



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 the Boot Factory, Spring Street, Bondi Junction at:

**7.00 PM, TUESDAY 18 MARCH 2025**

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

Emily Scott  
**General Manager**

Waverley Council  
PO Box 9  
Bondi Junction NSW 1355  
DX 12006 Bondi Junction  
Tel: 9083 8000  
Email: [info@waverley.nsw.gov.au](mailto:info@waverley.nsw.gov.au)

## **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.*

<b>1. Apologies/Leaves of Absence</b>	
<b>2. Declarations of Pecuniary and Non-Pecuniary Interests</b>	
<b>3. Obituaries .....</b>	<b>6</b>
<b>4. Addresses by Members of the Public</b>	
<b>5. Confirmation and Adoption of Minutes</b>	
CM/5.1/25.03    Confirmation of Minutes - Council Meeting - 18 February 2025 .....	7
CM/5.2/25.03    Confirmation of Minutes - Extraordinary Council Meeting - 4 March 2025 .....	49
<b>6. Mayoral Minutes.....</b>	<b>54</b>
CM/6.1/25.03    Head on Photo Festival - Financial Assistance .....	55
<b>7. Reports</b>	
CM/7.1/25.03    Risk Appetite Statement.....	56
CM/7.2/25.03    Investment Portfolio Report - February 2025 .....	58
CM/7.3/25.03    Delegations Review.....	81
CM/7.4/25.03    Council Resolutions - Status Update .....	94
CM/7.5/25.03    Audit, Risk and Improvement Committee - Annual Report 2024 .....	107
CM/7.6/25.03    Strategy to Combat Antisemitism - Adoption.....	123
CM/7.7/25.03    Planning Agreement - 141-155 Curlewis Street, Bondi Beach.....	149
CM/7.8/25.03    2A Edmund Street, Queens Park - Refurbishment .....	172

CM/7.9/25.03	Tender Evaluation - Waverley Cemetery - Quinn Road Memorialisation Walls.....	176
--------------	---	-----

## 8. Notices of Motion

CM/8.1/25.03	Charing Cross Multilevel Car Park .....	183
CM/8.2/25.03	Public Artwork - Dion Horstmans.....	185
CM/8.3/25.03	New Year's Eve Event at Bondi Beach .....	187
CM/8.4/25.03	Bronte House .....	189
CM/8.5/25.03	E-Waste Recycling.....	191
CM/8.6/25.03	Bondi Pavilion Internal Courtyard - Shade and Grass.....	193
CM/8.7/25.03	Bondi Beach Streetscape Revitalisation.....	195
CM/8.8/25.03	Hunter Ward - Local Area Traffic Management Study.....	198
CM/8.9/25.03	Moore Park Golf Course Support .....	200
CM/8.10/25.03	Homelessness and Emergency Response Plans .....	202
CM/8.11/25.03	Waverley Park Drainage Issues.....	204
CM/8.12/25.03	Waverley Men's Shed - Relocation from War Memorial Hospital .....	205
CM/8.13/25.03	Beach Safety Signage - Design Contest.....	207

## 9. Questions with Notice

There are no questions with notice

## 10. Urgent Business ..... 209

## 11. Closed Session ..... 210

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

CM/11.1/25.03	CONFIDENTIAL REPORT - ICT Modernisation Program - Enterprise Resource Planning Project
CM/11.2/25.03	CONFIDENTIAL REPORT - CCTV Network Review Outcome
CM/11.3/25.03	CONFIDENTIAL REPORT - Creative Partnership Agreement
CM/11.4/25.03	CONFIDENTIAL REPORT - Alexandria Integrated Facility - Part Lot 18 DP 270785 - Easement
CM/11.5/25.03	RESCISSION MOTION - CM/11.1/25.02 - CONFIDENTIAL REPORT - Code of Conduct Complaints



CM/11.6/25.03 CONFIDENTIAL MAYORAL MINUTE – General Manager’s Annual  
Performance Review

**12. Resuming in Open Session ..... 213**

**13. Meeting Closure**

## **OBITUARIES**

### **CM/3/25.03**

**Subject:** Obituaries

**Manager:** 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/5.1/25.03



**Subject:** Confirmation of Minutes - Council Meeting - 18 February 2025

**TRIM No:** A23/0761

**Manager:** Richard Coelho, Executive Manager, Governance

---

### RECOMMENDATION:

That Council confirms the minutes of the Council meeting held on 18 February 2025 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 - 18 February 2025 .



