Assembly (NGA) is the premier local government event that brings together representatives from councils across Australia to develop local government policy ideas, meet with key federal politicians and hear from renowned experts on the key issues affecting local government in Australia. The theme for the 2024 NGA is 'Building Community Trust'.

It is recommended that Council nominates Councillors to attend the Assembly, one of whom must be Council's voting delegate.

2. Introduction/Background

Nil.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 21 February 2023	CM/7.6/23.02	<p>That Council:</p> <ol style="list-style-type: none"> 1. Nominates the Mayor, Deputy Mayor, Cr Murray, Cr Goltsman, and Cr Fabiano as an alternate for the Deputy Mayor, to attend the 2023 Australian Local Government Association National General Assembly to be held at the National Convention Centre in Canberra from Tuesday, 13 June, to Thursday, 15 June 2023. 2. Meets the applicable registration fees and travel, accommodation, meal and incidental expenses, in accordance with its Councillor Expenses and Facilities Policy for those Councillors nominated to attend the Assembly. 3. Nominates the Mayor, Cr Masselos, as voting delegate. 4. Approves the attendance of the General Manager at the Assembly. 5. Considers any motions for submission to the conference at the March Council meeting.

4. Discussion

There is no limit to the number of Councillors that Council can nominate to attend the Assembly.

Regarding debate on motions, each council is entitled to a single vote on each motion. Should Council nominate more than one Councillor to attend the Assembly, it will need to determine the voting delegate. Council may also nominate a reserve voting delegate, who can attend the Assembly regardless of whether they are called on to be Council's voting delegate.

The date of the National General Assembly was announced in January this year. The date clashes with the meetings of the Finance, Operations and Community Services Committee and the Strategic Planning and Development Committee scheduled for 2 July 2024. It is therefore recommended that Council cancels the committee meetings to allow Councillors to attend the Assembly.

The early bird cost of registration to attend the conference for the three days is \$900. Accommodation ranges from \$160-\$375 per night for each of the three nights for Councillors attending the Assembly. These costs, as well as travel, meals and incidental expenses for each Councillor attending, will be met by Council for any Councillor attending in accordance with the Councillor Expenses and Facilities Policy.

Motions

Council can submit motions for consideration at the Assembly. ALGA advises that motions for the Assembly must be received by ALGA by 11.59 pm Friday, 29 March 2024. Should Council wish to submit motions, it will need to adopt them at the Council meeting on 19 March 2024.

ALGA has produced a discussion paper outlining the criteria that NGA motions must meet. The discussion paper is attached to the report.

To be eligible for inclusion in the NGA business papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. *Be relevant to the work of local government nationally.*
2. *Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.*
3. *Be consistent with the themes of the NGA.*
4. *Complement or build on the policy objectives of ALGA and your state or territory local government association.*
5. *Be submitted by a council which is a financial member of their state or territory local government association.*
6. *Propose a clear action and outcome ie call on the Australian Government to act on something.*
7. *Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.*
8. *Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.*
9. *Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.*
10. *Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.*

Motions must commence with the following wording: ‘This National General Assembly calls on the Australian Government to...’

5. Financial impact statement/Time frame/Consultation

Under the Councillor Expenses and Facilities Policy, Council allocates up to \$30,000 per year (excluding GST) to fund attendance at conferences and similar events.

No additional consultation is required on this matter.

6. Conclusion

This report facilitates the nomination of interested Councillors to attend the 2024 National General Assembly in Canberra from Tuesday, 2 July, to Thursday, 4 July 2024.

The attending Councillors’ expenses will be met in accordance with Council’s Councillor Expenses and Facilities Policy.

Motions for consideration at the Assembly must be adopted by Council at its meeting on 19 March 2024 before being lodged with the ALGA by 29 March 2024.

7. Attachments

1. ALGA National General Assembly 2024 - Discussion Paper [↓](#) .

2024 NGA

Building
Community
Trust

National Convention Centre
Canberra



AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION



2 - 4
JULY
2024

DISCUSSION
PAPER



KEY DATES

29 March 2024 | Acceptance of Motions

2 July 2024 | Regional Cooperation & Development Forum

3 - 4 July 2024 | National General Assembly

5 July 2024 | Australian Council of Local Government

TO SUBMIT YOUR MOTION

VISIT: [ALGA.COM.AU](https://alga.com.au)





The Australian Local Government Association (ALGA) is pleased to convene the 30th National General Assembly of Local Government (NGA), to be held in Canberra from 2-4 July 2024.

As convenor of the NGA, the ALGA Board cordially invites all councils to send representatives to this important national event.

The NGA is the premier national gathering of local governments, and provides councils with the opportunity to come together, share ideas, debate motions, and most importantly unite and further build on the relationship between local government and the Australian Government.

This discussion paper contains essential information for Australian councils considering submitting motions for debate at the 2024 National General Assembly of Local Government (NGA).

It is recommended that all councils and delegates intending to attend the 2024 NGA familiarise themselves with the guidelines for motions contained in this paper on page 6.

BACKGROUND TO ALGA AND THE NGA

ALGA was established 1947. In structure, ALGA is a federation of member state and territory associations. Its mission is to achieve outcomes for local government through advocacy with impact, and maximise the economic, environmental and social wellbeing of councils and our communities.

Since 1994, the NGA has built the profile of local government on the national stage, showcased the value of councils, and most importantly demonstrated - particularly to the Australian Government - the strength and value of working with local government to help deliver on national priorities.

Debate on motions was introduced to the NGA as a vehicle for councils from across the nation to canvas ideas. Outcomes of debate on motions (NGA Resolutions) could be used by participating councils to inform their own policies and priorities, as well as their advocacy when dealing with federal politicians.

At the same time, they help ALGA and its member state and territory associations gain valuable insight into council priorities, emerging national issues, and the level of need and support for new policy and program initiatives.

Given the structure of ALGA, its Constitution, and level of resources, the NGA does not bind the ALGA Board. However, the Board carefully considers NGA resolutions as it determines ALGA's policies, priorities and strategies to advance local governments within the national agenda.

This is your NGA and ALGA is pleased to act as the convenor. ALGA's policies and priorities will continue to be determined by the ALGA Board in the interests of all councils.

The ALGA Board thanks all councils for attending the NGA and those that will take the time to reflect on the purpose of debate on motions outlined in this paper, and to submit motions for debate at the 2024 NGA.

SUBMITTING MOTIONS

Australia is one of the world's great democracies. It is held in high regard across the world but should never be taken for granted.

The theme of the 2024 NGA is – Building Community Trust.

This theme aims to explore the critical importance of trust in governments, between governments, its institutions, and its citizens. This trust is a fundamental building block of our nation's democracy.

While relatively low key, over the past decade there has been increasing public debate by scholars and policy makers about the level of trust in government, its institutions and indeed the operation of our democracy more broadly.

Mark Evans et al (2019) published research in 'The Conversation' indicating that Australians' trust in politicians (our political representatives) and democracy has hit an all-time low. This report indicates 'fewer than 41% of Australian citizens are satisfied with the way democracy works in Australia, down from 86% in 2007.

Public satisfaction has fallen particularly sharply since 2013, when 72% of Australian citizens were satisfied. Generation X is least satisfied (31%) and Baby Boomers most satisfied (50%). Some political authors suggest that these trends in part explain the rise in popularity and the relative success of independents and micro or single-issue parties.

These statistics should be of concern to every level of government and those interested in the future of our communities and Australia's democratic system.

It is said that 'trust is hard-earned, easily lost, and difficult to re-establish – and a key to absolutely everything.' While media and public attention frequently focuses on levels of trust in the national and state governments, local governments have an equally important role in building, maintaining and indeed, often repairing government-community relationships.

At its most fundamental level, the 2024 NGA focusses on the role of local government and how all levels of government can help each other build, maintain and strengthen government-community relationships.

This discussion paper is a call for councils to submit motions for debate at the 2024 NGA to be held in Canberra from 2-4 July 2024.



Motions for this year's NGA should consider:

- how all levels of government in Australia can build trust in each other and earn greater trust from the community;
- practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- new program ideas that that would help the local government sector to deliver the Australian Government's objectives.

Motions should be concise, practical and implementable and meet the guidelines for motions set out in the paper.

You are encouraged to read all the sections of the paper but are not expected to respond to every issue or question. Your council's motion/s must address one or more of the issues identified in the discussion paper.

Motions must be lodged electronically using the online form available on the NGA website at: www.alga.com.au and received no later than 11:59pm AEST on Friday 29 March 2024.

All notices of motions will be reviewed by the ALGA Board's NGA Sub-committee prior to publishing the NGA Business Paper to ensure that they meet these guidelines. This sub-committee reserves the right to select, edit or amend notices of motions to facilitate the efficient and effective management of debate on motions at the NGA.

All NGA resolutions will be published on www.nationalgeneralassembly.com.au.

As the host of the NGA, ALGA will communicate resolutions to the relevant Australian Government Minister and publish Ministerial responses as they are received on this website.

Please note that if your council does submit a motion, there is an expectation that a council representative will be present at the NGA to move and speak to that motion if required.

We look forward to hearing from you and seeing you at the 2024 NGA.

CRITERIA FOR MOTIONS

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome ie call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Motions must commence with the following wording:

This National General Assembly calls on the Australian Government to ...

Please note that resolutions of the NGA do not automatically become ALGA's national policy positions.

OTHER THINGS TO CONSIDER

It is important to complete the background section of the submission form. Submitters of motions should not assume that NGA delegates will have background knowledge of the proposal. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. Please note, motions should NOT be prescriptive in directing how the matter should be pursued.

Try to keep motions practical, focussed and capable of implementation to ensure that relevant Australian Government Ministers provide considered, thoughtful and timely responses.

Try to avoid motions that are complex, contain multi-dot points and require complex cross-portfolio implementation.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-committee, in consultation with state and territory local government associations, to determine their eligibility for inclusion in the NGA Business Papers.

When reviewing motions, the Sub-committee considers the criteria, clarity of the motion and the importance and relevance of the issue to local government.

If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. With the agreement of the submitting council, these motions may be edited before inclusion in the NGA Business Papers.

To ensure an efficient and effective debate, where there are numerous motions on a similar issue, the NGA Sub-committee will group these motions together under an overarching strategic motion. The strategic motions will have either been drafted by ALGA or will be based on a motion submitted by a council which best summarises the subject matter.

Debate will occur in accordance with the rules for debate published in the Business Papers and will focus on the strategic motions. Associated sub-motions will be debated by exception only or in accordance with the debating rules.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

All motions require:

- a contact officer;
- a clear national objective;
- a summary of the key arguments in support of the motion; and
- endorsement of your council.

**Motions should be lodged electronically using the online form available at www.alga.asn.au.
Motions should be received no later than 11:59pm AEST on Friday 29 March 2024.**

SETTING THE SCENE

The theme for NGA24 'Building Community Trust' aims to focus on the role of local government in the Australian system of government and explore the critical importance of trust in governments, between governments, its institutions, and our citizens.

In a recent essay on Capitalism after the Crisis (2023) the Treasurer the Hon Dr Jim Chalmers MP wrote:

'Our mission is to redefine and reform our economy and institutions in ways that make our people and communities more resilient, and our society and democracy stronger as well.'

The need to strengthen our democracy was also emphasised the Prime Minister the Hon Anthony Albanese MP in a speech at Queensland's Woodford Folk Festival toward the end of 2022:

'I urge anyone who thinks our democracy is unassailable to have a look around the world. Even some of the oldest, most stable democracies have come under attack from a whole range of corrosive, insidious forces. No one is immune. Our democracy is precious, something we have carefully grown and nurtured from one generation to the next. One of our core responsibilities is to make it stronger, and the key to that strength is transparency and accountability.'

In early 2023 the Australian Government established a taskforce to advise government on 'what can be done – practically – to strengthen Australian democracy'.



The 2024 NGA provides you - the elected representatives of Australia's local councils and communities - with the opportunity to engage with the Federal Government and key Ministers.

Further, it is your opportunity to advocate for new or expanded programs and key policy initiatives that could strengthen local governments, its capacity to deliver services and infrastructure to local communities across the nation. This service delivery is critical to build, maintain and strengthen the trust of our citizens.

This year's call for motion focusses on twelve priority areas:

- Intergovernmental relations;
- Financial sustainability;
- Roads and infrastructure;
- Emergency management;
- Housing and homelessness;
- Jobs and skills;
- Community services;
- Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation;
- Data, digital technology and cyber security;
- Climate change and renewable energy;
- Environment; and
- Circular economy.



1. INTERGOVERNMENTAL RELATIONS

'Australia's federal structure, built upon reciprocal financial, legislative and policy responsibilities, requires intelligent cooperation on issues of strategic national significance.'

National Cabinet is a forum for the Prime Minister, Premiers and Chief Ministers to meet and work collaboratively. National Cabinet was established on 13 March 2020 and is chaired by the Prime Minister. The National Cabinet is a key mechanism in Australia's current intergovernmental architecture.

A representative of local government, the President of ALGA, is invited to meet with National Cabinet once each year. The President of ALGA also attends one meeting per year of the Council on Federal Financial Relations comprising the Commonwealth Treasurer as Chair and all state and territory treasurers.

A substantial body of research, from Australia and internationally, has highlighted that governments that work together are generally more successful in achieving shared national objectives, including economic recovery from events like the COVID-19 pandemic as well as in service and infrastructure delivery.

This research reinforces the need for local government to be included in relevant ministerial forums that support national priorities – from housing affordability to reaching net-zero emissions. ALGA currently participates in National Cabinet (1/year), Council on Federal Financial Relations (1/year), Infrastructure Transport Ministers Meeting, National Emergency Managers Meeting, Local Government Ministers Forum, Joint Council on Closing the Gap, Planning Ministers Meeting, Meeting of Environment Ministers, Energy and Climate Change Ministers and the Road Safety Ministers Meeting, to represent local government views.

Local government input can provide a community voice, enabling our intergovernmental forums to make decisions with greater legitimacy and authority.

Given the importance of trust in governments, between governments and its citizens, how can intergovernmental arrangements be further improved in Australia?

Are there ways of maintaining and enhancing the community's trust in local government?

Are there new initiatives and programs that could be adopted to improve the level of cooperation and collaboration between the Australian Government and local government?

2. FINANCIAL SUSTAINABILITY

Trust in governments is highly correlated with their ability to fulfill the implicit social contract between government and its citizens by keeping promises.

Local government is the third sphere of government in Australia's system of government. Councils are comprised of locally elected representatives who understand local needs and engage locally on strategies to meet those needs.

Councils are responsible for providing a wide range of critical local area services including planning, libraries, waste management systems, transport and infrastructure (eg roads and footpaths, parks, sporting grounds and swimming pools) and social services.

These services are critical to the wellbeing, liveability and productivity of all local communities, and therefore the nation. Equally important is the sustaining of democratic processes at the local and regional level.

Local government's total annual expenditure in 2021 -22 was approximately \$43.6 billion. Non-financial assets including roads, community infrastructure such as buildings, facilities, airports, water, and sewerage (in some states) including land, are valued at \$539 billion [ABS Government Finance Statistics, Australia, 2021-22].

In 2021-22, the Australian Government provided \$2.6 billion in Financial Assistance Grants funding to councils. This included \$1.3b which was brought forward from the 2021-22 estimate and paid through state and territory governments in 2020-21.

Nationally, local government derives nearly 90% of its revenue from its own sources (including rates and services charges), compared to around 50% for state governments. Grants from other levels of government make up just over 10% of local government's total revenue, however these grants are particularly important in areas with a low-rate base, and/or high growth rates, and rapidly expanding service and infrastructure needs.

In 2021-22 Financial Assistance Grants to local governments was less than 0.6% of Commonwealth taxation revenue (CTR), a significant drop from 1996 when these grants were at 1% of CTR. In 2023-24 Financial Assistance Grants have fallen to 0.5% of Commonwealth taxation.

What improvements are needed to the intergovernmental financial transfer system, particularly the Commonwealth transfers to local government, to enhance the community's trust in local government and by extension all governments?

Noting that Commonwealth tied funding is provided with detailed requirements how can this system be improved to provide flexibility and maximize the benefit to local communities?

3. ROADS AND INFRASTRUCTURE

ALGA's 2021 National State of the Assets Report (NSoA) is currently being updated and expected to be launched in 2024. The most recent NSoA shows that while most local government assets such as roads, bridges, buildings, parks and recreation, stormwater, water and wastewater, and airports and aerodromes are generally in good to very good condition, around 10% are not fit for purpose, and around 20–25% are only fair and over time will need attention.

The last NSoA found that in 2019–20 non-financial infrastructure assets were valued at \$342 billion and were depreciating at \$7.7 billion per year. Replacement costs of these infrastructure assets were in the order of \$533 billion.

Local government assets make up a significant proportion of the physical structure of local communities and often provide critical access to and support for citizens to engage in state and national assets and opportunities.

For example, local roads provide important “first and last-mile access” for communities and industry to road networks, integral to economic development and community connection. Local sporting grounds can provide access for community groups to build community participation that has social, health and economic benefits.

Are there programs or initiatives that the Australian Government could adopt to improve the long-term sustainability of local government infrastructure?

Are there programs or initiatives that the Australian Government could provide to improve the sector's capacity to manage local government infrastructure and to integrate these plans into long-term financial plans?

Are there programs or initiatives that the Australian Government could develop to maintain, strengthen and enhance the reputation of Australia's infrastructure providers, including local government?

4. EMERGENCY MANAGEMENT

In 2022 alone, 46 disasters were declared across Australia, covering more than 300 different council areas. In recent years, almost every Australian council has been impacted in some way by fires, floods, or cyclones.

Last year's flooding caused a damage bill of approximately \$3.8 billion to local roads across Queensland, New South Wales, Victoria and South Australia. This was just a fraction of the total disaster costs incurred by governments across the country.

There have been numerous NGA motions in recent years regarding natural disasters and this has been a significant priority in ALGA's advocacy program.

In 2022 ALGA successfully advocated for a new \$200 million per year Disaster Ready Fund, with the first round of funding allocated in June 2023. This fund will support councils and communities to mitigate against the risk of future disasters and help address the significant imbalance between mitigation and recovery spending.

Councils are encouraged to draw on their practical experience of the improvements that could be made to managing emergencies.

Please note that many aspects of emergency management are state or territory responsibilities, and your motions should focus on how the Australian Government could assist.

What new programs, or improvements to existing programs, could the Australian Government develop to partner with local government to improve the current natural disaster management systems to further assist in recovery and build resilience?

5. HOUSING AND HOMELESSNESS

Almost every Australian council and community is facing challenges around a lack of affordable housing.

Alarming research by the UNSW City Futures Research Centre shows 640,000 Australian households – or one in 15 households – are under housing stress.

All levels of government, including councils, have a fundamental role to play in addressing this crisis, which is being compounded by high interest rates, rising construction costs and skills shortages.