**MINUTES OF THE WAVERLEY COUNCIL MEETING  
HELD AT THE BOOT FACTORY, SPRING STREET, BONDI JUNCTION ON  
TUESDAY, 18 FEBRUARY 2025**

**Present:**

Councillor Will Nemesh (Mayor) (Chair)	Hunter Ward
Councillor Keri Spooner (Deputy Mayor)	Waverley Ward
Councillor Ludovico Fabiano	Waverley Ward
Councillor Dov Frazer	Hunter Ward
Councillor Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Margaret Merten	Bondi Ward
Councillor Joshua Spicer	Waverley Ward
Councillor Michelle Stephenson	Bondi Ward
Councillor Lauren Townsend	Lawson Ward
Councillor Katherine Westwood	Lawson 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 7.00 pm, those present were as listed above.*

*Cr Wy Kanak attended the meeting by audio-visual link.*

*At 8.56 pm, following the vote on item CM/6.2/25.02, the meeting adjourned for a short break. At 9.02 pm, the meeting resumed.*

*At 9.46 pm, following the vote on item CM/7.10/25.02, the meeting adjourned for a short break. At 9.59 pm, the meeting resumed.*

*At 11.23 pm, following the vote on item CM/8.1/25.02, a procedural motion to adjourn the meeting to 7 pm Tuesday, 25 February 2025, moved by Cr Lewis, was put and declared lost.*

*A procedural motion to extend the meeting to 12 am, moved by Cr Nemesh, was then put and declared carried.*

*At 11.29 pm, the meeting adjourned for a short break. At 11.34 pm, the meeting resumed.*

*At 11.57 pm, following the vote on item CM/8.3/25.02, the chair adjourned the meeting due to the lateness of the hour, to reconvene at 6.30 pm Wednesday, 26 February 2025, at the Boot Factory.*

*At 11.59 pm, the meeting adjourned.*

*At 6.31 pm Wednesday, 26 February 2025, the meeting reconvened, with those present as listed above. Cr Wy Kanak attended the reconvened meeting by audio-visual link.*

*At 7.41 pm, following the vote on item CM/8.10/25.02, the meeting adjourned for a short break. At 7.41 pm, the meeting resumed.*

*At 8.39 pm, following the vote on item CM/11.1/25.02, the meeting adjourned for a short break. At 8.43 pm, the meeting resumed.*

## **PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE**

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

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

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

### **1. Apologies/Leaves of Absence**

There were no apologies.

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

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

- 2.1 Cr Wy Kanak declared a less than significant non-pecuniary interest in item CM/11.1/25.02 – CONFIDENTIAL REPORT – Code of Conduct Complaints and informed the meeting that he knows all former Councillors. from the previous term.

- 2.2 Cr Stephenson declared a less than significant non-pecuniary interest in item CM/11.3/25.02 – CONFIDENTIAL REPORT – Bondi Beach Surf School – Licence – Exhibition and informed the meeting that she knows one of the surf school operators.

### **3. Obituaries**

Avrom Yossef (Joe) Singer

David Einfeld

Dion Horstmans

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

### **4. Addresses by Members of the Public**

- 4.1. M Gencher (on behalf of StandWithUs Australia) – CM/7.13/25.02 – Support for the Jewish Community – Collaboration with Woollahra Council on Public Artwork.
- 4.2. D Adler (on behalf of the Australian Jewish Association) – CM/7.13/25.02 – Support for the Jewish Community – Collaboration with Woollahra Council on Public Artwork.
- 4.3. Y Eshed (on behalf of the Zionist Council of NSW) – CM/7.13/25.02 – Support for the Jewish Community – Collaboration with Woollahra Council on Public Artwork.
- 4.4. S Alexander (on behalf of Save Bondi Village) – CM/8.1/25.02 – RESCISSION MOTION – CM/7.8/24.12 – Planning Proposal – Dwelling Density – Post-Exhibition.
- 4.5. E Constantinou (on behalf of Bondi and Districts Chamber of Commerce) – CM/8.3/25.02 – Oxford Street Mall – Fairy Lights.
- 4.6. G Naher – CM/8.8/25.02 – Waverley Cemetery Writers' Centre.
- 4.7. C Scott (on behalf of North Bondi Share Boards) – CM/8.10/25.02 – Bondi Beach Share Surfboards.
- 4.8. J Short – CM/8.11/25.02 – Laneway between Victoria Street and Bronte Road, Waverley – Naming.
- 4.9. P Paech – CM/11.1/25.02 – CONFIDENTIAL REPORT – Code of Conduct Complaints.

**ITEMS BY EXCEPTION****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconded: Cr Lewis

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

- CM/5.1/25.02 Confirmation of Minutes – Extraordinary Council Meeting – 5 December 2024.
- CM/5.2/25.02 Confirmation of Minutes – Council Meeting – 10 December 2024.
- CM/7.2/25.02 Multicultural Advisory Committee Meeting – 20 November 2024 – Minutes.
- CM/7.3/25.02 Reconciliation Action Plan Advisory Committee Meeting – 3 December 2024 – Minutes.
- CM/7.4/25.02 Precinct Committees – Motions and Update.
- CM/7.6/25.02 Investment Portfolio Report – November 2024.
- CM/7.11/25.02 Councillor Expenses and Facilities – Six-Monthly Report.
- CM/7.17/25.02 Access and Inclusion Advisory Panel – Community Membership.
- CM/7.19/25.02 Petition – Bondi Beach Volleyball Nets – Multi-Purpose Use.
- CM/11.3/25.02 CONFIDENTIAL REPORT – Bondi Beach Surf School – Licence – Exhibition.
- CM/11.4/25.02 CONFIDENTIAL REPORT – 63A Wairoa Avenue, North Bondi – Lease – Exhibition.

**5. Confirmation and Adoption of Minutes****CM/5.1/25.02 Confirmation of Minutes - Extraordinary Council Meeting - 5 December 2024 (A23/0761)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconded: Cr Lewis

That Council confirms the minutes of the extraordinary Council meeting held on 5 December 2024 as a true record of the proceedings of that meeting.

**CM/5.2/25.02 Confirmation of Minutes - Council Meeting - 10 December 2024 (A23/0761)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconded: Cr Lewis

That Council confirms the minutes of the Council meeting held on 10 December 2024 as a true record of the proceedings of that meeting.

## 6. Mayoral Minutes

### CM/6.1/25.02 Bronte Park - Christmas Day Consultation (A24/1173)

#### MOTION

Mover: Cr Nemesh

That Council:

1. Notes that Waverley's beaches are frequented by hundreds of thousands of visitors over the summer period.
2. Notes the significant improvements made to the operations and communications for the Summer Safe 2024–2025 program, including the additional services, as follows:
  - (a) Community open space ambassadors.
  - (b) User pays policing.
  - (c) Security guards.
  - (d) Council rangers.
  - (e) Public place cleansing staff and additional waste facilities.
  - (f) Traffic management.
  - (g) Lifeguard services.
  - (h) Toilet facilities.
3. Writes to the NSW Premier, the Hon Chris Minns MP, advocating for some costs including user pays policing to be covered by the State Government and not cost-shifted to the residents of Waverley for the 2025–26 Summer Safe Program.
4. Provides copies of the letter sent to the Premier to:
  - (a) The Member for Vaucluse, Kellie Sloane MP.
  - (b) The Member for Coogee, Marjorie O'Neill MP.
5. Notes community and resident feedback in relation to the use of Bronte Park and Beach on Christmas Day 2024, specifically the rubbish and waste.
6. Officers prepare a report for Council no later than June 2025 with an analysis on options and recommendations for the Summer Safe 2025–26 program with a specific focus on Christmas Day celebrations at Bronte, including:
  - (a) Whether Council facilitates a free or ticketed event.
  - (b) Consideration of crowd restrictions and capacity issues.
  - (c) Restrictions on the permissibility of glassware.
  - (d) Additional waste management services.