At a national level, ALGA is a signatory to the National Housing Accord, and in 2023 successfully advocated for a new \$500 million Housing Support Program for state and local governments to deliver supporting infrastructure for new housing developments.

While the provision of affordable housing is not a local government responsibility, councils have a role to play in ensuring there is enough suitably located land available for housing and that a diversity of housing stock is supported. Councils also want to ensure that new housing developments are supported with the necessary services and infrastructure to create liveable and sustainable communities.

Many councils are also addressing thin markets and developing land and housing themselves, delivering local solutions to meet the needs of their communities.

Councils also want to ensure that they engaged with planning decisions that affect local communities. Taking planning powers away from councils does not always support the best local outcomes.

Councils also play an important role addressing some of the causes of homelessness, including social inclusion programs that can assist mental health and family violence issues, as well as providing support for people currently experiencing homelessness.

What new programs and policies could the Australian Government develop to partner with local government to support the provision of more affordable housing?

How can the Australian Government work with councils to address the causes and impacts of homelessness?

6. JOBS AND SKILLS

Local government is a major employer in Australia providing employment, career advancement and training opportunities for more than 190,800 Australians, across an estimated 400 occupations.

However, councils are facing significant jobs and skills shortages that are constraining their capacity to deliver services and build and maintain local infrastructure.

ALGA's 2022 National Local Government Workforce Skills and Capability Survey indicated that more than 90 percent of Australia's 537 councils were experiencing skills shortages.

The survey also showed that for approximately two-thirds of these councils, these shortages were impacting on project delivery.

In particular, councils are facing a shortage of planners, engineers, building surveyors, environmental officers and human resources professionals.

Skills shortages occur for a variety of reasons including an inability to compete against the private sector, worker accommodation, support services for families, ageing of the workforce and geographic isolation.

Are there programs or initiatives that the Australian Government could implement that would enhance local government's capacity to attract and retain appropriately skilled staff now and into the future?

Are there programs or changes to existing programs that would increase local government's ability to employ apprentices and trainees?

Are there other initiatives that the Australian Government could provide to improve the sector's ability to plan and develop skills fit for the future?

7. COMMUNITY SERVICES

Councils provide a wide range of services based on local characteristics, needs, priorities, and the resources of their community. Indeed, it is this level of responsiveness and accountability to the local community that is an essential feature of democratic local governments worldwide.

Some of these services are provided to address market failure, and many of them are provided by councils on behalf of other levels of government.

It is important to note that nationally local government is more than 83% self-sufficient ie funded at the local level either through rates, fees and charges, sale of goods and services, or interest. The Australian Bureau of Statistics data shows that total local government annual expenditure in 2021-22 was \$43.6 billion.

Only 17% comes from grants and subsidies from other levels of government. Unfortunately, many of these grants and subsidies are tied, or require matching funding which restricts the ability to address local priorities in the way the council and community might need.

Arguably there is no greater obligation upon government than to maintain the trust that citizens have in meeting their community services obligations and promises, particularly to society's most vulnerable.

Local government community services are broadly defined, and may include but are not limited to:

- environmental health including food safety;
- childcare, early childhood education, municipal health;
- aged care, senior citizens;
- services to people living with disability;
- programs to address disadvantage, to reduce poverty and homelessness;
- sporting and recreational programs;
- arts and cultural activities, programs and festivals;
- tourism and economic development activities; and
- library services.

Noting the funding arrangements for the provision of local government community services are there programs and initiatives that the Australian Government could implement to improve the delivery of these services?

Are there reforms or improvements in national community services program that would help local governments support the Australian Government to deliver on its national objectives?

8. CLOSING THE GAP AND ABORIGINAL AND TORRES STRAIT ISLANDER RECONCILIATION

In 2021, ALGA co-signed a landmark national agreement to close the gap between Indigenous and non-Indigenous Australians. At the heart of the National Agreement on Closing the Gap Partnership are four agreed priority reform targets and 19 socio-economic targets in areas including education, employment, health and wellbeing, justice, safety, housing, land and waters, and Aboriginal and Torres Strait Islander languages.

The Indigenous Voice Co-design Final Report to the Australian Government was released in December 2021. The Local & Regional Voice will contribute to achieving the Closing the Gap outcomes by providing avenues for Indigenous voices to be heard, including to provide feedback to government on Closing the Gap.

As the level of government closest to the people, councils have an essential role supporting and helping to steer the development of policies and programs in partnership with local Indigenous peoples that address closing the gap priorities at the local and regional level.

Local government plays a positive role in reconciliation and celebrating Indigenous culture and identity, and sustainably funded could work effectively to reduce Indigenous disadvantage in all its forms.

On 14 October 2023, Australians voted in a referendum about whether to change the Constitution to recognise the First Peoples of Australia by establishing a body called the Aboriginal and Torres Strait Islander Voice. The referendum did not pass.

Are there programs or initiatives that the Australian Government could adopt to assist local government to advance reconciliation and close the gap?

Are there practical programs or initiatives that local government and the Australian Government could introduce to maintain, build and strengthen the level of trust between Aboriginal and Torres Strait Islanders and governments?

9. DATA, DIGITAL TECHNOLOGY AND CYBER SECURITY

Provision of information technology to all Australians is vital to innovation, economic growth, and social equity. However, it is potentially even more important to regional Australia where the tyranny of distance increases the inequity of services available – including education, health, economic and social. Innovative technology is becoming more broadly available and could boost productivity and economic growth.

Councils around Australia continue to embrace new technologies to improve their service delivery standards and broaden consultation and engagement with their local communities. However, implementation can be hindered without access to basic technological infrastructure and the necessary IT skills and resources.

In recent times, cyber-attacks on major corporations and other businesses have resulted in significant data breaches. It is a timely reminder as digital information, services and products become an increasing feature of modern business operation including in local government.

Like all risks, local government must manage the risk of cyber-attacks and address cyber security. At a national level, there is limited understanding of local governments' vulnerability to cyber-attacks, preparedness and adequacy of risk management strategies or business continuity planning.

While this is primarily a responsibility of the sector itself, governments at all levels must work together to ensure that the public have confidence in government information management systems and its security.

Drawing upon your council's experience, and your knowledge of other councils within your state or territory, are there programs and initiatives that the Australian Government could implement to help local government develop its digital technology services and infrastructure?

Are there actions the Australian Government could take to improve cyber security within the local government sector?

10. CLIMATE CHANGE AND RENEWABLE ENERGY

Australia's changing climate presents a significant challenge to governments, individuals, communities, businesses, industry, and the environment.

The Australian Government has committed to address climate change and in June 2022 submitted its revised National Determined Contribution (NDC) to the United Nations Framework Convention on Climate Change. The revised NDC included reaffirming a target of net zero emissions by 2050 and committing to reduce greenhouse gas emissions by 43% from 2005 levels.

Local governments have played an important leadership role in addressing climate change, and councils have supported a wide range of community-based programs and initiatives to lower the carbon footprint of their own business operations and of their local communities.

As a sector, local government has been an advocate and active participant in the debate for lowering carbon emissions, is sourcing renewable energy, has responded creatively to reduce greenhouse gas emissions from landfills, and facilitated the construction of green buildings and water sensitive design of cities and towns.

Local government has been at the forefront in addressing the impacts of climate change and adaptation to climate change. In particular, councils have a practical understanding of the risk and impact of climate change on Australia's infrastructure and physical assets, natural ecosystems, local economies and their community.

Noting the Australian Government's approach to reducing emissions, are there partnerships, programs, and initiatives that local government and the Australian Government can form to achieve Australia's 2050 net zero emissions target?

Are there initiatives that could assist local governments to build trust in the community for implementation of key climate change and emissions reduction initiatives?

11. ENVIRONMENT

Australia's 537 local councils play an essential role in providing, regulating and managing Australia's environmental services and infrastructure.

Whether it's biodiversity, biosecurity, natural resource management (NRM), contaminated lands, waste management, water resources, sustainability or roadside environments, councils are responsible for educating households and businesses on environment policy, as well as driving environmental programs and initiatives in their local communities.

In recent years the National General Assembly has considered a range of environmental issues, and passed resolutions on biodiversity, biosecurity, conservation, climate change and water security.

How could the Australian Government partner with local government to strengthen Australia's environmental services and infrastructure?

What new programs could the Australian Government partner with local government in to progress local regional and national objectives?



12. CIRCULAR ECONOMY

Local government is responsible for the management of household and domestic waste and has a critical role to play in further developing the circular economy.

Australia's 537 councils manage approximately 26 percent of Australian waste, either directly or through contractual arrangements. Each year, local governments collect around 9.7 million tonnes of waste from kerbside bin services, sort it at material recovery facilities (MRFs), and dispatch what can be recycled to reprocessing facilities in Australia and overseas.

Where waste cannot be recovered it is landfilled, and local governments in most jurisdictions must pay a significant levy per tonne for landfilled waste, as well as incur the operational costs of maintaining and managing a landfill.

Collecting, treating, and disposing of Australian domestic waste costs local government an estimated \$3.5 billion annually. Local government also dedicates resources to administering community waste-education programs, collecting litter, addressing illegal rubbish dumping, and ensuring compliance with waste bylaws.

In November 2023, Australia's Environment Ministers agreed that the Federal Government would establish new regulations for packaging as well as mandate how packaging is designed, develop minimum recycled content requirements and prohibit harmful chemicals being used. These changes are expected to have a positive impact on the amount of waste sent to landfill, and the costs borne by councils and their communities.

How could the Australian Government further strengthen product stewardship arrangements to support local governments in their endeavours to increase recycling and reduce the volume of waste?

How could the Australian Government partner with local government to advance the circular economy?

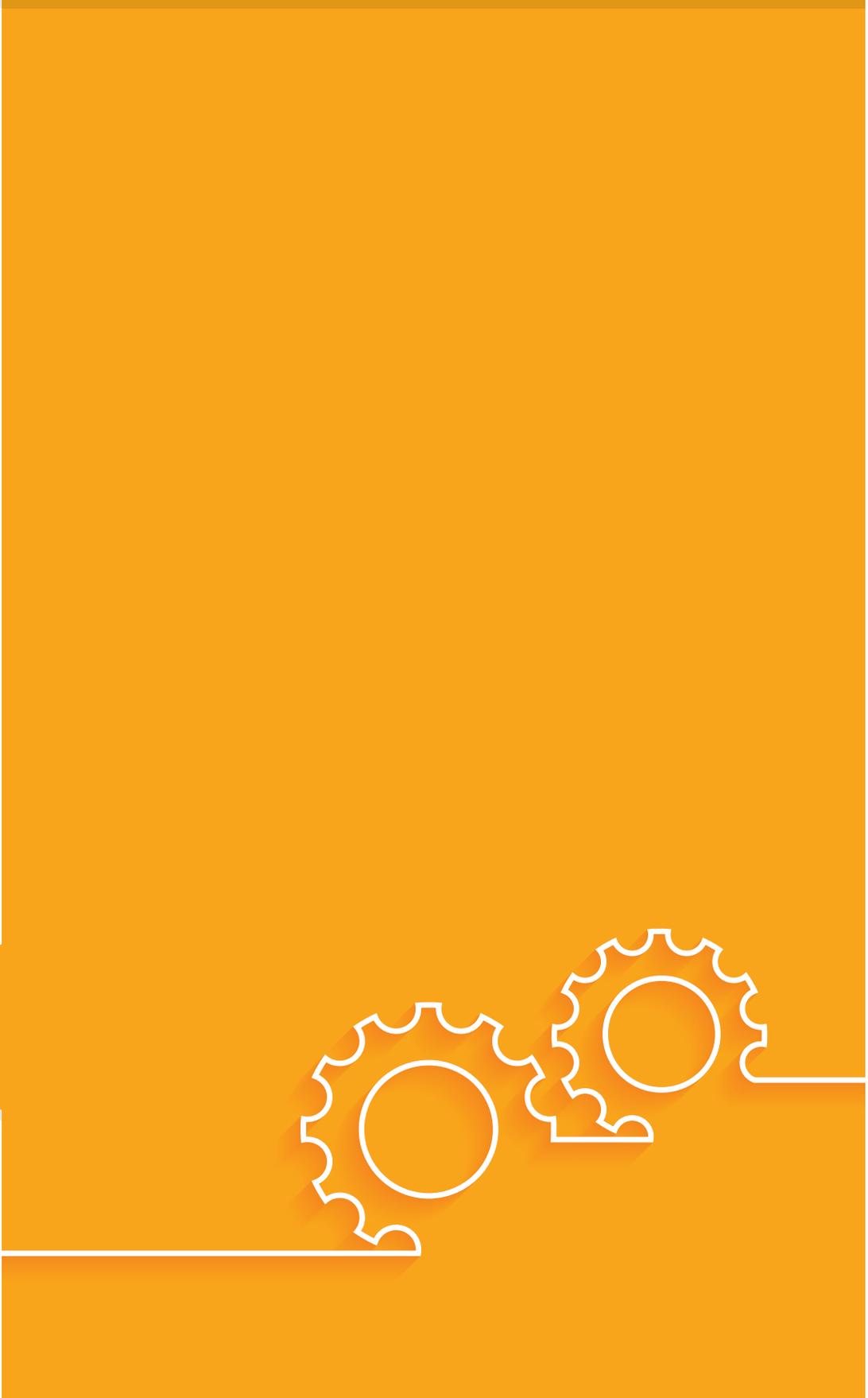
CONCLUSION

Thank you for taking the time to read this discussion paper and your support for the 2024 National General Assembly of Local Government.

A FINAL REMINDER:

- » Motions should be lodged electronically at www.alga.com.au and received no later than 11.59pm on Friday 29 March 2024.
- » Motions must meet the criteria published in this paper.
- » Motions should commence with the following wording: 'This National General Assembly calls on the Australian Government to...'
- » Motions should not be prescriptive in directing how the matter should be pursued.
- » Motions should be practical, focussed and relatively simple.
- » It is important to complete the background section on the form.
- » Motions must not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- » When your council submits a motion there is an expectation that a council representative will be present at the 2024 National General Assembly to move and speak to that motion if required.
- » Resolutions of the National General Assembly do not automatically become ALGA's national policy positions. The resolutions are used by the ALGA Board to inform policies, priorities and strategies to advance local governments within the national agenda.

We look forward to hearing from you and seeing you at the 2024 National General Assembly in Canberra.





AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

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REPORT

CM/7.8/24.02



Subject: Councillor Expenses and Facilities - Six-Monthly Report

TRIM No: SF23/170

Manager: Richard Coelho, Executive Manager, Governance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council notes the six-monthly report on Councillor expenses and facilities for the period 1 July 2023 to 31 December 2023 attached to the report.

1. Executive Summary

This report provides details on the provision of expenses and facilities to Councillors over the preceding six months, as required by the Councillor Expenses and Facilities Policy.

2. Introduction/Background

Council adopted a new Councillor Expenses and Facilities Policy in May 2018 based on the Office of Local Government's (OLG) template. The policy requires Council to report on the provision of expenses and facilities to Councillors every six months. Council adopted an amended policy in December 2022, commencing on 1 January 2023.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 18 July 2023	CM/7.3/23.07	That Council notes the annual report on Councillor expenses and facilities for the period 1 July 2022 to 30 June 2023 attached to the report.
Council 13 December 2022	CM/7.1/22.12	That Council: <ol style="list-style-type: none"> 1. Adopts the Councillor Expenses and Facilities Policy attached to the report. 2. Commits to supporting the ongoing professional development of Councillors.

4. Discussion

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

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

The report is attached. It outlines each Councillor's expenditure against budget and the remaining budget for each expense category under the policy from 1 July 2023 to 31 December 2023 inclusive, subject to the following points:

- The ICT equipment allowance is a term allowance. The current term is approximately three years rather than four years, due to the COVID-19-related postponement of the last local government elections from September 2020 to December 2021. In accordance with the policy, Councillors have therefore been allocated \$6,000 (excluding GST) rather than \$8,000.
- The budgets for conferences, long-distance travel and carer expenses are not itemised per Councillor because the policy provides a total figure for all Councillors.
- The policy allows Councillors six months in which to submit claims for reimbursement. As such, not all claims will necessarily be accounted for at the conclusion of each reporting period.
- A Councillor can incur an expense that exceeds the maximum limit for that expense if funds are available elsewhere in their budget, in accordance with clause 11.13 of the policy. The overspend is not reallocated.
- Fees and superannuation paid to Councillors are separate to expenses and facilities and are not included.

5. Financial impact statement/Time frame/Consultation

All Councillor expenditure is within budget.