7. Undertakes community consultation with the Bronte community seeking feedback on Council's operations for the 2025–26 Summer Safety Program and specifically Christmas Day including Council's online community engagement website (Have Your Say) and a community forum to be held in April 2025.
8. Notifies the Precinct Committees of this mayoral minute.

## **Background**

Bronte Beach on Christmas Day once again saw a surge of visitors, notably backpackers, and holiday makers which led to issues in maintaining the park, public access and public amenities. Excessive littering continued to be an issue, as partygoers often leave behind rubbish such as plastic bottles, food containers, and glass, which can lead to environmental and public safety issues. Additionally, issues relating to noise, loud amplified music and disorderly behaviour from large groups again impacted local residents and other visitors.

This 2024 Christmas Day, there was an approximate 20% increase in visitors to Bronte Park, which required additional resources for crowd management, public amenity cleaning and waste management. Among a range of management measures taken by Council, a temporary pathway system installed in the park for police to identify potential antisocial behaviour issues proved successful. Additional toilets provided on the day were also well utilised and easily accessible.

Waste management infrastructure provided in the park was significantly increased on Christmas Day, however servicing of bins and the collection of litter remained challenging due to the numbers and density of the crowd. While all litter was removed and the park was clean by 9am the following morning, there is a need to ensure that all litter and rubbish is removed as soon as festivities have ceased. The quantity of broken glass found in the park the following day is also concerning and must be addressed.

Communication processes continued to be implemented this past Christmas with briefings for all major stakeholders including all surf clubs, and letters sent to local residents informing them of measures being undertaken by Council.

The Summer Safe Program and management of Christmas Day resulted in no significant public safety or anti-social behaviour incidents. However, further opportunities for improvement need to be developed based on stakeholder feedback.

On-site improvements being considered for next year include a dedicated emergency services area in or adjacent to the park, provision of water stations to reduce dehydration incidents, improved traffic management measures which includes provisions for ride-sharing services, and a review of NSW Police resourcing including user pays services. Council will also consider the engagement of a dedicated event cleaning team to clean the park when festivities have ceased. These cleaners were trialled over the Australia Day long weekend with great success and impact.

Council has received and acknowledges the feedback from local residents on the impacts associated with the use of Bronte Park on Christmas Day. This feedback includes concerns regarding safety, noise, broken glass and litter. To further improve Council's management of Christmas Day, and the Summer Safety Program, I propose that Council undertake community consultation including an online Have Your Say survey, and a community forum to be held in April 2025. I encourage all community members to provide feedback.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF A NEW CLAUSE 6(e) AS FOLLOWS:

‘A summary of any extra costs associated with these approaches.’

**AMENDMENT**

Mover: Cr Lewis

Seconded: Cr Masselos

That clause 6(a) be deleted.

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 6(c) AND THE ADDITION OF A NEW CLAUSE 6(f).

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Notes that Waverley’s beaches are frequented by hundreds of thousands of visitors over the summer period.
2. Notes the significant improvements made to the operations and communications for the Summer Safe 2024–2025 program, including the additional services, as follows:
  - (a) Community open space ambassadors.
  - (b) User pays policing.
  - (c) Security guards.
  - (d) Council rangers.
  - (e) Public place cleansing staff and additional waste facilities.
  - (f) Traffic management.
  - (g) Lifeguard services.
  - (h) Toilet facilities.
3. Writes to the NSW Premier, the Hon Chris Minns MP, advocating for some costs including user pays policing to be covered by the State Government and not cost-shifted to the residents of Waverley for the 2025–26 Summer Safe Program.
4. Provides copies of the letter sent to the Premier to:
  - (a) The Member for Vacluse, Kellie Sloane MP.
  - (b) The Member for Coogee, Marjorie O’Neill MP.
5. Notes community and resident feedback in relation to the use of Bronte Park and Beach on Christmas Day 2024, specifically the rubbish and waste.

6. Officers prepare a report for Council no later than June 2025 with an analysis on options and recommendations for the Summer Safe 2025–26 program with a specific focus on Christmas Day celebrations at Bronte, including:
  - (a) Whether Council facilitates a free or ticketed event.
  - (b) Consideration of crowd restrictions and capacity issues.
  - (c) Restrictions on the permissibility of glassware, including glass bottles.
  - (d) Additional waste management services.
  - (e) A summary of any extra costs associated with these approaches.
  - (f) Implications for traffic management and public transport.
7. Undertakes community consultation with the Bronte community seeking feedback on Council's operations for the 2025–26 Summer Safety Program and specifically Christmas Day including Council's online community engagement website (Have Your Say) and a community forum to be held in April 2025.
8. Notifies the Precinct Committees of this mayoral minute.