6. Conclusion

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

7. Attachments

1. Councillor expenses - 1 July 2023-31 December 2023 [↓](#) .

Councillor expenses
1 July 2023 - 31 December 2023

Natural Account	2023-24 Current Approved Budget	2023-24 July - Dec Actuals	2023-24 Remaining Funds on Current Budget
11026. Elected Member - Murray 2022-2024	(15,250)	0	(15,250)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(6,000)	0	(6,000)
4499. Councillors - ICT Usage Expense	(4,200)	0	(4,200)
4506. Councillors - General Travel Expenses	(750)	0	(750)
4512. Councillors - Professional Development	(2,500)	0	(2,500)
11027. Elected Member - Gray 2022-2024	(12,982)	(8,477)	(4,505)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(3,732)	0	(3,732)
4499. Councillors - ICT Usage Expense	(4,200)	0	(4,200)
4506. Councillors - General Travel Expenses	(750)	0	(750)
4512. Councillors - Professional Development	(2,500)	(8,477)	5,977
11028. Elected Member - Fabiano 2022-2024	(13,571)	0	(13,571)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(4,321)	0	(4,321)
4499. Councillors - ICT Usage Expense	(4,200)	0	(4,200)
4506. Councillors - General Travel Expenses	(750)	0	(750)
4512. Councillors - Professional Development	(2,500)	0	(2,500)
11029. Elected Member - Goltsman 2022-2024	(13,791)	(3,202)	(10,590)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(4,541)	(978)	(3,563)
4499. Councillors - ICT Usage Expense	(4,200)	(1,623)	(2,577)
4506. Councillors - General Travel Expenses	(750)	0	(750)
4512. Councillors - Professional Development	(2,500)	(600)	(1,900)
11030. Elected Member - Burrill 2022-2024	(11,580)	(4,157)	(7,423)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(2,330)	(2,842)	512
4499. Councillors - ICT Usage Expense	(4,200)	(1,315)	(2,885)
4506. Councillors - General Travel Expenses	(750)	0	(750)
4512. Councillors - Professional Development	(2,500)	0	(2,500)
11031. Elected Member - Wy Kanak 2022-2024	(15,250)	(68)	(15,182)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(6,000)	0	(6,000)
4499. Councillors - ICT Usage Expense	(4,200)	(68)	(4,132)
4506. Councillors - General Travel Expenses	(750)	0	(750)
4512. Councillors - Professional Development	(2,500)	0	(2,500)
11032. Elected Member - Betts 2022-2024	(12,578)	(77)	(12,501)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(3,328)	0	(3,328)
4499. Councillors - ICT Usage Expense	(4,200)	(77)	(4,123)
4506. Councillors - General Travel Expenses	(750)	0	(750)
4512. Councillors - Professional Development	(2,500)	0	(2,500)
11033. Elected Member - Kay 2022-2024	(11,573)	(3,651)	(7,922)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(2,323)	(2,455)	132
4499. Councillors - ICT Usage Expense	(4,200)	(1,145)	(3,055)
4506. Councillors - General Travel Expenses	(750)	(50)	(700)
4512. Councillors - Professional Development	(2,500)	0	(2,500)

Councillor expenses
1 July 2023 - 31 December 2023

Natural Account	2023-24 Current Approved Budget	2023-24 July - Dec Actuals	2023-24 Remaining Funds on Current Budget
11034. Elected Member - Lewis 2022-2024	(15,250)	0	(15,250)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(6,000)	0	(6,000)
4499. Councillors - ICT Usage Expense	(4,200)	0	(4,200)
4506. Councillors - General Travel Expenses	(750)	0	(750)
4512. Councillors - Professional Development	(2,500)	0	(2,500)
11035. Elected Member - Nemesh 2022-2024	(10,772)	(3,524)	(7,247)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(1,522)	0	(1,522)
4499. Councillors - ICT Usage Expense	(4,200)	(3,115)	(1,085)
4506. Councillors - General Travel Expenses	(750)	(410)	(340)
4512. Councillors - Professional Development	(2,500)	0	(2,500)
11036. Elected Member - Masselos 2022-2024	(15,042)	(2,327)	(12,715)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(5,792)	0	(5,792)
4499. Councillors - ICT Usage Expense	(4,200)	(77)	(4,123)
4506. Councillors - General Travel Expenses	(750)	(2,250)	1,500
4512. Councillors - Professional Development	(2,500)	0	(2,500)
11037. Elected Member - Keenan 2022-2024	(13,815)	(79)	(13,735)
4406. Councillors - Home Office Expense	(1,800)	0	(1,800)
4496. Councillors Equipment	(4,565)	0	(4,565)
4499. Councillors - ICT Usage Expense	(4,200)	0	(4,200)
4506. Councillors - General Travel Expenses	(750)	(79)	(671)
4512. Councillors - Professional Development	(2,500)	0	(2,500)
11016. Councillors Expenses	(44,000)	(23,965)	(20,035)
4498. Councillors Care Related Expenses	(12,000)	(1,027)	(10,973)
4508. Councillors - Long-distance travel	(2,000)	0	(2,000)
4514. Councillors - Conferences & Seminars	(30,000)	(22,938)	(7,062)

REPORT
CM/7.9/24.02

Subject: Multicultural Advisory Committee Meeting - 2 November 2023 - Minutes

TRIM No: A23/0649

Manager: Annette Trubenbach, Executive Manager, Community Services

Director: Ben Thompson, Director, Community, Culture and Customer Experience

RECOMMENDATION:

That Council notes the minutes of the Multicultural Advisory Committee meeting held on 2 November 2023 attached to the report.

1. Executive Summary

This report provides information about Council's Multicultural Advisory Committee (MAC) meeting held on 2 November 2023. The minutes of the meeting are attached to this report.

2. Introduction/Background

The MAC has been established in support of Council's vision and strategies that:

- Promote human rights, address discrimination and disadvantage.
- Actively encourage participation, social connections and a sense of belonging.
- Deliver fair and equitable services, facilities and resources to our culturally diverse community.
- Promote relationships based on understanding and respect.

3. Relevant Council Resolutions

Nil.

4. Discussion

Council's MAC has been active for many years, providing input and advice on a range of issues relating to culturally and linguistically diverse communities. The Terms of Reference were updated in 2023, and a new MAC term began in May 2023.

5. Financial impact statement/Time frame/Consultation

The operations of the MAC are covered in Council's operational budget.

6. Conclusion

This report provides meeting minutes of the MAC held on 2 November 2023 for information and noting before being placed on Council's website.

7. Attachments

1. MAC - 2 November 2023 - Minutes [↓](#) .

MULTICULTURAL ADVISORY COMMITTEE MINUTES

Thursday 2 November 23
6pm – 8pm



1. Welcome and Acknowledgement of Country

Acknowledgement of Country was conducted by The Mayor, Councillor Paula Masselos.

Present

Councillors	
Clr Paula Masselos	Mayor of Waverley
Clr Ludovico Fabiano	Councillor
Council Officers	
Emily Scott	General Manager
Annette Trubenbach	Executive Manager, Community Programs
Madly Bodin	Community Development Officer, Diversity
Matilda Brown	Aboriginal Community Development Officer
Rebecca Rodwell	Manager, Community Planning & Partnerships
Community Member/Organisations	
Anna Friedman	Community Member
Emily Bogue	Community Member
Lana Kofman	JewishCare
Margaret Teed	City East Community College
Marcia Monje de Castro	Community Member
Raphael Crowe	Community Member
S. Marie Denizard	Community Member
Valentina Baú	Community Member
Rozy Dorizas	Community Member

2. Apologies

Ben Thompson, Clr Angela Burrill, Clr Leon Goltsman, Linda Deutsch, Baris Atayman, Robert Farotto

3. Acceptance of previous minutes & business arising

Minutes were moved by Valentina and seconded by Marcia via email.

No business arising.



4. Declarations of Pecuniary and Non-Pecuniary Interests

NA

5. Support for the local Jewish community

An expression of interest was shared with local community organisations, for a grant of up to \$10,000. Two organisations applied for direct support to the community, and Council will award part of the grant to each of the organisations.

6. The Voice Reflection and Discussion

1. Share with the MAC some resources around supporting the Aboriginal community.
2. Connect with volunteers and other Council's about next steps.
3. Consider how Council can acknowledge the hurt/disappointment eg at Dawn Reflection or some kind of healing ceremony.

7. Cultural Diversity Strategy 2021 - 2031

Anti-Racism Strategy – Stage 2

Following Stage 1 implementation of our Anti-Racism strategy, we will be working on the second stage. We want to ensure our community is safe, inclusive and engaged. Suggestions included:

- Sharing messaging on local radio and in the Beast publication.
- Incorporate anti-racism into the Mayor's Social Inclusion award.
- Partnership with schools.
- Targeting sporting groups.
- Spoken word competition/music competition/poetry slam.
- More events.

Ethical Storytelling Staff Workshop

21 Council Officers attended the Ethical Storytelling workshop in August, which was based on the information that Doug from Our Race presented to the MAC. This was an empowering process for the two artists involved in the workshop (Emmanuel and Shiva). Very positive feedback was received after the workshop.

Community Engagement Activities with Artists

Engagement with 2 artists who were successful in the 2023 anti-racism art competition.

Leila will be sharing her story and skills through 2 art & storytelling workshops with a group of women from Ukraine, with the support of Shiva. Both artists are being coached by Our Race thanks to a contribution made by Settlement Services International. The workshops will be delivered in partnership with Women's Circle East Sydney, which specifically focuses on supporting recently arrived Ukrainian women.

Nawras has attended the Bronte Early Education Centre to start sharing her story and art and is creating a book for a storytime project at the centre.

International Friends in Bondi

MAC Minutes 2 November 2023



The purpose is to help young migrants feel **welcomed, connected** to the local area, and **supported**.

'Sculptures by the Sea' meet up held, and International Friends in Bondi Volunteers attended the Waverley volunteer expo in September.

One more activity prior to Christmas and will have the capacity to schedule more regular meet ups once the team has access to the Mill Hill Community Centre.

Language Assistance Program

Three Council Officers in customer facing roles have successfully completed the Community Language Aid test, which enables them to share everyday information at a basic level in a language other than English. Languages certified include Hebrew, Russian and Spanish. More Council Officers are expected to be certified.

8. Update on last brainstorming session

Follow up on actions taken from last meeting Brainstorming Session with Manager Children's Services:

- Rewrote the flyer.
- Engaging with the convenor of the Cross-Cultural Maternity and Child & Family Health Services Working Group to promote Family Day Care as an opportunity for women to generate an income while caring for children under five years old.

Since our previous meeting, a pilot scheme supported by Thrive Refugee Enterprise has been announced by Family Day Care Australia to support educators from refugee backgrounds in starting a Family Day Care business.

9. Planning for Global Table

This year we are hoping to expand the food offering and have market stalls providing economic opportunities for people from culturally diverse backgrounds.

Suggestions from the committee to enhance the event included:

- Sharing positive stories.
- Can we do more within existing budgets?
- Events create opportunities for connection – we could be doing more.
- Culinary tables/lunch with refugees/multicultural cooking classes.

10. General Business

Upcoming Events

Discussion on a range of relevant events that are coming up in the LGA. The best way to receive information about what is happening in the LGA is through signing up to the Bondi Pavilion website and Waverley Weekly.

Point of Reflection

The importance of carefully considering the language used when discussing global conflict and its impact on local communities

The Mayor spoke that Council needs to focus on supporting the local community.



A suggestion was made to share resources around mental health with the community.

Action – Collate and promote resources around mental health and availability of support

Meeting closed 7:35pm.

REPORT
CM/7.10/24.02

Subject: Youth Week 2024 - Financial Assistance

TRIM No: A02/0456

Manager: Annette Trubenbach, Executive Manager, Community Services

Director: Ben Thompson, Director, Community, Culture and Customer Experience

RECOMMENDATION:

That Council, in accordance with section 356 of the *Local Government Act*, grants up to \$4,000 in financial assistance to WAYS Youth and Family to support the cost of Youth Week Activities in 2024.

1. Executive Summary

Each year, Council receives a small grant through the NSW Department of Communities and Justice (DCJ) for Youth Week to recognise young people aged 12–24 and their valued contribution to the community. Council is required to match this grant.

This report seeks endorsement for 2024 Youth Week activities and financial assistance of up to \$4,000 for WAYS Youth and Family to support the cost of programs. This year, Youth Week will run from 11 April to 21 April 2024. On Sunday, May 5, the WAVES music festival (previously Bondi Blitz) event will be held at the Dolphin Court amphitheatre, Bondi Pavilion. WAYS have chosen to hold their Youth Week event outside of Youth Week to ensure young people have returned from school holidays. Council is organising activities to occur during Youth Week.

During 2023, DCJ reviewed the Program Guidelines, and as a result Council will be formalising a memorandum of understanding with WAYS to ensure compliance with the revised guidelines.

2. Introduction/Background

As part of the funding agreement, funded agencies must involve young people in all aspects of Youth Week, including the planning, development and management of activities. It is an opportunity for young people to engage around their interests, attend live events, showcase their talents and have their voices heard on issues of concern to them.

For more than 20 years, WAYS Youth and Family has been allocated the Youth Week funding from both Waverley and Woollahra Councils, to organise Youth Week activities based in Waverley. A key activity has been the staging of music events involving young bands and performers at Bondi Park.

The music events are co-created with young people who are involved in the planning, coordination and delivery of performance and associated activities. The WAVES music festival concert will provide a paid, professional opportunity for young local performers and volunteering opportunities for young people to develop experience and skills in event organisation.

The NSW Department of Communities and Justice will provide funding for Youth Week activities in the Waverley local government area for 2024 on the condition that Waverley can match the dollar amount. The

funding enables a grant of up to \$4,000 to WAYS to support the music event. WAYS also receives funding from Woollahra Council. This year the theme of Youth Week is 'Express. Empower. Get Loud!'.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 21 March 2023	CM/7.4/23.03	That Council, in accordance with section 356 of the <i>Local Government Act</i> , grants up to \$4,000 in financial assistance to WAYS Youth and Family to support the cost of Bondi Blitz during Youth Week 2023.
Council 15 March 2022	CM/7.13/22.03	That Council, under section 356 of the <i>Local Government Act</i> , grants up to \$3,600 in financial assistance to WAYS Youth and Family to run activities that involve and benefit a diverse group of young people for Youth Week 2022.
Council 16 February 2021	CM/7.10/21.02	That Council: <ol style="list-style-type: none"> 1. Under section 356 of the <i>Local Government Act</i>, grants up to \$6,300 in financial assistance to WAYS Youth and Family to run activities that involve and benefit a diverse group of young people for Youth Week 2021. 2. Notes that: <ol style="list-style-type: none"> (a) Youth Week activities are developed in collaboration with a diverse range of young people in accordance with the funding agreement. (b) The format for Youth Week is revised for a program of events across both the Waverley and Woollahra local government areas. (c) Partnership opportunities are explored in order to enhance opportunities for youth engagement that facilitate expression of ideas and creativity, address concerns and enable connection to community and resources (d) The Youth Week program will be subject to monitoring of the COVID-19 situation and the current NSW Public Health Orders.
Council 18 February 2020	CM/7.7/20.02	That Council, under section 356 of the <i>Local Government Act</i> , grants up to \$6,300 in financial assistance to WAYS Youth and Family to run activities during Youth Week 2020, including Bondi Blitz.
Council 19 February 2019	CM/7.14/19.02	That Council, under section 356 of the <i>Local Government Act</i> , grants up to \$6,000 in financial assistance to WAYS Youth and Family to run a program of activities during Youth Week 2019, including Bondi Blitz, subject to the State Government Youth Week Grant matching Council's grant.

4. Discussion

Council has supported WAYS Youth and Family, Youth Week music events for more than 20 years. Woollahra Council has also contributed their State Government Youth Week grant for the WAYS Youth Week activity over this time and they will do so again in 2024.

Waverley and Woollahra Council officers work in partnership with WAYS Youth and Family to engage young people, plan, and facilitate a range of diverse and interesting activities in and around Youth Week for local young people to get involved in. This year, festival activities will include games, creative arts and stalls promoting young entrepreneurs, and promotion of health and wellbeing initiatives and information will also feature led by the WAYS Safe Summer peer education volunteers. Young people are also gaining experience organising a concert line up of bands to be held at the High Tide Room in the lead up to the festival event and music production workshops to be held during the holidays are being explored.

Youth Week is an opportunity to strengthen young people's positive engagement with the community, as well as provide information about local community and support services available to young people. As a Youth Week grant recipient, Waverley Council is required to support delivery of Youth Week events that increase young people's participation in activities that strengthen their connection and belonging to their communities. The Youth Week Program funding supports local councils to empower young people to design and deliver community activities and events during Youth Week (April each year), enabling them to:

- Overcome barriers to participating in the community.
- Build community-based partnerships and networks.
- Feel a greater sense of belonging within their community.
- Feel empowered, as their ideas and opinions are respected, considered and acted upon.
- Gain relevant training to support their participation.
- Feel more confident within themselves and their abilities, having expanded their knowledge and skills.
- Seek further opportunities to participate and stay engaged in their community.

Planning for Youth Week 2024 is underway and Council officers are collaborating with internal and external partners to develop the program of activities including the WAYS Youth and Family music event.

5. Financial impact statement/Time frame/Consultation

Council will contribute funding to WAYS of up to \$4,000 toward the music event, which is within current budget.

The music event is booked for Sunday 5 May 2024, at the Dolphin Court amphitheatre, Bondi Pavilion. Officers have been consulting and collaborating with internal and external partners to organise the WAYS music event and a program of activities young people can access in celebration of Youth Week.

6. Conclusion

This report recommends a contribution of funding to WAYS toward their music event for Youth Week in 2024. The financial assistance provided in this financial year will be a maximum of \$4,000, plus the Youth Week grant. As in previous years, Waverley will continue to work closely with internal and external partners to ensure Youth Week activities remain engaging, relevant, and fun for young people.

7. Attachments

Nil.

REPORT
CM/7.11/24.02**WAVERLEY**
COUNCIL

Subject: NSW Housing Reform - Submission

TRIM No: SF24/382

Manager: George Bramis, Executive Manager, Urban Planning Policy and Strategy

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

RECOMMENDATION:

That Council:

1. Approves the submission to the Department of Planning Housing and Infrastructure attached to the report (Attachments 2 and 3) raising concerns with the Explanation of Intended Effect: Changes to Create Low- and Mid-Rise Housing.
2. Urgently writes to the Premier, the Hon. Chris Minns, the Hon. Paul Scully and the Hon. Penny Sharpe to:
 - (a) Raise key concerns outlined in the Council submission, including the potential substantial impacts on heritage in Waverley, the timing of exhibition and lack of genuine community and council consultation.
 - (b) Request that Heritage Conservation Areas and Heritage Items be exempt from any proposed changes, if finalised.
 - (c) Request that updated Region and City plans and any associated changes to housing targets be released before any planned reform is advanced.
 - (d) Urgently seek a meeting with the Hon. Paul Scully and the Hon. Penny Sharpe to reiterate the concerns raised.

1. Executive Summary

The NSW State Government has introduced a raft of proposed and finalised changes to the New South Wales planning system. A summary of the key changes include:

- Introduction of 30% height and floor space ratio (FSR) bonuses for 15% affordable housing provided for 15 years – finalised.
- Dissolution of the Greater Cities Commission
- Accelerated rezoning of 38 train stations in New South Wales (Waverley is not currently affected) via Transit Oriented Development State Environmental Planning Policy (SEPP).
- Introduction of changes via amendment or creation of a SEPP to:
 - Permit low-rise medium density type dwellings in R2 zones near train station and town centre precincts.

- Permit Residential Flat Buildings in R3 zones within 0-800 m of train stations and town centre precincts and also introduce non refusal standards of, but not limited to:
 - 21m height limit and 3:1 FSR 0-400 m walk away.
 - 16m height limit and 2:1 FSR 400 m-800 m walk away.
 - No minimum lot sizes or lot widths.
 - 30% affordable housing bonuses also apply on top of proposed height and FSR.

The changes to low and mid-rise housing are on exhibition by way of Explanation of Intended Effect (EIE).

This report analyses the proposed changes and outlines key concerns including:

- The potential impacts and of what is proposed.
- The lack of evidence base and infrastructure coordination supporting the reform.
- The wide-scale application that undermines well established placed-based planning and strategic planning frameworks.

If approved by Council, the submission provided in the attachments will be submitted by the required deadline of 23 February 2024.

2. Introduction/Background

In 2023, following the change of government in NSW, a series of policy announcements occurred aimed at delivering increased housing supply to address well-publicised housing supply and housing affordability issues.

Two major components of these policy announcements included:

- Exhibition and finalisation of increased height (30%) and floor space bonuses (30%) as part of changes to affordable housing in-fill bonus in the Housing State Environmental Planning Policy (SEPP). A report on this matter was previously presented to the 7 November 2023 Strategic Planning and Development Committee with an associated submission which was endorsed and subsequently submitted.
- The dissolution of the Greater Cities Commission (GCC), the independent agency of the New South Wales Government responsible for land use planning across the Six Cities Region in New South Wales, Australia, via the repeal of the Greater Cities Commission Act 2022 and amendment of the Environmental Planning and Assessment Act 1979 in Parliament.

In addition to the above changes, on 30 October 2023, the Minister for Planning and Public Spaces, the Hon. Paul Scully MP, wrote to Waverley and other councils in NSW asking councils to review local policy settings and approaches relating to the permissibility and provision of ‘terraces, townhouses and 2 storey residential flat buildings’ (i.e. manor houses) in the R2 low density residential zone and residential flat buildings in the R3 medium density residential zone. It was requested that Council begin work identifying locations and permitting more low and mid-rise homes immediately. This letter is provided in Attachment 5.

Less than one month after receiving this letter, without giving councils sufficient time to respond, the NSW Government announced that it would push ahead with reform related to this request, however with an expanded scope via the inclusion of a variety of proposed non-refusal standards. The reform is proposed via Explanation of Intended Effect (EIE) entitled *Changes to Create Low- and Mid-Rise Housing* (Attachment 1), which was placed on exhibition in December 2023.

These announced reforms come at a time following the dissolution of the GCC, where councils are still waiting to receive the updated Six Cities Region Plan and Eastern Harbour City Plan, the main strategic

planning framework that works alongside Council's Local Strategic Planning Statement, Local Housing Strategy and other relevant policies and strategies to inform local planning in Waverley.

In addition to the above changes, the State Government has proposed a Transit Oriented Development SEPP (TOD SEPP) which proposes a rapid rezoning of areas around 400 m of train stations in 31 locations without public consultation to be completed by April 2024 and a rezoning of areas around eight locations to be complemented with master planning and community consultation, to be completed by November 2024. Waverley is not currently affected by the TOD SEPP but due to existing zoning that exists around Bondi Junction train station, the same provisions as proposed in the TOD SEPP will essentially apply within a 400 m walking distance if the EIE is finalised.

3. Relevant Council Resolutions

Nil.

4. Discussion

On 28 November 2023, the NSW Government announced proposed planning amendment to allow more 'low- and mid-rise housing' in the six cities region. The Explanation of Intended Effect (EIE) was released on Friday 15 December 2023, one week before the Christmas break. Council was not immediately notified and did not receive communications until almost one week later.

The EIE is on public exhibition from the 15 December date until 23 February 2024. In a webinar attended by Council officers on 31 January 2024, the DPHI have advised it was highly unlikely that draft changes (via amendments to the Housing SEPP) would be exhibited and available for comment. This will likely be the only opportunity for Council and the community to provide feedback.

In preparing the submission, Council Officers attended the following sessions:

- Webinar and Q&A by the DPHI on 31 January 2024.
- SSROC Planners session on 1 February 2024.
- LGNSW Planners session on 7 February 2024.

No evidence including modelling on population increases, urban design outcomes, infrastructure demand or anticipated take up and dwelling yield relating to the proposed planning reform has been provided.

Proposed changes

The proposed changes will apply a raft of non-refusal standards. Proposed non refusal standards include substantial increases to height and FSR in most of these zones, in addition 30% height and FSR affordable infill bonuses can also be used on top of the non-refusal standards.

Table 1. Proposed non-refusal standards.

<p>R2 Low Density Residential Zone <i>Dual occupancies (permitted in all R2 Zones):</i></p> <ul style="list-style-type: none"> • maximum building height: 9.5 metres • maximum floor space ratio: 0.65:1 • minimum site area: 450m² • minimum lot width: 12 metres • minimum car parking spaces: 1 per dwelling 	<p>R2 Low Residential Zone <i>Multi dwelling housing (terraces) (permitted 0-800m of stations and town centre precincts):</i></p> <ul style="list-style-type: none"> • maximum building height: 9.5 metres • maximum floor space ratio: 0.7:1 • minimum site area: 500m² • minimum lot width: 18 metres • minimum car parking spaces: 0.5 per dwelling
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<p>R2 Low Density Residential Zone <i>Multi dwelling housing (permitted 0-800m of stations and town centre precincts):</i></p> <ul style="list-style-type: none"> • maximum building height: 9.5 metres • maximum floor space ratio: 0.7:1 • minimum site area: 600m² • minimum lot width: 12 metres • minimum car parking spaces: 1 per dwelling 	<p>R2 Low Density Residential Zone <i>Manor houses (permitted 0-800m of stations and town centre precincts):</i></p> <ul style="list-style-type: none"> • maximum building height: 9.5 metres • maximum floor space ratio: 0.8:1 • minimum site area: 500m² • minimum lot width: 12 metres • minimum car parking spaces: 1 per dwelling
<p>R3/E1/MU1 Zones <i>Residential flat buildings and shop top housing within 0-400m of stations:</i></p> <ul style="list-style-type: none"> • maximum building height: 21 metres (27.3m with AH bonus) • maximum floor space ratio: 3:1 (3.9 with AH bonus) • no minimum lot size or lot width 	<p>R3/E1/MU1 Zones <i>Residential flat buildings and shop top housing between 400 to 800m of stations:</i></p> <ul style="list-style-type: none"> • maximum building height: 16 metres (20.8m with AH bonus) • maximum floor space ratio: 2:1 (2.6 with AH bonus) • no minimum lot size or lot width.

Another change relating to the proposal is reduced apartment design guide requirements for building separation and setbacks.

In some areas (particularly HCAs) the proposed new non-refusal standards, if applied with the affordable housing in-fill bonuses, will double (Botany Street HCA) and in some cases more than triple existing height limits (i.e. Mill Hill HCA and Charing Cross HCA).

Areas of application

The proposed standards will apply to ‘station precincts’ (light rail and train stations) and ‘town centre’ precincts. The station definitions are definitive and subsequently Bondi Junction station is deemed to be included in the definition provided by the EIE. Council officers do not support this for the reasons outlined in the submission and summarised throughout this report and do not support the proposal of one-size-fits-all standards around train and light rail stations.

The definition around ‘town centre precinct’ is the main point of feedback the DPHI is seeking from Councils. The EIE outlines 800 m walking distance of land zoned E2 Commercial Centre or SP5 Metropolitan Centre as the first definition of a town centre, and suggests a potential option relating to other zones (for feedback) as:

800 m walking distance of land zoned E1 Local Centre or MU1 Mixed use but only if the zone contains a wide range of frequently needed goods and services such as full line supermarkets, shops and restaurants

Officers are of the view that such a broad definition does not provide for whether an individual centre is an appropriate area to apply uplift standards. In addition, nominating centres on a definition that can be subject to change ‘over time’ is incredibly problematic. Council officers do not propose nominating relevant ‘town centres’ in the local government area (LGA) as it is believed that proper planning processes should occur before any area is considered appropriate for uplift. Given many urban areas often do not contain full line supermarkets due to size limitations, there is also serious concern this definition could be broadened leading to widescale application.

This submission report is based on a 'worst case scenario' and considers the potential application and impact on the larger centres that exist in Waverley. This approach is consistent with the interpretation taken by other councils.

Analysis and indicative mapping are provided in Attachment 4, with each map labelled based on the probability that officers believe the centre will be included if finalised. The DPHI have also confirmed if a lot is partially affected that the standards will apply to the lot as a whole. Mapping includes:

- Bondi Junction (surrounds of train station and E2 and MU1 zones) – Certain.
- Bondi Beach (surrounds of E1 zone) – Highly possible.

In addition, other centres which could possibly be included are outlined in the attachment.

- Bondi Road (surrounds of E1 zone) – Possible.
- Rose Bay (surrounds of E1 zone in Woollahra) – Possible.
- Old South Head Road (surrounds of E1 zone southern end) – Possible.
- Charing Cross (surrounds of E1 zone) – Possible but unlikely.
- Macpherson Street (surrounds of E1 zone) – Possible but unlikely.

The mapping is indicative not exact. Council has some limitations with measuring walking distance within its existing GIS software. The DPHI has confirmed they will not be providing mapping during exhibition or if this reform proceeds. It is also unlikely Council will provide maps outlining the extents of the new standards if introduced as it is expected an applicant would be required to prove their proximity and location within their development application.

To complement the indicative maps, potential built form outcomes which may result is provided in Attachment 3. These visualisations consider:

- The proposed changes to the Apartment Design Guide (ADG).
- The proposed non-refusal standards.
- The potential application of the 30% affordable housing in-fill bonuses.

The visualisations consider how the ADG has been applied in Waverley and elsewhere. This is because the ADG is a 'guideline' that has been reaffirmed by recent rulings in the NSW Land and Environment Court (LEC) as well as the integration of formerly SEPP 65 – Design Quality of Residential Apartment Development into the Housing SEPP in December 2023 which allows for more flexibility in ADGs application.

Visualisations have been provided in the following areas:

- Mill Hill HCA (within 0-400 m of Bondi Junction).
- Botany Street HCA (within 0-400 m of Bondi Junction).
- Charing Cross HCA (within 400-800 m Bondi Junction).
- Campbell Parade and O'Brien Street (within 0-400 m of potential Bondi Beach town centre).

Given the larger impactful nature of the proposed changes to residential flat buildings and shop-top housing and the short period of time Council has had to respond, analysis has focused on these areas, as against the changes proposed in the R2 zones. Noting that the proposed changes in the R2 zones are still a deviation from Council's existing controls.

Concurrent to this reform is the 'Transit Oriented Development SEPP'. Waverley is not currently affected by this reform, however given the proposed standards are the same and almost all of the 0-400 m in and around Bondi Junction is zoned MU1 Medium Density Residential, E1 Local Centre or R3 Medium Density

Residential, there is virtually no difference in application to Bondi Junction as if it had been included in the TOD SEPP.

This is despite the Minister for Planning in late 2023 explaining in an article in the Sydney Morning Herald that the reason the Eastern Suburbs train stations (such as Edgecliff and Bondi Junction) were left out of the TOD SEPP was due to inadequacies in infrastructure capability. Further discussion is provided to this effect in the submission.

Relationship with other planning controls

The EIE explains that:

All other applicable planning controls in Local Environmental Plans and Development Control Plans such as heritage and environmental considerations will continue to apply to the extent they are not inconsistent with these provisions

The non-refusal standards mean that if an applicant proposes a development that, in Council's view, is too tall or too dense and would result in unreasonable impacts on the surrounding area, it will be unable to refuse the development on grounds of height or floor space, or other non-refusal standards. This takes away the important merit-based assessment role of Council planners for these housing types. Given the lack of requirements for minimum lot size and site width, greater impacts around overshadowing, privacy and view loss are likely. Illustrations that highlight some of the negative outcomes and disproportionate scale that may result are provided in Attachment 3.

In addition to matters discussed above, there is significant concern about the impact on heritage, where in many circumstances, particularly where low-rise medium density areas exist (such as Mill Hill Conservation Area and the Botany Street Conservation Area), the retention of existing buildings would prevent the achievement of the new standards and consequently the new standards would facilitate the demolition of existing structures.

On numerous occasions the DPHI (including at the webinar attended by Council officers) has not clarified its intentions for change in HCAs, however the TOD SEPP which proposes the same development standards and relationships between existing and proposed controls also includes the following when discussing heritage:

The changes proposed will result in significant change in these locations as additional housing is delivered. But it is important to work together to embrace the transition that will occur as the character of these locations evolves.

As the proposed controls would prevail over local heritage controls and approach to addressing impacts of development, any dispute with applicants would likely lead to an increased number of appeals in the Land and Environment Court (LEC) and subsequent expenditure of ratepayer's money.

Officers conclude that the intent of these controls applying in HCAs is to facilitate large scale redevelopment in these areas and that the exhibition materials are disingenuous in not being open and transparent about this to the community.

It is also worth noting, but unclear as to why, Heritage NSW is doing early engagement on a proposed Heritage Strategy in NSW which will consider the existing relationship between heritage and planning frameworks. It is anticipated that this strategy will subsequently be put on exhibition and Council will be able to prepare a submission in due course.

Implications for Council's Local Housing Strategy (LHS) and population growth

In 2022, the estimated population of Waverley was 69,324 with a population density of 7,412 persons per square kilometre (km). The Waverley Local Housing Strategy (LHS) 2020-2036 anticipates by 2036 the population in Waverley would grow to 77,300 with a population density of 8,267 persons per square km.

If the proposal is finalised, more detailed work would be need to understand the LGA wide implications on Council's adopted LHS, future population projections and the infrastructure and service demands required.

Bondi Junction

The estimated population of Bondi Junction in 2022 was 10,469 persons with a population density of 9,742 persons per square km. Of that 10,469, approximately 5,900 persons reside in the R3 Medium Density Residential and R2 Medium Density Residential zoned areas within a 0-400 m walk of the MU1 and E2 zones in Bondi Junction.

Should the proposal be finalised, high-level estimates have found;

- The overall dwelling capacity in the R2 and R3 zones in Bondi Junction would likely increase by more than 400%.
- Over the long-term the population in these areas could increase by between approximately 2,100 (based on a 10% take up) and 21,000 (100% take up over time) persons in the affected areas.

Bondi Beach

The estimated population of Bondi Beach in 2022 was 11,711 persons with a population density of 9,950 persons per square km. Almost the entire suburb of Bondi Beach is located within the 0-400 m walking distance radius of the E1 centre.

Should the proposal be finalised and Bondi Beach were to meet the 'town centre' definition, high level estimates have found:

- The overall dwelling capacity in the R3 and E1 zones in Bondi Beach would likely increase by more than 300%.
- Over the long-term the population in these areas could increase by between approximately 2,300 (based on a 10% take up) and 23,000 (100% take up over time) persons in the affected areas.

These estimates for both suburbs assume that heritage protections are overridden and subsequently these increases would overwhelmingly occur in the existing R3 zoned areas (as well as in the E1 zone). A modest 25% take up over the long term and associated increase in population would see Bondi Junction and Bondi Beach population density align with areas such as Zetland and the dense residential area in Sydney CBD South – Haymarket.

Officer comment and submission

In addition to the concerns raised above, the submission raises concern with the following aspects of the reforms:

- Undermining strategic planning in the six cities region and in Waverley.
- Blaming councils for holding up housing supply due to existing planning controls.
- Not supported by evidence including modelling on population increases, urban design outcomes, infrastructure demand or anticipated take up and subsequent dwelling yields.

- Does not deliver any real outcomes to improve housing affordability (such as the provision of an increased supply of social and affordable housing).
- Applies a 'one-size-fits-all' approach across metropolitan Sydney and undermines local planning, community participation and local decision making and does not consider infrastructure capabilities and conditions.
- Undermines heritage and in particularly Heritage Conservation Areas by not excluding these areas and proposing standards which conflict with the retention of existing buildings.
- Proposes non-refusal standards (including no minimum lot size) will result in many perverse impacts on the local environment including but not limited to; privacy, overshadowing, view loss, loss of tree canopy.
- Insufficient community consultation.
- Misleading information concerning future development scale, particularly given the application of recently finalised affordable housing in-fill bonuses (30% height and floor space ratio).
- Over reliance on local council merit assessment (flooding, bushfire risk, heritage, loss of tree canopy and substantially increased impacts on neighbours) to resolve at the development application stage.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

No additional costs have been occurred in preparing this submission.

It is likely that combined with the recently finalised changes to the affordable housing in-fill bonuses in the Housing SEPP, funds from planning agreements will likely substantially diminish in the future as planning agreements will be unlikely to be offered. This is likely to occur once existing planning agreements have been executed and paid in full, likely by the commencement of the 2026-27 financial year. If this was to occur, the deficit to the Long Term Financial Plan (LFTP) for years beyond 2026-2027 to 2033-34 is estimated at \$8 million.

Time frame

The DPHI initially set a time frame for implementation by the middle of 2024. However, it has been advised this is likely to occur in Q3 2024. DPHI staff noted that implementation timing is subject to the relationship between the agreement of the NSW State Government and the Federal Government in relation to the National Housing Accord.

Consultation

No direct consultation with residents has been undertaken by the DPHI. Consultation predominantly occurred during a time in which people traditionally take holidays throughout the end of December and January.

6. Conclusion

The proposed NSW Government Planning reforms represent a substantial deviation from the strategic planning framework in NSW and local Waverley strategies. The proposed reforms, if implemented, would result in significant unplanned development with impacts that cannot be used as reasons for refusal if not insistent with the new controls. As the proposed scope and exact application of the reforms is not fully understood, it is recommended that Councillors support the making of a submission that raises serious concern with the amendments and requests the EIE be deferred for further engagement with councils.

7. Attachments

1. Explanation of Intended Effect: Changes to create low and mid rise housing ⇨ (under separate cover)
2. Submission ⇨ (under separate cover)
3. Appendix A: Potential urban design outcomes ⇨ (under separate cover)
4. Mapping ⇨ (under separate cover)
5. Letter from The Hon. Paul Scully - 30 October 2023 (under separate cover)

**REPORT
CM/7.12/24.02**



Subject: Planning Agreement - 55 Grafton Street, Bondi Junction
TRIM No: SF23/5349
Manager: George Bramis, Executive Manager, Urban Planning Policy and Strategy
Director: Fletcher Rayner, Director, Planning, Sustainability and Compliance

RECOMMENDATION:

That Council:

1. Approves the planning agreement attached to the report applying to land at 55 Grafton Street, Bondi Junction, offering a total monetary contribution of \$5,535,200, with \$4,151,400 (75%) to be allocated to the Oxford Street and Waverley Street Mall Renewal, Bondi Junction Complete Streets Program and Boot Factory and Mill Hill Community Centre Project, and \$125,000 (25%) 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-155/2018/A at 55 Grafton Street, Bondi Junction.

The application was approved as follows:

Table 1. Approval details.

Item	Approved DA-155/2018/A
Development Description	Modification to the approved development including a reduction in the number of apartments from 106 to 95, internal reconfiguration of units and increase in floor space
Maximum Permissible GFA and FSR	12,420 sqm GFA, equating to an FSR of 6:1
Approved GFA and FSR	13,916 sqm GFA, equating to an FSR of 6.7:1
GFA exceedance	1,496 sqm GFA, equating to a variation of 12%

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

2. Introduction/Background

The draft planning agreement offers a total monetary contribution of \$5,535,200 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 \$5,535,200 with \$4,151,400 (75%) to go towards the Oxford Street and Waverley Street Mall Renewal, Bondi Junction Complete Streets Program and Boot Factory and Mill Hill Community Centre Project, and \$125,000 (25%) to go to Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014.

The contribution is expected to support improvements within Bondi Junction and support the provision of affordable housing in the local government area.

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 \$5,535,200, 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 18 December 2023 to 8 February 2024, and included:

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

One submission was received during the exhibition period, supporting the proposed VPA.