**Division**

**For the Motion:** Crs Fabiano, Frazer, Masselos, Merten Nemesh, Spicer, Spooner, Stephenson, Townsend and Westwood.

**Against the Motion:** Crs Lewis and Wy Kanak.

**CM/6.2/25.02      Sister Cities Program (A15/0021)****MOTION**

Mover: Cr Nemesh

That Council:

1. Writes to the City of Edinburgh to initiate the establishment of a Friendship Agreement, with the objective to explore the development a long-term Sister City Agreement.
2. Officers prepare a report to Council no later than May 2025 that includes the following:
  - (a) Confirmation on the response to the invitation.
  - (b) Recommendations on key priorities and programs to be explored between the two cities.
  - (c) Communications and engagement opportunities to progress the establishment of a Sister City Relationship.
  - (d) Recommendations for community engagement and inclusion opportunities associated with a potential Sister City Program.
  - (e) Recommendations on appropriate governance processes and funding options for a future Sister City Program.

## Background

Waverley and the City of Edinburgh share a unique historical link. The Waverley local government area takes its name from Waverley House, which was the home of Barnett Levey, the first free male Jewish settler in Australia and founder of the nation's first permanent theatre, the Theatre Royal. Waverley House was named after Edward Waverley, the fictional hero of Sir Walter Scott's *Waverley* novels, which were among Barnett Levey's favourite books.

Sir Walter Scott was born and has a deep connection with the City of Edinburgh. Waverley Station in Edinburgh takes its name from the novel, as do the streets Waverley Park and Waverley Place, and the Scott Monument in Edinburgh is the second-largest monument to a writer in the world.

Edinburgh is renowned for its international festivals and, in particular, the Edinburgh International Festival, the Edinburgh Tattoo and the Edinburgh Fringe Festival which is the world's largest performance arts festival. Waverley is a community that prides itself on its artistic and festival culture with more activations and events occurring at Bondi Beach and within Bondi Junction than ever before. There are many synergies both historically and culturally which align both cities. A formal relationship would be beneficial to Waverley Council and to our community.

A Sister City relationship can create enduring networks of collaboration between the cities to establish cultural, educational, and economic ties between the two communities through official exchanges and collaborations. Each relationship established under a Sister Cities relationship is unique. However, most agreements focus on delivering benefits, growth or outcomes in one or more of the following areas:

- Promote cultural awareness, understanding and friendship.
- Develop economic activity including trade, tourism, sport and investment.
- Support educational exchange to increase knowledge, global awareness and foster harmony.

Councils often commence with development of a Friendship Agreement, which supports the establishment of an initial joint relationship, to further explore joint opportunities and programs to secure long-term Sister City Agreement.

To support the establishment and implementation of a Sister Cities Program, we request that Council writes to the City of Edinburgh to commence discussions on the establishment of a joint Friendship Agreement. It is recommended that Council staff report back to Council on key priorities to be explored between the two cities, and recommendations on appropriate governance and funding options for a future Sister City Program.

## AMENDMENT

Mover: Cr Lewis  
Seconder: Cr Masselos

That the following clause 3 be added to the motion:

'Not expend any funds in respect of the proposed Sister City Program on international travel to Edinburgh by any officer or Councillor.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

## DECISION

That Council:

1. Writes to the City of Edinburgh to initiate the establishment of a Friendship Agreement, with the objective to explore the development a long-term Sister City Agreement.
2. Officers prepare a report to Council no later than May 2025 that includes the following:
  - (a) Confirmation on the response to the invitation.
  - (b) Recommendations on key priorities and programs to be explored between the two cities.
  - (c) Communications and engagement opportunities to progress the establishment of a Sister City Relationship.
  - (d) Recommendations for community engagement and inclusion opportunities associated with a potential Sister City Program.
  - (e) Recommendations on appropriate governance processes and funding options for a future Sister City Program.