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

**JQZ SIXTEEN PTY LTD ACN 620 430 748ATF
THE JQZ UNIT TRUST ABN 72 677 525 400**

(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****JQZ SIXTEEN PTY LTD ACN 620 430 748 ATF THE JQZ SIXTEEN UNIT TRUST ABN 72 677
525 400** of Unit 24 and 25, 1 Nipper Street, Homebush NSW 2125 ("**Developer**")**BACKGROUND/RECITALS**

- A.** The Developer is the registered proprietor of the Land with the benefit of the Development Consent having settled on the purchase of the Land from Coonara Developments Pty Ltd ("**Previous Landowner**") on 10 October 2023.
- 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 8 May 2018, the Previous Landowner lodged a development application with Council for development consent to carry out development on the Land, DA-155/2018. Development consent was granted by the Sydney Eastern City Planning Panel on 19 December 2019.
- D.** On 7 October 2021 the Previous Landowner lodged an application for modification of the development consent referred to in recital C, DA-155/2018/A, herein referred to as the Development Application.
- E.** On 21 April 2022 the Previous Landowner made an offer to Council in connection with the Development Application, to enter into a Planning Agreement and to make the Development Contribution to be applied towards a public purpose in accordance with Council's Planning Agreement Policy.
- F.** On 13 September 2022 Development Consent was granted by the Sydney Eastern City Planning Panel.

- G. On 25 October 2023 the Developer made an offer to Council in connection with the Development Application on the same terms as the offer by the previous Landowner dated 21 April 2022. This Agreement is consistent with the Developer's offer.

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 Consent.

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 prior to the issue of any Construction Certificate for the Development that relates to works contained in DA-155/2018/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;

“Development Consent” means the development consent granted in respect of the Development Application described in item 3 of the Schedule, as may be 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 to in item 7 of the Schedule;

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

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

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

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

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

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

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

“Schedule” means the schedule to this Agreement;

“Trust” means the JQZ Sixteen Unit Trust ABN 72 677 525 400.

4.2 Interpretation

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

- (a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement;
- (b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney, New South Wales;
- (c) If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day;
- (d) A reference in this Agreement to dollars or \$ means Australian dollars and all

amounts payable under this Agreement are payable in Australian dollars;

- (e) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision;
- (f) A reference in this Agreement to any agreement, Agreement or document is to that agreement, Agreement or document as amended, novated, supplemented or replaced;
- (g) A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement;
- (h) An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency;
- (i) Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning;
- (j) A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders;
- (k) References to the word 'include' or 'including' are to be construed without limitation;
- (l) A reference to this Agreement includes the agreement recorded in this Agreement;
- (m) A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns; and
- (n) Any schedules and attachments form part of this Agreement.

5 DEVELOPMENT CONTRIBUTION TO BE MADE UNDER THIS AGREEMENT

- 5.1 The Developer agrees to make, and the Council agrees to accept, the Development Contribution to be applied for the Public Purpose.
- 5.2 The Developer must pay the Development Contribution to the Council by bank cheque on or before the Development Contribution Date and time is essential in this respect.
- 5.3 Notwithstanding any other provision herein, the Development Contribution herein, being as set out in condition 42(ii) of the Development Consent, is subject to increase in accordance with paragraph 7 of the offer made by the Developer referred to in Recital G.

6 APPLICATION OF THE DEVELOPMENT CONTRIBUTION

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

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

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

8 REGISTRATION OF THIS AGREEMENT

- 8.1 The Parties agree this Agreement is to be registered by the Registrar-General as provided for in section 7.6 of the Act.
- 8.2 The Developer warrants that they have done everything necessary to enable this Agreement to be registered under section 7.6 of the Act.
- 8.3 Without limiting clause 8.2, the Developer warrants that they have obtained the express written consent to the registration of this Agreement under section 7.6 of the Act from:
- (a) If this Agreement relates to land under the *Real Property Act 1900*, each person who has an estate or interest in the Land registered under that Act; or
 - (b) If this Agreement relates to land not under the *Real Property Act 1900*, each person who is seized or in possession of an estate or interest in the Land.
- 8.4 Within 14 days of entering into this Agreement and in any event prior to the issue of any Construction Certificate for the Development, the Developer will at their cost arrange and effect registration of this Agreement under section 7.6 upon the title to the Land and as soon as possible will:
- (a) deliver to the Council the Registration Application in registrable form noting the Council as applicant and executed by the owner of the Land and any other person the subject of the warranty in clause 8.3;
 - (b) 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 Should payment of the Development Contribution or surrender of the Development Consent occur upon the date of this Agreement and prior to issue of a Construction Certificate, then there will be no obligation to register this Agreement in accordance with this clause nor provide the Bank Guarantee in accordance with clause 9.1.
- 8.9 Upon registration of this Agreement by the Registrar General, this Agreement is binding on, and is enforceable against the owner of the Land from time to time as if each owner for the time being had entered into this Agreement.

9 BANK GUARANTEE

9.1 Provision of Bank Guarantee

- (a) Subject to clause 8.8, prior to the issue of any Construction Certificate for the Development, the Developer must deliver to the Council a Bank Guarantee, which must be:
- (i) in a form acceptable to Council and from an institution acceptable to Council;
 - (ii) irrevocable;
 - (iii) unconditional;
 - (iv) with no expiry date;
 - (v) issued in favour of the Council;
 - (vi) for an amount equivalent to the Development Contribution set out in Item 5 of the Schedule;
 - (vii) drafted to cover all of the Developer's obligations under this Agreement; and
 - (viii) on the terms otherwise satisfactory to the Council.
- (b) The Developer acknowledges that the Council enters into this Agreement in consideration of the Developer providing the Bank Guarantee as a security for the performance of all of the Developer's obligations under this Agreement, including without limitation the delivery of the Development Contribution to Council in accordance with this Agreement.

9.2 Calling on Bank Guarantee

- (a) The Council may call on the Bank Guarantee in the event that the Developer:
- (i) fails to make a payment of any part of the Development Contribution in accordance with this Agreement or any other amount payable under this Agreement by its due date for payment; or
 - (ii) breaches any other term or condition of this Agreement,
- and fails to remedy the relevant failure or breach within 7 days after the Council's notice.

- (b) If the Council calls on the Bank Guarantee as a result of the Developer's failure to pay any amount due under this Agreement, then the Council will apply the amount received pursuant to its claim on the Bank Guarantee towards the Developer's obligation to pay the relevant amount and will deduct that amount from the total amount payable under this Agreement. In those circumstances, the Developer will be required to pay to the Council any outstanding balance of the Development Contribution and other amounts payable under this Agreement.

9.3 **Return of Bank Guarantee**

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

10 **REVIEW OF THE AGREEMENT**

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

11 **DISPUTE RESOLUTION**

11.1 **Notice of dispute**

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

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

11.2 **Response to notice**

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

11.3 The nominated representative must:

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

11.4 **Further notice if not settled**

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

11.5 **Mediation**

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

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

11.6 Expert Determination

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

- (i) The dispute must be determined by an independent expert in the relevant field:
 - (a) Agreed upon and appointed jointly by the Council and the Developer; or
 - (b) In the event that no agreement is reached or appointment made within 30 business days, appointed on application of a Party by the then current President of the Law Society of New South Wales;

- (ii) The expert must be appointed in writing and terms of the appointment must not be inconsistent with this clause;
- (iii) The determination of the dispute by such expert will be made as an expert and not as an arbitrator and will be in writing and containing reasons for the determination;
- (iv) The expert will determine the rules of the conduct for the process, but must conduct the process in accordance with the rules of natural justice;
- (v) Each Party will bear its own costs in connection with the process and the determination by the expert together with an equal proportion of the expert's fees and costs; and
- (vi) Any determination made by an expert pursuant to this clause is final and binding upon the Parties except where the determination is in respect of, or relates to, termination or purported termination of this Agreement by any Party, in which event the expert is deemed to be giving a non-binding appraisal and any Party may commence litigation in relation to the dispute if it has not been resolved within 20 business days of the expert giving his or her decision.

11.7 **Litigation**

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

11.8 **Continue to Perform Obligations**

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

12 **ENFORCEMENT**

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

12.2 Until such time as the Development Contribution has been paid in full, 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 NOTICES

13.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:

- (a) delivered or posted to that Party at its address set out below in Item 8 of the Schedule;
- (b) faxed to that Party at its fax number set out below in Item 8 of the Schedule;
- (c) emailed to that Party at its email address set out below in Item 8 of the Schedule.

13.2 If a Party gives the other Party 3 business days' notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.

13.3 Any notice, consent, information, application or request is to be treated as given or made at the following time:

- (a) If it is delivered, when it is left at the relevant address.
- (b) If it is sent by post, 2 business days after it is posted.
- (c) If it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.

13.4 If any notice, consent, information, application or request is delivered, or an error free

transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

14 APPROVALS AND CONSENT

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

15 ASSIGNMENT AND DEALINGS

15.1 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 without the prior written consent of Council. However, the Developer may enter into off the plan contracts for sale in respect of lots within the Development but cannot complete any such sales unless the Developer's obligations under this Agreement, including but not limited to, the delivery of the Development Contribution to Council have been met.

15.2 For the avoidance of doubt, this Agreement does not prevent or restrict the Developer, mortgaging or remortgaging the Land or any part of it provided any mortgagee is aware of and bound by the terms of this Agreement in the event of a default by the mortgagor and/or the exercise of its powers by the mortgagee under any such mortgage.

16 COSTS

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

17 ENTIRE AGREEMENT

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

18 FURTHER ACTS

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

19 GOVERNING LAW AND JURISDICTION

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

20 JOINT AND INDIVIDUAL LIABILITY AND BENEFITS

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

21 NON FETTER

The Developer acknowledges and agrees that:

- (a) in addition to its obligations under this Agreement the Council is also responsible for the conduct and administration of local government in the Waverley Local Government Area;
- (b) this Agreement in no way affects Council's statutory obligations, functions or powers, including without limitation, its obligations, functions or powers in respect of the Development Application, Development Consent and any other approvals required in respect of the works to be carried out under the Development Consent;
- (c) nothing which the Council does or fails to do under this Agreement will limit or otherwise affect the Developer's obligations under the Development Consent; and
- (d) nothing which the Council does, fails to do or purports to do in performing the Council's statutory functions or powers will constitute or amount to a breach of this Agreement.

22 REPRESENTATIONS AND WARRANTIES

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

23 SEVERABILITY

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

24 MODIFICATION

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

25 WAIVER

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

26 GOODS & SERVICES TAX

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

27 EXECUTION IN TRIPLICATE

The Parties shall execute this Agreement in triplicate so as to provide one original signed by both parties and a further copy for registration of the Agreement under section 7.6 of the Act. This Agreement will be dated on the day of execution by all Parties.

28 DEVELOPER AS TRUSTEE

Developer's capacity

- 28.1 The Developer enters into this Agreement as a trustee of the Trust, and it does so both for itself and a trustee of the Trust, and in this Agreement each reference to the Developer is a reference to it in each capacity.

Developer's warranties

- 28.2 The Developer warrants to the Council each of the following:

- 28.2.1 The Trust was validly created and is in existence and it was validly appointed as and is the sole trustee of the Trust.
- 28.2.2 No action has been taken or proposed to remove it as trustee of the Trust.
- 28.2.3 It has power under the Trust deed to enter into and observe its obligations under this Agreement and for the duration of the Agreement and it has entered into them in its capacity as trustee of the Trust and for the benefit of the beneficiaries of the Trust.
- 28.2.4 It has a right to be fully indemnified out of the Trust fund in respect of obligations incurred by it under this Agreement.
- 28.2.5 The assets of the Trust are sufficient to satisfy that right of indemnity and all other obligations of the Developer under this Agreement.
- 28.2.6 It is not in default under the terms of the Trust.
- 28.2.7 No part of the Trust's assets have been re-settled or set aside.
- 28.2.8 There has been no capital distribution from, and no beneficiary has been allowed to use or occupy, the Trust's assets.
- 28.2.9 It has not blended or mixed the Trust's assets.
- 28.2.10 No action has been taken or is proposed to terminate the Trust for the duration of this Agreement.
- 28.2.11 The Developer has complied with its obligations in connection with the Trust.
- 28.2.12 The Developer's rights under this Agreement rank in priority to the interests of the beneficiaries of the Trust.

Developer's agreements

- 28.3 The Developer agrees not to do each of the following:
- 28.3.1 Default under the relevant Trust deed.
- 28.3.2 Allow its right of indemnity or subrogation to be restricted and must on demand from the Council, exercise its rights of indemnity and subrogation against the Trust's assets.
- 28.3.3 Retire as a trustee of the Trust, permit the appointment of another trustee or allow the trust deed to be varied.
- 28.3.4 Blend or mix the Trust's assets.
- 28.4 In addition to the above warranties and agreements, the Developer warrants and agrees that Council's rights in relation to the provision of the Development Contribution to Council and enforcement of this Agreement, including but not limited to, the right to lodge a Caveat against the title to the Land and its rights in relation to the Bank Guarantee

shall in no way be compromised or diminished by the existence of the Trust.

SCHEDULE

<u>Item Number</u>	<u>Particulars</u>	<u>Description</u>
1	Developer	JQZ Sixteen Pty Ltd ACN 620 430 748 ATF The JQZ Sixteen Unit Trust ABN 72 677 525 400
2	Land	47-55 Grafton Street, Bondi Junction (Lot 2 in DP 1073908)
3	Development Application	DA-155/2018/A
4	Development (description)	Demolition of the existing building and construction of a new 19-20 storey mixed use building and basement parking as modified to reduce the number of apartments from 106 to 95, internal reconfiguration of units and increase of floor space
5	Development Contribution	\$5,535,200.00
6	Public Purpose	Towards the Waverley Affordable Housing Program (25%) and the Oxford Street and Waverley Street Mall Renewal, Bondi Junction Complete Streets Program and Boot Factory and Mill Hill Community Centre Project (75%).
7	Development Contribution Date (Payment date for the Development Contribution)	Prior to the issue of any Occupation Certificate for the Development
8	Developer Address	Unit 24 and 25, 1 Nipper Street, Homebush NSW 2140
	Developer Fax	N/A
	Developer Email	Jeremy Hung <Jeremy.Hung@jqz.com.au>
	Council Address	Corner Paul Street and Bondi Road, Bondi Junction NSW 2022
	Council Fax	(02) 9387 1820

Council Email

info@waverley.nsw.gov.au

DRAFT FOR EXHIBITION

**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 JQZ SIXTEEN PTY LTD
(ACN 620 430 748)**

In accordance with section 127 of the
Corporations Act 2001

JIANQIU ZHANG

Sole Director/Secretary

REPORT CM/7.13/24.02



WAVERLEY
COUNCIL

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

TRIM No: DA-304/2022/A

Manager: George Bramis, Executive Manager, Urban Planning Policy and Strategy

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

RECOMMENDATION:

That Council:

- 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 \$374,205 (75%) to be dedicated to the Bronte Park Plan of Management and \$124,735 (25%) to be allocated to Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy.
- 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:

Table 1. Approval details.

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

Meeting and date	Item No.	Resolution
Strategic Planning and Development Committee 21 November 2023	CM/7.9/23.11	<p><i>The motion below was lost.</i></p> <p>That Council:</p> <ol style="list-style-type: none"> Publicly exhibits 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 the Charing Cross Streetscape Upgrade. Officers prepare a report to Council following the exhibition period.

At the Strategic Planning and Development Committee meeting on 21 November 2023, officers recommended a planning agreement for 122-128 Hewlett Street with a total monetary contribution of \$498,980, allocating 100% to Waverley's Affordable Housing Program. Instead, a motion was moved to reallocate 100% of the contribution to the Charing Cross Streetscape Upgrade and re-exhibit an amended draft planning agreement with that public purpose. The motion was put and declared lost.

The amended draft planning agreement now proposes a different public purpose. Works within the Bronte Park Plan of Management (PoM) are largely unfunded at present and have a stronger nexus with the development site compared to the Charing Cross Streetscape Upgrade project, rendering the Bronte Park PoM an appropriate allocation which better meets the requirements of the Waverley Planning Agreement Policy 2014 (Amendment 4) and the Department of Planning, Housing and Infrastructure Planning Agreements Practice Note (February 2021).

Further, Council's Planning Agreement Policy 2014 (Amendment 4) provides that at least 25% of the VPA contribution is dedicated towards the Waverley Affordable Housing Program.

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, with 75% to be dedicated to the Bronte Park Plan of Management and 25% to be allocated to Waverley's Affordable Housing Program in accordance with Council's Planning Agreement Policy.

The contribution is expected to support public domain upgrades near the development site and support the provision of affordable housing in the local government area.

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 amended 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 in their amended form were exhibited from 11 December 2023 to 1 February 2024, 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	75% towards the Bronte Park Plan of Management and 25% towards Waverley's 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/7.14/24.02

Subject: North Bondi Shops and Bus Terminus Upgrade - Concept Design

TRIM No: SF24/441

Manager: Rob Sabato, Executive Manager, Major Projects

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council:

1. Publicly exhibits the concept design attached to the report for the North Bondi Shops and Bus Terminus Upgrade for 28 days.
2. Notes that:
 - (a) A community consultation report will be circulated to Councillors following the exhibition period, along with an updated concept design where relevant.
 - (b) Where a significant design change is proposed, the updated concept design will be presented to a Councillor briefing in accordance with the Councillor Engagement Process for Capital Works Projects.
 - (c) Where there is no significant design change, the project will proceed to detailed design in accordance with the Councillor Engagement Process for Capital Works Projects.

1. Executive Summary

The purpose of this report is to seek Council's approval to publicly exhibit the attached North Bondi Shops and Bus Terminus Upgrade concept design for community consultation. It is recommended that the concept design, through a comprehensive communications package, be publicly exhibited for 28 days.

2. Introduction/Background**Design background***Pre-2023*

In July 2017, Taylor Brammer provided a concept design for the Campbell Parade, North Bondi precinct. This design proposed upgrades to the Hastings Parade to Brighton Boulevard area inclusive of each intersection and proposed the relocation of the bus terminus to the eastern side of Military Road, south of Blair Street. The concept design proposed the Blair Street and Military Road intersection be converted to a roundabout controlled intersection. There are two variants to the concept design. For the purposes of this report, the Taylor Brammer concepts will be referred to as concept design Option 2a and concept design Option 2b.

In December 2017, Council adopted the People, Movement and Places Strategy. This makes a range of recommendations for Council to improve the full range of transport options for the community. It includes 12 signature projects and 96 short-, medium- and long-term actions that Council can undertake between then and 2030. One of these actions was to review the location and operation of the North Bondi bus terminus. Campbell Parade in general is identified and included within four of the People, Movement and Places signature projects.

In May 2018, Aspect Studios was awarded the Campbell Parade Streetscape Upgrade Design Services project and in August 2019 developed the Phase 3 Concept Design Approach. The Aspect Studios concept design identified the North Bondi shops and bus terminus area as its own discrete stage—being the area between Hastings Parade and Brighton Boulevard, including the intersection with Brighton Boulevard. It is referred to as ‘North Bondi Village’. For the purposes of this report, the Aspect Studios concept design will be referred to as concept design Option 3.

2023 to present

In June 2023, Council resolved to further refine the previous concept Options 2a/b and 3 to undertake stakeholder and community consultation on the refined options.

The options were refined, leading to a suite of Options labelled 2a/b/c and 3a/b. These refined options were presented to Councillors in November 2023 Councillor briefing, with Option 3b gaining support.