**Division**

**For the Motion:** Crs Fabiano, Frazer, Merten, Nemesh, Spicer, Spooner, Stephenson, Townsend and Westwood.

**Against the Motion:** Crs Lewis, Masselos and Wy Kanak.

**CM/6.3/25.02          Utility Works - Damage to Council Assets (A25/0273)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

That Council:

1. Acknowledges the significant disruption and inconvenience caused by the uncoordinated excavation and reinstatement of public infrastructure by utility companies, including Ausgrid, Jemena, Telstra and Sydney Water, particularly in Waverley's densely populated and geographically complex urban environment.
2. Notes the shortcomings of the current legislative framework, primarily the *Roads Act 1993*, which grants utilities overriding authority over councils and hinders effective coordination of infrastructure works, despite the intent of guidelines such as iWORCS to promote collaboration.
3. Notes the negative impact of uncoordinated works on:
  - (a) Council capital works programs and budgets.
  - (b) Road and footpath quality and longevity.
  - (c) Traffic flow and pedestrian safety in high-traffic areas.
  - (d) The local environment and heritage conservation efforts.
  - (e) Community amenity and quality of life.

4. Expresses particular concern about the impact of uncoordinated works on Waverley's unique characteristics, including:
  - (a) The high density of residential and commercial development.
  - (b) The presence of significant heritage buildings and precincts.
  - (c) The challenging topography, including steep slopes and limited access.
  - (d) The high volume of pedestrian and vehicular traffic.
5. Endorses the need to advocate for a comprehensive review and reform of the legislative framework governing utility works, including the *Roads Act 1993* and the *Local Government Act 1993*.
6. Requests the Mayor to write to the Premier of NSW and relevant Ministers, including the Minister for Local Government, the Minister for Transport, the Minister for Energy, the Minister for Planning, the Minister for Customer Service, the Minister for the Environment and the Minister for Heritage, urging them to consider the current imbalance and promote a more collaborative approach to infrastructure management that considers the specific challenges faced by local councils such as Waverley Council.
7. Collaborates with other councils through the General Managers' Group in the Southern Sydney Regional Organisation of Councils (SSROC) to present a unified front in advocating for legislative reform.
8. Informs the following stakeholders of this motion:
  - (a) The Member for Vaucluse, Kellie Sloane MP.
  - (b) The Member for Coogee, Marjorie O'Neill MP.
  - (c) The Member for Wentworth, Allegra Spender MP.
  - (d) All Precinct Committees.

## Background

The repeated excavation and reinstatement of public infrastructure by utility companies like Ausgrid, Jemena, Telstra and Sydney Water cause significant disruption and inconvenience to residents and businesses, particularly in densely populated and geographically complex areas like Waverley Council.

This issue stems from a legislative framework, primarily the *Roads Act 1993*, which grants these utilities overriding authority over local councils, allowing them to conduct works without proper coordination with council schedules. This often leads to situations where newly completed council projects, such as road resurfacing or footpath upgrades, are swiftly undone by utility excavations, wasting public funds and causing unnecessary inconvenience.

This is particularly problematic in the Waverley local government area (LGA), where the narrow streets, high pedestrian traffic and significant development activity further amplify the disruption caused by uncoordinated works. Furthermore, the lack of coordination between utilities and councils can lead to safety hazards, traffic congestion, and damage to the environment.

The current system also places an undue burden on local councils, which are often left to manage the consequences of uncoordinated works, including addressing community complaints and repairing damaged infrastructure. In Waverley, where community expectations for amenity and service delivery are high, this burden is particularly acute.

To address this issue, there should be comprehensive review and reform of the legislative framework governing utility works, including the *Roads Act 1993*, the *Local Government Act 1993* and potentially other legislation.

Any reform should prioritise greater collaboration and communication between utilities and local councils in the planning and execution of infrastructure projects, with specific consideration for the unique needs of each council area. Legislation should give council greater control over timing of works, adequate consultation (planning) time and cost recovery/compensation for the disruption caused and reduced life expectancy of road assets that are affected.

This motion seeks to advocate to relevant Ministers and other councils for ongoing conversation on the topic. By advocating for legislative reform and exploring collaborative solutions, council can contribute to a more efficient and sustainable approach to infrastructure management in the Waverley LGA, considering the unique characteristics and needs of the local area.