Transport for New South Wales (TfNSW) was also informed during the development of the concept designs and expressed their support for Option 3 a/b and opposition to Options 2a/b/c.

Refer to Attachment 1 for the Option 3b design.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Strategic Planning and Development Committee 6 June 2023	PD/5.6/23.06	That Council: <ol style="list-style-type: none"> 1. Notes the recent safety upgrades to the North Bondi bus terminus, as set out in the report. 2. Notes the previous concept designs for the North Bondi shops and bus terminus, as set out in the report. 3. Approves the refinement of Options 2a/b and Option 3 for the North Bondi Shops and Bus Terminus Upgrade subject to: <ol style="list-style-type: none"> (a) The location of the crossings being reassessed to avoid traffic congestion that may exacerbate the traffic bottleneck, prior to the community consultation. (b) The proposed palm trees being reconsidered due to blocking beach vistas from retail and residential properties. 4. Undertakes stakeholder and community consultation on the above options and receives a further report to

		Council on the outcomes.
Council 21 March 2023	CM/8.5/23.03	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the ongoing safety concerns of residents and businesses in and around the North Bondi bus terminus. 2. Immediately: <ol style="list-style-type: none"> (a) Repaints the zebra crossing at the intersection of Campbell Parade and Brighton Boulevard. (b) Installs improved and more visible pedestrian crossing signs across the intersection. 3. Investigates if a lighting solution to improve safety could also be immediately installed, with a report to be received by Council in May 2023.
Council 21 June 2022	CM/8.6/22.06	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes that: <ol style="list-style-type: none"> (a) The infrastructure in the vicinity of the North Bondi shops and bus terminus is in desperate need of an upgrade, such as the concrete road surface, footpaths, unsafe bus terminus, the entrance to Brighton Boulevard east, and the lack of greenery. (b) Previous design concepts have already been developed that address these concerns. 2. Receives a report at the September 2022 Council meeting that: <ol style="list-style-type: none"> (a) Outlines the infrastructure upgrade requirements, such as road and footpath repairs/renewal, safer bus terminus for pedestrians, pedestrian crossing improvements, beautification and residential, public and business amenity improvements. (b) Identifies and reviews previous concept designs in meeting identified requirements. (c) Estimates potential costs and timings and identifies budget cost centres and allocation to meet project costs.
Council 19 March 2019	CM/7.4/19.03	<p>That:</p> <ol style="list-style-type: none"> 1. Council prepares concept designs for the Campbell

		<p>Parade Streetscape upgrade based on a combination of the design approaches 'squeeze the street' and 'tweak the edges'.</p> <ol style="list-style-type: none"> 2. Council prepares detailed plans for the Ben Buckler commercial area (also known as the North Bondi bus terminus), the corner of Francis Street and Campbell Parade. The detailed designs will articulate the concept design. 3. Council recognises the mixed residential/commercial nature of these locations, and design outcomes will consider outdoor seating for retail outlets, patrons and commercial waste management within the principle of minimisation of negative impacts on adjacent residential amenity. 4. The concept design for Campbell Parade, and the detailed plans for the Ben Buckler commercial area, the corner of Francis Street and Campbell Parade, be returned to Council for consideration separately as prepared.
<p>Strategic Planning and Development Committee 6 November 2018</p>	<p>PD/5.7/18.11</p>	<p>That:</p> <ol style="list-style-type: none"> 1. Council endorses public consultation on the values and principles for the Campbell Parade Streetscape Upgrade for a period of 28 days commencing on 12 November 2018, with these changes: <ol style="list-style-type: none"> (a) There should be four guiding principles for the consultation by adding 'Protect Residents' Amenity'. (b) Amend consultation program to include 'a letter-box drop to residents in the B4 mixed zone and adjoining residential areas' and 'the survey design and report should identify residents' responses and attach a greater weight to residents in any analysis.' 2. In regard to approaches to design, add 'Smooth the interface (minimise impacts on residents including those in adjoining residential zones)'. 3. Council notes that, following the public consultation, a further report will be prepared for Council summarising the consultation process, key feedback and recommending key values and principles for the Concept Design.

4. Discussion

The North Bondi Shops and Bus terminus area has been identified as a key tourism, leisure and burgeoning shopping spot with diverse eateries, hair and beauty salons and clothing retail outlets now in operation. Over the past few years, several new apartment buildings with street-level retail shops have been built on the north-western side of the strip. More needs to be done to transform the whole terminus and shops area into a thriving, aesthetically pleasing and more functional village centre. With this in mind, the concept design plan has been informed by several Council-endorsed strategies, including:

- People, Movement and Places Strategy Report 2017.
- Waverley Community Strategic Plan 2018 – 2029.
- Our Liveable Places Centres Strategy 2020 – 2036.
- Environmental Action Plan 2022 – 2032.

With the refinement of the concept option, Council is looking to:

- Maximise areas for new public space.
- Balance bus operations with other village centre functions.
- Minimise impacts on parking.
- Ensure safe pedestrian movement throughout the village.
- Increase shading and greenery without impeding beach/ocean views.
- implement sustainable elements where feasible.

A concept design based on Option 3b has been developed for community consultation. It is not proposed to consult on Options 2a/b/c as these do not have TfNSW support and would also be unlikely to be supported by the community.

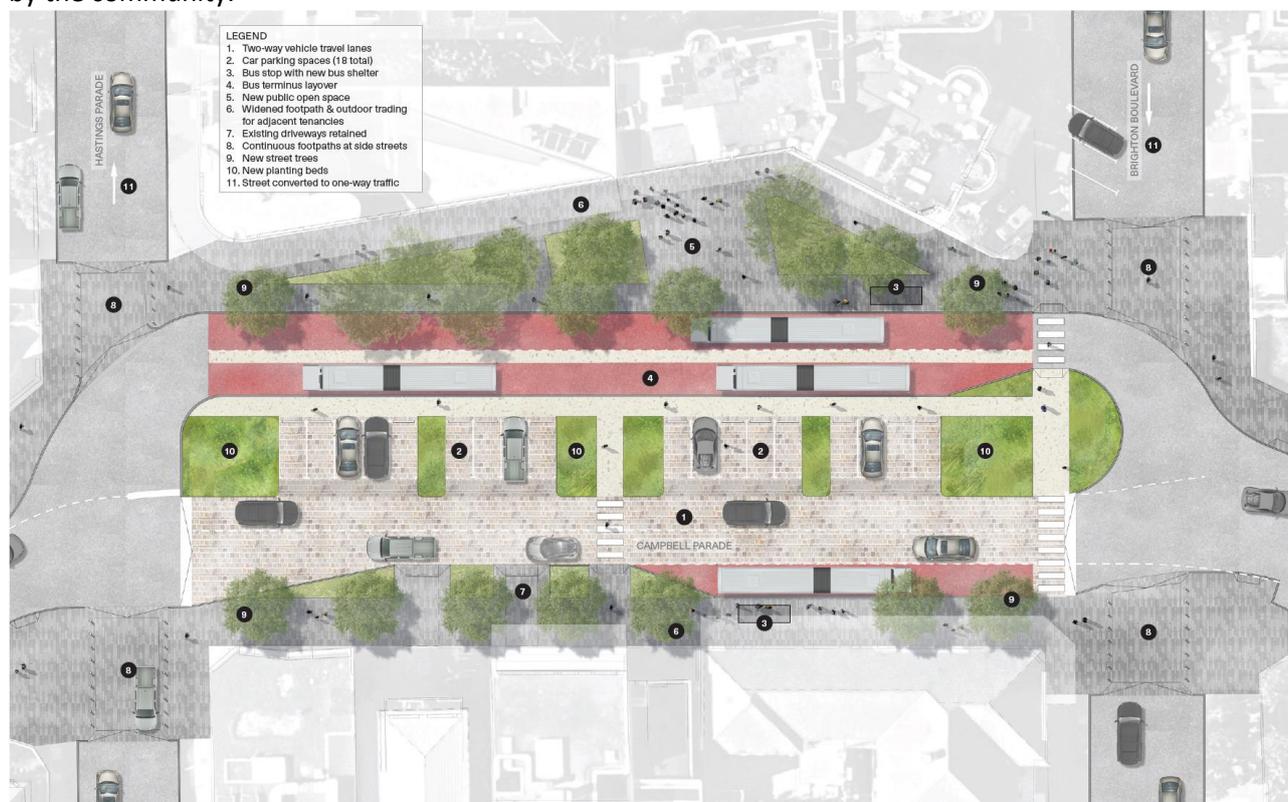


Figure 1. Refined concept 3b.

Key components of this design

- Bus layover facilities retained within the village centre and augmented for improved public space outcomes.
- Northbound and southbound bus stops retained.
- Bus driver amenities removed (location of future driver's facilities within village centre subject to design development)
- Additional public space predominantly located on eastern side of Campbell Parade
- Retention of existing car parking spaces with 90-degree parking layout
- Proposed one way traffic flow on the eastern side streets of Hastings Parade and Brighton Boulevard (eastbound into Hastings Parade and westbound from Brighton Boulevard)

In the Councillor briefing, Option 3b had shown rear-in angled parking adjacent to the Campbell Parade southbound lane. During the finalisation of the concept design, Aspect Studios observed that, in accordance with the Australian Standard AS2890.5:2020 Parking Facilities, Part 5: On-street parking, a 90-degree angle is the only suitable approach for accessibility from both directions. Consequently, rear-in angled parking could not adequately accommodate the parking requirements of northbound vehicles. Therefore, the updated concept now includes 90-degree angle parking.

The focus on ensuring pedestrian safety guided the designation of pedestrian crossings within Option 3b. Further traffic analysis and studies will be conducted during the detailed design stage to ascertain the impacts and precise locations of these pedestrian crossings.

Regarding tree planting, it is too early in the design stage to nominate a particular tree species, but native trees with good coverage will be considered priority during detailed design.

Summary

In the process of the concept refinement, Option 3b provided better outcomes compared to Option 2a/b/c such as and not limited to:

- Retaining existing parking numbers.
- Bus terminus redesigned but retained in its existing location.
- Bus layover moved to one side of the street providing better traffic flow and safer environment for vehicles and pedestrians,
- Improved public space and safer pedestrian crossings.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

Council's Long Term Financial Plan (LTFP) has an allocation of \$200,000 in the 2023-2024 financial year to facilitate design progression, with a further \$4 million for construction within the extended LTFP.

Costs associated with conducting concept design refinement and community consultation will be covered by the funds already allocated to the project in the 2023-24 financial year.

A construction cost estimate will be prepared during the detailed design stage to inform development of the design within budgetary requirements.

Time frame

The table below outlines the targeted timeline for concept design community consultation. Subsequent timing of the detailed design phase onwards will be subject to the outcomes of community consultation.

Table 2. Timeline.

Milestone	Timing
Community consultation on concept design	March–April 2024
Community consultation report	May 2024

Consultation

The following action plan has been developed for community consultation:

- Engage Bondi, Bondi Beach and Rose Bay precincts.
- Engage Bondi Chamber of Commerce.
- Engage BIKEast.
- Engage Transport for NSW
- Email Councillors and internal stakeholders.
- Engage residents and local businesses.
 - Business walk-throughs in two stages.
 - Online community information session.
 - In-person community information session with Council officers and ASPECT Studios representative at Bondi Pavilion.
- Have Your Say page.
- Marketing materials.
- E-news.
- Social media
- Article in *The Beast* or the *Wentworth Courier*

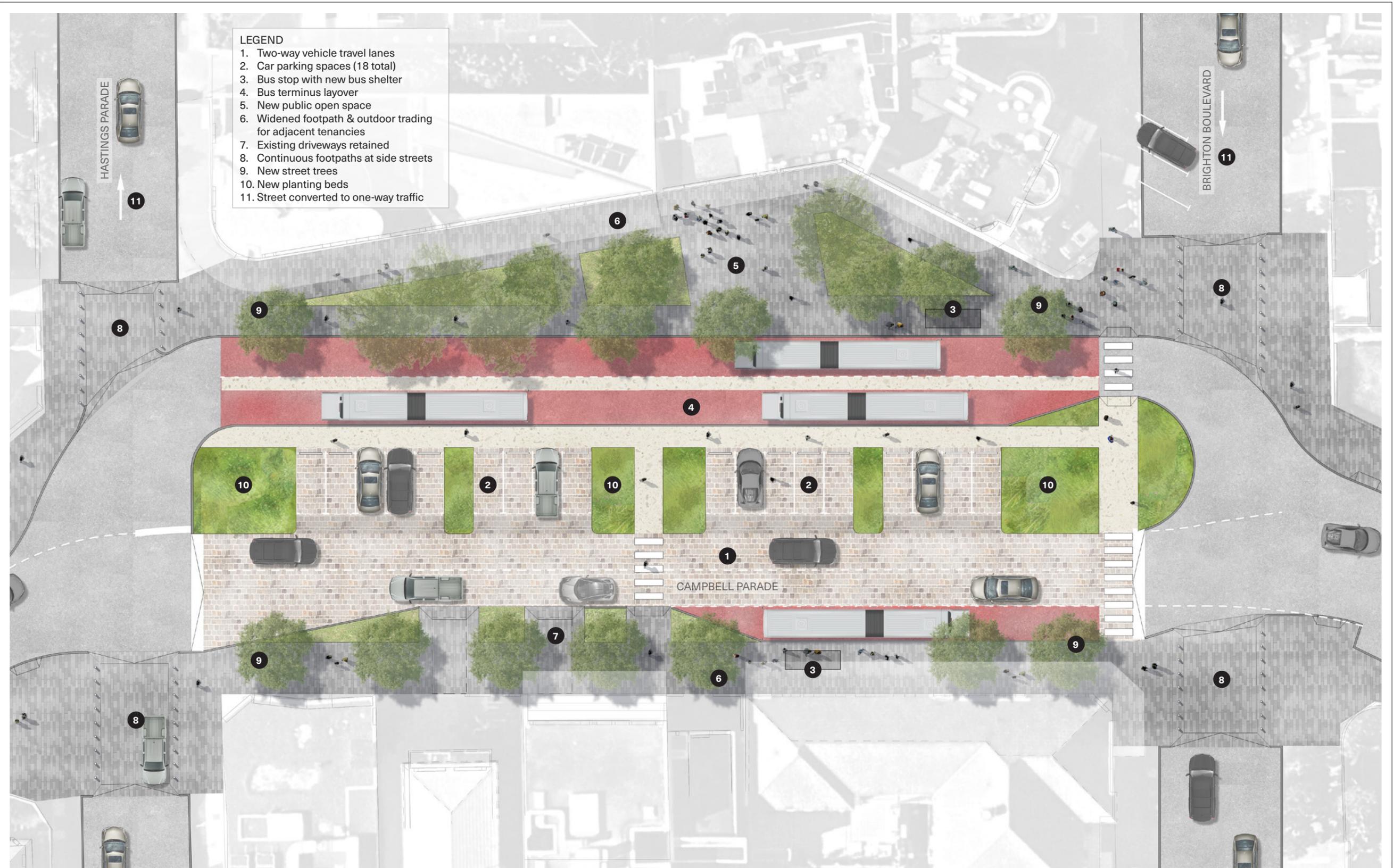
Upon completion of community consultation, Council officers will report to council of the consultation outcome and if applicable, revised concept design factoring community feedback.

6. Conclusion

It is recommended that Council publicly exhibits North Bondi Shops and Bus Terminus concept design attached to the report for 28 days.

7. Attachments

1. North Bondi Shops and Bus Terminus Upgrade - Option 3b [↓](#) .



- LEGEND**
1. Two-way vehicle travel lanes
 2. Car parking spaces (18 total)
 3. Bus stop with new bus shelter
 4. Bus terminus layover
 5. New public open space
 6. Widened footpath & outdoor trading for adjacent tenancies
 7. Existing driveways retained
 8. Continuous footpaths at side streets
 9. New street trees
 10. New planting beds
 11. Street converted to one-way traffic

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 These drawings shall be read in conjunction with any Engineers, Architects or other consultant information (not limited to drawings, legends, schedules, specifications).
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NOTES / KEY PLAN

DATE	REV	AMENDMENTS
12/02/24	A	DRAFT ISSUE
13/02/24	B	DRAFT ISSUE

CONSULTANTS

ASPECT Studios

ASPECT Studios Pty Ltd
 Level 1, 78-80 George Street
 Redfern NSW 2016
 Australia
 T 02 9699 7182
 www.aspect-studios.com
 sydney@aspect-studios.com
 ABN 11 120 219 561

PROJECT
 CAMPBELL PARADE, NORTH BONDI



NORTH
 SCALE A1 | SCALE A3
 1:150 | 1:300

DRAWN FL
CHECKED JP

DRAWING
 BUS TERMINUS CONCEPT DESIGN

Do not scale - use dimensions & callouts on drawings & schedules. Refer discrepancies to Landscape Architect for clarification.

STATUS
 CONCEPT DESIGN

DRAWING NO.
 L-101

REVISION
 B

NOT FOR CONSTRUCTION

REPORT
CM/7.15/24.02

Subject: Tender Evaluation - Bondi Park - Stage 2 Electrical Upgrades

TRIM No: A22/0454

Manager: Rob Sabato, Executive Manager, Major Projects

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

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 tender evaluation contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Declines to accept any of the tenders for construction services for the Bondi Park Stage 2 Electrical Upgrades, in accordance with section 178(1)(b) of the *Local Government (General) Regulation 2021*.
3. Declines to invite fresh tenders or applications as referred to in section 178(3)(b)–(d) of the *Local Government (General) Regulation 2021*, as Council has tested the market with an open tender process and has received unsatisfactory feedback.
4. In accordance with section 178(3)(e) of the *Local Government (General) Regulation 2021*, authorises the General Manager or delegate 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 construction services, as the initial tender process did not yield suitable submissions. It is expected that negotiating with selected qualified contractors will return a competitive and favourable outcome for the construction services required.
5. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.
6. Notifies unsuccessful tenderers of the decision in accordance with section 179 of the *Local Government (General) Regulation 2021*.

1. Executive Summary

Following the close of the request for tender (RFT) for construction services for Bondi Park Stage 2 Electrical Upgrades, one conforming submission and one non-conforming submission were received. The purpose of this report is to seek Council's approval to decline all tenders received and to enter negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract for the project in accordance with section 178(3)(e) of the *Local Government (General) Regulation 2021*.

2. Background

In 2018, the Council prepared a report to guide upcoming improvements in public lighting and electrical infrastructure at Bondi Park. This report proposed various upgrades to main switch boards (MSBs) to meet the power needs of existing and future facilities within the park.

Stage 1 of the project reached practical completion in July 2023, which involved the installation of a new substation and two MSBs to power Bondi Pavilion and initiate the first phase of electrical upgrades to the park.

This tender focuses on Stage 2 works, aimed at enhancing the park's electrical infrastructure to enable power distribution across different sections of the park. It includes installing new lighting and MSBs, as well as upgrading Park Drive from Beach Road to the cul-de-sac to enhance vehicular and pedestrian safety.

These enhancements lay the groundwork for subsequent phases of park lighting upgrades.

3. Scope of Tender

The selected contractor will serve as the principal contractor for the project and will oversee the engagement of all required subcontractors.

The project scope includes:

- Upgrading the existing electrical infrastructure at Bondi Park, Bondi Beach. This encompasses the supply, construction, and connection of a new Ausgrid substation, rearticulation of electrical cables and conduits, installation of a new terminal MSB, and restoration of any disturbed areas to the satisfaction of the superintendent.
- Carrying out activities related to the demolition and construction of various project components such as kerb and gutter, road pavement, tree pits, paving, footpaths, landscaping, etc.
- Coordinating with different parties and authorities involved in the project.
- Procuring or salvaging and installing all relevant hardscape and softscape elements, including but not limited to signage, wayfinding tools, pavers, trees, planting, etc.

4. Reason for Tender

There is currently no suitable panel established for the execution of these works, and considering the estimated cost of the project, it was necessary to seek quotations from the market. Consequently, an open tender process was initiated to fulfill this requirement.

5. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Finance, Operations and Community Services Committee 6 September 2022	FC/5.9/22.09	That Council: <ol style="list-style-type: none"> 1. Treats the tender evaluation attached to the report as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as it relates to a matter specified in section 10A(2)(d)(i) of the <i>Local Government Act 1993</i>. The tender evaluation contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.

		<ol style="list-style-type: none"> 2. Under clause 178(1)(a) of the <i>Local Government (General) Regulation 2021</i>, accepts the preferred tenderer Wilken Service Pty Ltd for head contractor services for Stage 1 electrical upgrades at Bondi Park for the sum of \$469,211.00 (excl GST). 3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with the preferred tenderer Wilken Service Pty Ltd. 4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the <i>Local Government (General) Regulation 2021</i>.
Operations and Community Services Committee 9 October 2018	OC/5.1/18.10	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopts the Bondi Park Lighting and Electrical Masterplan attached to this report to guide future park capital works and lighting and electrical infrastructure renewal projects associated with the Bondi Park, Beach and Pavilion Plan of Management. 2. Accommodates funding requirements for the works envisaged in the Masterplan within the Public Domain Infrastructure Budget category in the Long Term Financial Plan, after due consideration of various project priorities. 3. Prepares an architectural lighting plan for the Bondi Pavilion Restoration and Conservation Project.

6. Discussion

Invitation to tender

A Tender Evaluation Panel (TEP) was established to evaluate the tenders. The Panel consisted of:

- Arusha Bhowmik – Project Officer, Major Projects.
- William Wijaya – Public Place Coordinator, Infrastructure Services
- Brett McAlpin – Project Officer, Major Projects.

The evaluation was witnessed by Council's Procurement Officer, Fernando Carrillo.

An RFT Evaluation Plan was developed and approved by the Evaluation Panel and Council delegate on 11 December 2023.

Tenders were called on 17 November 2023, with the tender being uploaded to the online Vendor Panel portal and advertised via Council's website.

The tender submission deadline was 8 December 2023 at 2 pm (AEST).

Tenders received

The following tenders were received:

- Hibernian Contracting Pty Ltd.
- Artcraft Pty Ltd.

Late tenders

Nil.

Non-conforming tenders

The following non-conforming tenders were received:

The tender submitted by Artcraft Pty Ltd was deemed non-conforming by the Tender Evaluation Panel. The responses provided did not meet the requirements, as the tenderer failed to submit any returnable schedule or descriptors indicating an understanding of the project.

Alternative tenders

Nil.

Conforming tenders

One tenderer met the mandatory requirements and proceeded to a detailed evaluation. The conforming tenders are listed below:
Hibernian Contracting Pty Ltd

Tender evaluation

The TEP assessed the conforming tender against the following evaluation criteria:

- Methodology and staging.
- Program
- Demonstrated experience in delivery of similar projects, including key personnel experience and skill.
- Environmental and sustainability.
- Work health and safety.
- Financial and commercial trading integrity including insurances.
- Lump sum price.

The TEP requested certain clarifications on the submission from Hibernian Contracting Pty Ltd and re-scored based on the tenderer's response.

Tenders were given a score on each of the evaluation criteria and ranked in accordance with their scores. Final scores and rankings are shown in the confidential tender evaluation attached to the report.

Evaluation Panel's recommendation

The Tender Evaluation Panel evaluated the tender on 12 December 2023. Upon review, the Panel recommends rejecting all tenders received and pursuing negotiations with other selected contractors.

The RFT encompassed both electrical and civil components within an all-inclusive works package. This approach aimed to streamline the procurement process and ensure coordination between the various aspects of the project. However, the responses received did not meet the expectations of the TEP in terms of quality and alignment with project requirements.

During the tender period, enquiries were received from several parties expressing interest in delivering only one component rather than both. In response to these queries and to explore potential efficiencies, the decision was made to consider dividing the package into two separate deliverable components: one focused on electrical elements and the other on civil works. The negotiation phase will seek to discuss the feasibility of this approach and assess its efficiency.

In accordance with section 178(3)(e) of the *Local Government (General) Regulation 2021*, the TEP recommends that Council declines to accept all tenders and negotiates with any person (whether or not the person was a tenderer) with a view to entering into a contract for the construction services.

In accordance with section 178(4) of the *Local Government (General) Regulation 2021*, the decision not to pursue sections 178(3)(b)–(d) of the Regulation is that Council has already tested the market with an open tender. Pursuing another open tender or an expression of interest followed by selective tender is not advisable, as the Council has received unsatisfactory feedback from the process. Initiating a new procurement would further delay the project's progress.

The negotiation protocol is as follows:

- Issue a letter to selected contractors inviting each to participate in a negotiation process in relation to providing a submission for works.
- Issue documentation to each selected contractor who submits a signed acceptance form to enable them to provide a submission.
- Afford each selected contractor a limited time frame to return a response to Council.
- Council officers will conduct an evaluation on the written tender responses.
- Council, at its discretion, can then elect to proceed further with one or more of the selected contractors by either:
 - Conducting negotiation meetings with the contractor(s).
 - Issuing a further written draft of the contract documentation to the contractor(s).

7. Financial impact statement/Time frame/Consultation

Financial impact statement

Project costs will be drawn from the following budgets:

- C0851 – Bondi Park Stage 2 Electrical Upgrades.
- C1089 2023/23 RC – Park Drive South, Bondi Beach – Roundabout.

The cumulative available budget is \$515,000. However, the conforming tender submission significantly exceeded this amount.

During negotiation discussions with selected tenderers, a staged delivery approach will be proposed. This approach would involve completing an agreed portion of works within the current financial year.

While the current Long Term Financial Plan provides budget allowance for the next two years, any budgetary issues resulting from the negotiation outcomes will be addressed during the development of the next financial year's budget.

Time frame

It is anticipated that the contractor appointed after negotiations will commence construction works in May 2024.

8. Conclusion

The Tender Evaluation Panel recommends that Council declines to accept all tender submissions and authorises the General Manager or delegate to enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender.

9. Attachments

1. Tender evaluation (confidential) .

NOTICE OF MOTION CM/8.1/24.02



Subject: Margaret Whitlam Community Room - Operations

TRIM No: DA-353/2023

Submitted by: Councillor Kay
Councillor Betts

MOTION:

That Council:

1. Notes that DA-353/2023 was lodged on 24 November 2023 to 'formalise' the operations of the Margaret Whitlam Recreation Centre Community Room, including the use of amplified music until 1 am and bump-out until 2 am.
2. Notes significant disquiet by local residents and the Bondi Heights precinct on such concerns as:
 - (a) The DA being lodged by Milestone Town Planning as applicant on behalf of Council officers without any consideration and endorsement by the elected Council.
 - (b) The DA notification area to residents was considered inadequate.
 - (c) The DA being assessed by Council officers as a 'minor DA' rather than by an external planning consultant that would generally be used when Council lodges a DA for its own property.
 - (d) The change of use for the community room and intensification of its use, noting that the Waverley Park Plan of Management 2023 shows no support for evening and late-night social use as proposed by the DA.
 - (e) The proposals for amplified sound, operational timing and hours for permitted alcohol consumption.
 - (f) The impact on current on-street parking occupancy due to up to 120 patrons attending each event.
3. Withdraws DA-353/2023 so that a report can be prepared for Council consideration of the assessment process and merits of the proposal in respect to the concerns raised by the local community.

Background

The community room has been used since its construction as part of the Waverley Pavilion and Amenities Building redevelopment (now known as the Margaret Whitlam Recreation Centre), completed in 2012 following development consent of DA-289/2009.

A new development application, DA-353/2023, was lodged in November 2023 to seek approval to update how the community room can operate. The local community have raised concerns about the DA lodgement and assessment process, and the merits of the proposal.

Residents have questioned whether a report should have been presented to Council prior to DA lodgement for Councillor consideration of the merits of the DA's proposals, some of which are now the subject of community concern. This would have enabled Councillors and interested members of the community to comment on the proposals being recommended in an open and transparent manner, and allowed 'buy-in' by the community. It would have provided an opportunity for any contentious or controversial elements to have been removed or ameliorated prior to DA lodgement.

The motion acknowledges the community's concern for the DA assessment being performed in-house by Council planning staff rather than being undertaken by an external planning consultant. Based on the large amount of interest and contention within the community and the Bondi Heights precinct, and the potential undue impacts on local residents if the proposals are implemented, it has been argued that the DA, rather than being 'minor', should instead have been categorised as a 'major DA.' It is, however, noted that the DA will be determined by the independent Waverley Local Planning Panel (WLPP). Nevertheless, there have been allegations by members of the community that an internal assessment report and recommendation to the WLPP may have some bias towards the proposals, and may not treat objections raised by residents and the Bondi Heights precinct with sufficient weight.

The local community has also argued strongly against the merits of the proposal, with the key issues being noted in the motion.

Based on the above commentary, the motion is asking Council to withdraw the DA so that a report can be prepared on the assessment process and the merits of the proposal, particularly in light of the concerns raised by local residents and the Bondi Heights precinct.

The impact of the withdrawal and Council's reconsideration of the proposal will be minimal. Operation of the community room can continue as it has done relatively successfully for well over 10 years, with any Council event and venue hire to the community continuing in a similar manner as before, while remaining cognisant to minimise impacts to the local residents, especially noise emissions which are part of the conditions of consent for DA-289/2009.

General Manager's comment

As the applicant/landowner, the elected Council or General Manager can withdraw the DA. Alternatively, Councillors can make individual submissions on the DA, as long as the submissions are not in their capacity as Councillor.

Fletcher Rayner
Director, Planning, Sustainability and Compliance

NOTICE OF MOTION CM/8.2/24.02



WAVERLEY
COUNCIL

Subject: Complying Development Certificates - Notification

TRIM No: A11/0500

Submitted by: Councillor Nemesh
Councillor Kay

MOTION:

That Council:

1. Notes that under the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), a complying development certificate (CDC) in NSW is only notified to the occupier (but not the owner) of a neighbouring property if the development at the subject site is to be carried out on a lot that has boundary within 20 metres of a boundary of another lot on which a dwelling is located.
2. Further notes that a certifier can issue a CDC from 14 days after the notification period, but such notification does not contain the plans or designs of the CDC.
3. Writes to the Minister for Planning and Public Spaces, The Hon. Paul Scully MP, requesting the following changes to the EP&A Regulation:
 - (a) All metropolitan CDCs be notified to the occupier and owner of neighbouring lots within 40 metres of the boundary of the proposed development lot.
 - (b) All CDC notifications contain the plans and/or the design of the CDC.
 - (c) All CDC plans and/or designs be publicly available and accessible through Council's website.
4. Further writes to the Members for Vaucluse and Coogee requesting that they support this motion and advocate to the Minister of Planning and Public Spaces on behalf of Council.

Background

Under NSW legislation, only certain neighbours must be notified before a CDC is granted. The notice must be sent to the occupier of any property (which may or may not be the owner) within a 20-metre radius.

This is essentially because the proposed development must comply with the development standards of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Development that is specified in a complying development code that meets the standards specified for that development and that complies with the requirements for complying development is complying development for the purposes of the Policy.

The benefit to neighbours of notifications including plans and/or designs of the proposed development is that they will be alerted to the relative significance of the upcoming development and can then decide to peruse the plans and/or designs in more detail. Although neighbours cannot make submissions on a complying development, if they can view plans registered on Council's DA tracker, this detail will be available to them. This process will then allow a complaint to be made if they believe that the CDC should

not be issued or if the development works do not comply with the CDC plans and/or design. To provide for a more open and transparent CDC process and increased awareness of complying development in metropolitan Sydney, it is recommended the notification distance be increased from 20 to 40 metres, the occupier and owner of neighbouring properties be notified, and plans and/or designs are included in the notification and be available via Council's website.

General Manager's comment

If resolved by Council, officers will draft the letters.

Fletcher Rayner
Director, Planning, Sustainability and Compliance

NOTICE OF MOTION CM/8.3/24.02



Subject: Street Tree Canopy in Parking Lanes

TRIM No: A22/0383

Submitted by: Councillor Fabiano

MOTION:

That Council:

1. Investigates and identifies roads and residential streets that could be favourable for canopy tree plantings in parking lanes.
2. Identifies suitable canopy tree species for Waverley's roads and residential streets, acknowledging that the ficus in Newland Street and Brisbane Street, Bondi Junction, and in Chesterfield Parade, Bronte, exhibit problems with root invasion and canopy density.
3. Officer prepare a report to Council, including the costing and benefits to the community in mitigating the adverse effects of urbanisation, such as air pollution, the heat island effect and stormwater runoff.

Background

Black bitumen road paved surfaces directly exposed to sun absorb heat and add to urban heating. In certain suburban situations, avenue trees can be planted in parking lanes to arch over much of the street and significantly increase roadway shade.

Comfortable temperatures are clear when cycling round under the trees on Grand Drive in Centennial Park, or walking along Chesterfield Parade, Bronte, during a heatwave.

Waverley's canopy cover has been dropping, largely resulting from private land redevelopment allowing greater site coverage and bulk site excavation for off street parking, eliminating trees. This trend could be partly reversed by planting more canopy trees in some public streets.

This motion addresses an option for tree planting in parking lanes where there is potential for canopies to meet, to shade parked cars, to reduce clutter on footpaths for pedestrians and reduce heat retention. There is less likelihood of interference with power lines.

General Manager's comment

The intent of the motion is consistent with Council's Urban Greening and Cooling Strategy and technical guidelines including the Street Design Manual, Street Tree Masterplan and the Public Domain Technical Manual.

Currently, Council officers assess opportunities for tree planting on a street-by-street basis as part of any streetscape upgrade. Our annual tree planting program is focused on planting in parks and grass verges, which allows greatest increase in canopy for investment in tree planting.

If resolved by Council, officers can prepare a report in line with the notice of motion.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION CM/8.4/24.02



Subject: Park Bench on Grass Verge at 69 Read Street, Bronte

TRIM No: A14/0146

Submitted by: Councillor Kay
Councillor Betts

MOTION:

That Council:

1. Acknowledges the resident emails received in support of retaining the park bench on the grass verge outside 69 Read Street, Bronte, and close to a Council-approved raised vegetable garden.
2. Officers conduct a survey of local Read Street residents (a minimum of 20 properties) to determine whether there is sufficient support to keep the park bench in its existing location, another location or for it to be removed from the public domain.
3. Officers leave the park bench in place until Council has received a report to consider the results of the survey and determined the outcome for the park bench.

Background

Images of park bench in situ:



Figure 1.



Figure 2.



Figure 3.

General Manager's comment

Officers have requested the resident remove the bench, as it was not approved as part of the verge garden. Officers recommend the bench is removed and stored while the issue is resolved. If resolved by Council, officers could undertake a survey regarding support for a park bench at this location installed in accordance with Council's Public Domain Technical Manual.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION CM/8.5/24.02



Subject: Barracluff Park - Acoustic Impacts

TRIM No: A06/0357

Submitted by: Councillor Nemesh
Councillor Betts

MOTION:

That Council:

1. Notes the Barracluff Park playground was upgraded in 2021 with new facilities and amenities, including but not limited to new multi play equipment, hard courts, furniture, landscaping and lighting.
2. Further notes that while the park and playground is widely used by the community, the ongoing and increasing noise from the playground on neighbouring residents' amenity is unacceptable.
3. Investigates options to reduce the acoustic impacts on surrounding residents including but not limited to:
 - (a) Replacing the basketball hoop with a hoop which can be detached or is retractable.
 - (b) Installing soft material on the hard vertical walled surfaces to minimise objects being hit or bounced on that surface.
 - (c) Fencing the area around the multipurpose courts to potentially restrict access where appropriate.
 - (d) Providing additional signage that specifies when the multipurpose courts can be accessed and used.
4. Officers prepare a report to Council by April 2024 on its investigations to reduce acoustic impacts and provide options and costings.

Background

The playground and multi-purpose courts are widely used by the community since their upgrade in 2021. However, the use of the courts in particular at night or in the evenings greatly affects the amenity of local residents, many of whom have young families.

This motion proposes that Council officers investigate options to lessen the acoustic impacts while still enabling the community to use the facilities.

General Manager's comment

Council officers have progressed investigation of elements of the items raised in the notice of motion, including the submission of grant applications for fencing, and can report back on this including costings in April 2024.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION CM/8.6/24.02



Subject: Strata Assistance

TRIM No: A24/0129

Submitted by: Councillor Nemesh
Councillor Kay

MOTION:

That Council:

1. Notes that the Waverley local government area is one of the most densely populated areas within NSW with over 80% of residents living in multi-unit dwellings.
2. Investigates options to improve communication and resourcing between Council, strata managers and owners corporations (also including company title buildings and community title), including but not limited to:
 - (a) A page on Council's website dedicated to multi-unit living and in particular strata title.
 - (b) Information on how strata schemes operate.
 - (c) Educational resources dedicated to:
 - (i) Best practice waste management for multi-unit dwellings.
 - (ii) Different forms of development including renovations and when and how Council is required to be notified.
 - (iii) Issues related to compliance in particular regarding fire safety standards and parking.
 - (d) Quarterly communication between Council and strata managers who manage strata schemes within Waverley.
 - (e) A strata forum convened by Council in 2024 to:
 - (i) Better educate the public on how strata schemes operate and the role of Council.
 - (ii) Provide a platform for strata managers to engage with Council and provide feedback on issues related to strata buildings.
3. Writes to the Strata and Property Services Commissioner and the Owners Corporation Network of Australia informing them of this motion.
4. Officers prepare a report to Council by April 2024 that investigates the above options and provides costings.

Background

It is anticipated that nearly three million people will be living in apartments, townhouses or villas by 2040 within Greater Sydney. Waverley is already one of the most densely populated local government areas with the vast majority of residents living in multi-unit dwellings. This trend is likely to continue with NSW government policy focus on increasing housing density.

While the legislation for running and operating strata schemes falls under the purview of the NSW government, Council has a role to play in providing additional resources for our community who live or intend to live in multi-unit strata apartments.

In particular, a strata forum could identify problems that strata managers and residents currently face and provide solutions that Council could adopt and/or advocate reform to NSW government.

Strata living has received increased attention within the media as a consequence of the housing policies of the NSW government and I note a recent article written by Caitlin Fitzimmons in the *Sydney Morning Herald* on 2 February 2024 titled 'Confidence is waning: New Strata Commissioner's urgent task to support high-rise city', which identifies past, ongoing and future issues that people within strata schemes face.

Council can and should be working with government to address issues of concern and improve the standard of living enjoyed by members of our community.

General Manager's comment

Officers have been undertaking a process to review and update the content on the Waverley website. The website has content currency issues, and the sheer volume of content is beyond what customers are looking for or Council has the resources to maintain. So far in 2024 there have been 187,618 page views of content on the primary site, and 51% of these page views came from just 20 web pages (in a website of 1756 pages).

At present, the information needs of strata managers and those living in multi-unit living are served very well in some areas (for example, waste and recycling, parking, public gardening) and could be enhanced in other areas (for example, drawing resident attention to the [excellent web resources the NSW Government provide](#) regarding strata law).

In terms of a 'one-stop shop' for web content related to multi-unit living, this can be addressed as part of the current web review. We are actively grouping related information, making clearer distinctions between content related to residents and business, cross-promoting aligned information in different web sections, and making it easier for visitors to navigate.

Much of Council's core function in the Notice of Motion is already well serviced on the primary website, for instance Council provides a very popular [waste and recycling resource hub for multi-unit living](#) which provides everything from free signage to free strata by-law templates. There is also a Sustainable Apartments newsletter ([last edition here](#)) although this may be incorporated into the more popular Second Nature newsletter in the future ([last edition here](#)).

NSW Fair Trading provide excellent property newsletters including which Council can help promote:

- The Letterbox newsletter – For renters, landlords and real estate agents.
- Property Matters newsletter – For the property industry.
- Strata Update newsletter – For people who live in and work with strata and community schemes.

Council has held a number of successful forums for renters in the past six months, and officers can investigate hosting a similar forum for strata schemes.

Ben Thompson
Director, Community, Culture and Customer Experience

NOTICE OF MOTION CM/8.7/24.02



Subject: Flying Foxes and Fig Trees

TRIM No: A14/0116

Submitted by: Councillor Nemesh
Councillor Betts

MOTION:

That Council:

1. Notes the ongoing mess and safety issues, and destruction of personal property such as motor vehicles, caused by dropped berries and flying foxes (also known as fruit bats) in various locations around Waverley, in particular areas such as The Avenue, Rose Bay, and a section of Murray Street, Bronte, during the berry season from January to March each year and sometimes for a second time during the winter months.
2. Notes that residents have for many years had to ask Council to clean up The Avenue and Murray Street to address the safety and health issues arising from:
 - (a) The berries falling onto private property, our pavements and roads.
 - (b) Flying fox urine and faeces, and the detritus left behind, which may contain deadly viruses including Hendra, Nipah and Lyssa.
 - (c) The increased danger of an accident from pedestrians walking on our pavements and roads.
3. Investigates options to address these issues, including but not limited to:
 - (a) De-fruiting trees at certain times of the year.
 - (b) Removing branches and/or replacing whole trees that attract the fruit bats with a more suitable species of tree.
 - (c) Encouraging the bats to relocate through the use of ultrasonic devices
4. Officers prepare a report to Council by April 2024 with options and costings.

Background

Residents in Waverley, especially those in The Avenue, Rose Bay, and Murray Street, Bronte (around 28-32 Murray Street on both sides of the road), are continuously frustrated by being inundated by flying foxes and a significant number of berries falling from the trees during January to March each year and sometimes in the winter months too.

The flying foxes leave a mess across front gardens, verges and footpaths, and within private properties where tree branches overhang. This mess creates a health and safety hazard to private property residents

and their pets, to pedestrians who have to walk on the road to avoid the slippery footpath, and to parked vehicles.

It requires Council to clean up the areas impacted more than once (and sometimes daily) during the times stated at some expense to Council.

Additionally, the flying foxes make an undue noise at night, disturbing the amenity of local residents.

A more permanent solution is required to be investigated.

General Manager's comment

Council officers note that with approximately 600 fig trees across the local government area, a replacement strategy is required for when they approach the end of life. Over the last month as the fig trees have fruited, we have received complaints and requests from residents regarding the impact of the fruiting. The tree audit completed in 2023 includes the data that will enable this planning. If resolved by Council, officers can prepare a report in line with the notice of motion.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION CM/8.8/24.02



Subject: Military Road Widening

TRIM No: A03/0506

Submitted by: Councillor Lewis

MOTION:

That Council:

1. Notes the successful widening of Military Road at identified pinch points, including Military Road at Wentworth Street, North Bondi.
2. Notes the engineering solution of constructing culverts involving new dish drains and paving for the parking of vehicles.
3. Notes that Council has already prepared concept drawings for further pinch points.
4. Investigates:
 - (a) Identifying the location of further pinch points along Military Road.
 - (b) Addressing the suitability of dish drains, parking bays and road widening at the identified pinch points.
 - (c) Summarising the crash history along Military Road.
 - (d) Giving particular consideration to those sections of Military Road between Douglas Parade and Dover Road and Blake Street and Myuna Road and Bulga Road and Kobada Road and Oceanview Avenue and Korbada Road.
 - (e) Including concept drawings at the identified pinch points identified.
5. Officers prepare a report to Council by July 2024.

Background

Military Road is one of two major roads linking the north and south of the northern end of Waverley local government area, the other being Old South head Road.

Over the years Council has received complaints from residents in relation to Military Road and issues associated with its narrow carriageway such as damage to cars and difficulty in passing. The situation has exacerbated over recent years with increased development along Military Road as older housing is replaced by dual occupancy. The increase in tourism, after the COVID pandemic has also meant the return of tourist busses along the route. Further, as Old South Head Road becomes more congested (due in great part to increased density in housing) drivers are using Military Road as an alternative route. Transport for NSW busses also use Military Road for services from the city and Bondi to the Vaucluse terminus and Watsons Bay.

In many places, the grass verges are very wide, which will allow for widening without having to remove green open space. Residents have taken to parking their cars halfway on the grass verges where possible, which is unsatisfactory for a number of reasons, including long-term degradation of the grass strips.

In 2019, Council agreed to proceed with widening of Military Road as three pinch points, one being the notorious narrow section south of Wentworth Street. Those works were successfully completed with excellent outcomes. Council widened the road on the eastern side by approximately 1.8 m by demolishing the existing kerb and gutter and replacing it with a new dish drain and paving the area for parking vehicles. The design provided for suitable parking lane widths and maintained two full width through traffic lanes. Feedback from residents and users has been excellent. The completed works has led to less traffic congestion, allowing vehicles to pass unimpeded, especially in summer and reduced damage to parked cars.



Figure 1. Blake Street looking north.



Figure 2. Blake Street looking south.



Figure 3. Dudley Page Reserve.



Figure 4. Kobada Road.

General Manager's comment

Council undertook a pinch points project at Military Road and delivered the agreed packages at the time. If resolved by Council, officers could revisit the assessment of pinch points, including the locations detailed in the motion and prepare a report to Council.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION CM/8.9/24.02



Subject: Weed Removal and Native Planting

TRIM No: A12/0117

Submitted by: Councillor Fabiano

MOTION:

That Council:

1. Identifies leftover wasteland locations where weeds and rank grasses prevail and where native or indigenous planting could replace mowing or slashing or other weed management practices.
2. Investigates what resources would be required to plan and implement a program of weed and grass removal for replacement with native and indigenous plant species.
3. Officers prepare a report to Council, including the likely cost, staff training needed to implement a weed removal and native plant replacement program and engagement with interested neighbours to assist in establishment watering and ongoing weeding.

Background

Replacing weeds and rank grass with native species would improve Waverley's biodiversity in the public domain. Many leftover 'wastelands' could be more biodiversity-rich.

Maintenance establishment and mulching of native ground covers, flowers, shrubs and trees in the long term could reduce slashing, mowing and other maintenance overheads.

Examples of locations where better biodiversity outcomes could be achieved are:

- Road easements, especially at level changes such as Gardyne Street steps below Macpherson Street, corner of Curlewis Street and Old South Head Road.
- Base of cliff lines such as Bronte Cutting, and other rock cuttings; e.g. Bronte Road near Bronte House.
- Steep slopes such as Military Road embankment alongside Bondi Golf Course, Varna Street west of Varna Park, between Bronte Cutting and Bronte Road at Bronte Beach, Edward Street between Imperial Avenue and Imperial Lane, etc.

Note that this initiative is intended to complement but not include work in existing identified bushcare areas.

General Manager's comment

The intent of the motion is consistent with Council's Urban Greening and Cooling Strategy and activities such as the Greening Steep Slopes project and long-term restoration projects in Tamarama and Bronte Gully, Thomas Hogan Reserve and across our coastal reserves.

If resolved by Council, officers can prepare a report in line with the notice of motion.

Fletcher Rayner
Director, Planning, Sustainability and Compliance

NOTICE OF MOTION CM/8.10/24.02



Subject: Anti-Litter Communications Campaign

TRIM No: A18/0717

Submitted by: Councillor Masselos

MOTION:

That Council:

1. Notes:
 - (a) The excellent work of our Open Spaces teams in keeping the Waverley local government area (LGA) clean and tidy.
 - (b) The influx in visitor numbers especially during holiday periods and summer months.
 - (c) The build-up of litter in garden beds, around the circumference of parks including in Bronte Cutting, and cigarette butts on the sand especially around busy visitation months.
2. Officers prepare a communications strategy that includes social media and Council's various communications panels across the LGA that:
 - (a) Drives behaviour change of people who litter.
 - (b) Develops a catchy slogan to drive home an anti-litter message.
 - (c) Uses a variety of Council-owned channels.
 - (d) Is developed in-house by appropriate council officers.
 - (e) Commences in October 2024 in preparation for the summer season.
 - (f) Becomes part of Council's ongoing core messaging hierarchy throughout the year.
3. Officers undertake a litter blitz in village centres/landscaped gardens as part of their weekly patrols.

Background

While our Open Spaces and Public Cleansing teams do an exceptional job in keeping Waverley clean and neat, the influx of visitors especially during the holiday periods and summer months sees a build-up of litter in garden beds, around the circumference of parks including the in Bronte Cutting, and cigarette butts on the sand.

An ongoing anti-littering message using Council channels including social media, is needed to help address the behaviour change that is required.

General Manager's comment

If resolved, Council officers can incorporate anti-littering messaging and communications into Council's Summer communications plan. This would not require additional budget and can be actioned by officers as part of their regular duties.

Ben Thompson**Director, Community, Culture and Customer Experience**

NOTICE OF MOTION CM/8.11/24.02



Subject: Commercial High Impact Events on Beaches

TRIM No: A23/0269

Submitted by: Councillor Masselos

MOTION:

That Council:

1. Notes that:
 - (a) Bondi Beach is not an event space or a venue or a brand. It is a complex, busy and iconic place that exists within a suburb where people also live and go about their lives.
 - (b) From recent community consultation, the community have very loudly told Council they do not support high-impact commercial events on the beach that include alcohol.
 - (c) The current Events Policy is due for review and renewal in late 2024/early 2025.
 - (d) Community feedback will be incorporated into the review of the Events Policy.
2. Rejects any application for high-impact events of a commercial nature that include the service of alcohol on any beach in the local government area until the completion of the next review of the Events Policy.
3. Notes for the avoidance of doubt that this does not apply to ongoing approved events such as City2Surf (and Marquee Program), Nipper and Surf Club Events, the Sydney Gay and Lesbian Mardi Gras Bondi Beach Dance Party, Sculpture by the Sea and Festival of the Winds, all of which are not commercial in nature.

Background

Waverley's beaches are busy locations, with high and frequently conflicting demands placed upon them. In particular, Bondi Beach and the surrounding precinct services multiple uses at high volume visitation under business as usual conditions.

Council carefully curates a program of events to ensure that Bondi Beach is a vibrant place with a variety of arts, culture and recreational activities that have a broad appeal to cater to the large and diverse audiences of visitors and locals to Bondi. Officers strive to ensure a balance of activity and inactivity is maintained to protect current levels of unencumbered access to the beach and park.

There is a thriving hospitality sector operating around Waverley's beaches. At Bondi, food and beverage businesses contribute to the precinct's high visitation. This augments the beachside and beach-going experience while alcohol-free zones and alcohol-prohibited areas are also in place to keep our beaches, parks and streets safe. Bondi Beach and Park are areas classified as alcohol-prohibited areas. Licensed venues and function spaces with Bondi Pavilion are exempt from this.

Community sentiment is vocal on the Council's responsibility to ensure the beach remains open and accessible to all in demonstration of national principles of egalitarianism.

Community interest in and strongly expressed resistance to the use of public beach space at Bondi for commercial purposes is well documented. Recent community consultation undertaken for the changes made to the Events Policy indicated strong community opposition to private commercial events on Bondi Beach, especially those featuring the service of alcohol/operation of a bar.

Council's Events Policy sets out criteria for compliant high-impact events. However, it leaves it to Council's discretion to grant or withhold approval for event proposals. This can create confusion, whereby an event application is compliant under the policy but in Council's view is deemed unsuitable for approval. To simplify this situation, until the Events Policy is renewed later in 2024, it is recommended that Council approves the blanket prohibition of high-impact event proposals of a commercial nature that include the service of alcohol on Waverley's beaches.

General Manager's comment

As noted, during recent community feedback, there was strong opposition to commercial high-impact events on the beach involving alcohol. If resolved, the motion can be implemented and consideration given to the matter during the upcoming review of the Events Policy. It is appropriate to exempt current events that are of a community and not-for-profit nature.

Ben Thompson

Director, Community, Culture and Customer Experience

NOTICE OF MOTION CM/8.12/24.02



Subject: Bondi Junction Commercial Centre - Late Night Trading Hours

TRIM No: A16/0262

Submitted by: Councillor Masselos

MOTION:

That Council:

1. Prepares a draft amendment to part D (Commercial and Retail Development), section 1.3 (Hours of Operation) of the Waverley Development Control Plan 2022 (DCP) to amend the Bondi Junction E2 Commercial Centre zone (formerly B3 Commercial Core) to change the general base trading hours within the Oxford Street Mall precinct to 'Sunday to Saturday: 6.00 am to 3.00 am.'
2. Considers the following items in the draft amendment:
 - (a) An analysis of the Bondi Junction E2 Commercial Centre zone with particular focus on Oxford Street Mall, including:
 - (i) The existing business mix.
 - (ii) Approved trading hours.
 - (iii) Number of liquor licences.
 - (iv) Outdoor dining licences.
 - (v) Number of any complaints relating to adverse impacts of late-night trading on residents.
 - (vi) Anti-social behaviour.
 - (vii) Any other relevant information including venue sound management.
 - (b) Recommended boundary adjustments to limit impacts as identified above within Oxford Street Mall.
 - (c) A proposed consultation strategy to seek input from local businesses, visitors, and residents.
3. Officers prepare a report and a draft amendment to the DCP no later than April 2024 for Council to consider whether to proceed to public exhibition.

Background

Part D (Commercial and Retail Development) of the Waverley Development Control Plan 2022 sets out Council's adopted policy position in relation to trading hours. In relation to the Bondi Junction E2 Commercial Centre Zone, section 1.3 (Hours of Operation) of the DCP provides for extended trading hours as follows:

- (a) *General base trading hours:*
 - (i) *Monday to Saturday: 7.00am to 11.00pm; and*
 - (ii) *Sunday: 7.00am to 10.00pm.*

- (b) *Extended trading hours on a 1 year trial basis will be considered up to:*
 - (i) *Sunday to Wednesday: 6.00am to midnight; and*
 - (ii) *Thursday, Friday and Saturday: 6.00am to 1.00am.*

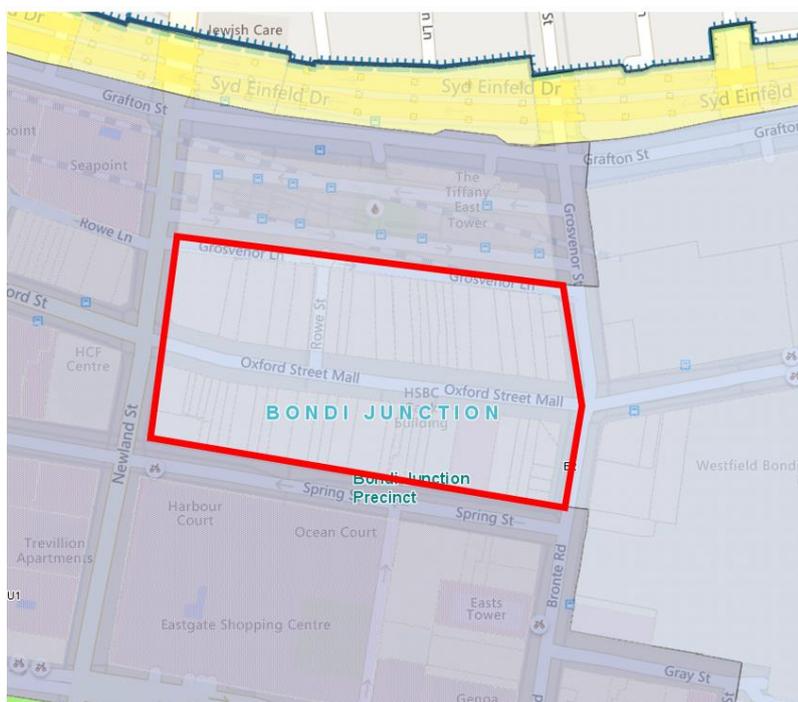


Figure 1. Bondi Junction E2 – Oxford Street Mall.

Feedback suggests that the current approach to late-night and extended trading hours is limiting potential new operators from investing in Bondi Junction. The proposal to amend late night trading with permanent trading to 3am on Sunday to Saturday would make a significant contribution to the local economy, cultural identity and economic sustainability of the Bondi Junction core, while considering the needs of residents by limiting the change to Oxford Street Mall.

General Manager's comment

If resolved by Council, officers can prepare a report and draft amendment to the Waverley Development Control Plan 2022 within the requested time frame.

Fletcher Rayner
Director, Planning, Sustainability and Compliance

URGENT BUSINESS
CM/10/24.02**W A V E R L E Y**
COUNCIL

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/11/24.02



Subject: Moving into Closed Session
Author: Emily Scott, General Manager

WAVERLEY
COUNCIL

RECOMMENDATION:

That:

4. 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/11.1/24.02 CONFIDENTIAL REPORT - Laneway between Dickson Lane and Belgrave Street, Bronte - Update

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

5. 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*.
6. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act*.

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/12/24.02**



W A V E R L E Y
COUNCIL

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.