#### **CM/6.4/25.02            Waverley First Business Support (A24/0537)**

#### **MOTION**

Mover:     Cr Nemesh

That Council:

1. Notes that the Waverley local government area (LGA) has an active and diverse local business community with over 25,100 people employed in the Waverley LGA, and of these people 35% are classified as local residents.
2. Continues to align the sourcing of products and services from Waverley-based businesses in the first instance for any Council-run events and programs.
3. Informs the Bondi and Districts Chamber of Commerce of this mayoral minute and considers the matter at the first Waverley Business Forum scheduled in April 2025.

#### **Background**

The Waverley local government area (LGA) has an active and diverse local business community. Our local economy has more than 38,700 registered businesses of which more than 90% are classified as small businesses. The annual visitor spending in Waverley (2023-24 Sept-Aug) is \$1.801 billion (66.9% of the total expenditure), and the resident local spend is \$889.8 million (33.1% of Total expenditure). Waverley has 1.06 million domestic visitors and 1.39 million international visitors per annum (Sources: ABS, ATDW, Spendmap).

More than 25,100 people are employed in the Waverley LGA of which approximately 35% of which are Waverley residents. The unemployment rate in Waverley is 3.7% compared to 5.1% in Greater Sydney (Source: ABS).

Council staff procure products and services in accordance with relevant legislation and policy. Three key Council policies include the Procurement Policy, the Procurement Procedure and Contract Management Framework. The Procurement Policy was reviewed and adopted by Council in July 2024

with the next revision due in 2027. Clause 4.4 (Socially Positive Procurement) states in part:

*Council aims to use our procurement processes to generate positive social outcomes by exploring and implementing procurement practices and strategies that provide social value to the community by including social considerations into value for money evaluations. This allows Council to promote outcomes beyond financial benefits and contribute to building strong communities. Consideration should be given to:*

- *Support the local economy and enhance the capabilities of local business and industry - Give due consideration to the actual and potential benefits to the local economy of sourcing goods and services locally where possible, whilst maintaining a value for money approach at all times.*

Further, Council's Procurement Procedure—which was reviewed and adopted in August 2024 with next revision due July 2027—also supports a Waverley First Business approach. Clause 4 (Other Considerations – Local Business) states that:

*Wherever possible, Council is committed to support and give priority to local business over non-locals for the supply of products, goods, or services. Local businesses must be given every opportunity to compete for Council business. This is conditional upon the local business offering similar prices and conditions as non-locals. Council must continue to abide by the legislative and policy obligations in relation to tendering and procurement.*

Council reaffirms its support for procuring local products and services to support the local business community.

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

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

## **UNANIMOUS DECISION**

That Council:

1. Notes that the Waverley local government area (LGA) has an active and diverse local business community with over 25,100 people employed in the Waverley LGA, and of these people 35% are classified as local residents.
2. Notes Council's procurement procedures.
3. Continues to align the sourcing of products and services from Waverley-based businesses in the first instance for any Council-run events and programs.
4. Informs the Bondi and Districts Chamber of Commerce of this mayoral minute and considers the matter at the first Waverley Business Forum scheduled in April 2025.



**CM/6.5/25.02                      Mayors of Sydney Social Cohesion Roundtable (A25/0307)****MOTION / UNANIMOUS DECISION**

Mover:      Cr Nemesh

That Council:

1.      Notes that in response to growing concerns about social harmony and the alarming rise of antisemitic attacks, the mayors of Waverley, Liverpool, Inner West, Woollahra and Randwick Councils co-hosted a Social Cohesion Roundtable with mayors from Sydney's metropolitan councils on 6 February 2025 at Bondi Pavilion.
2.      Tables the joint statement signed by over 20 mayors and councils at the February 2025 Council meeting.
3.      Reaffirms its support for the advocacy called for within the joint statement and, in particular, for all levels of government to work together to strengthen social cohesion.
4.      Writes to the Mayors of Liverpool, Inner West, Woollahra and Randwick Councils informing them of this mayoral minute.

**Background**

Sydney is one of the most diverse multicultural and multi-ethnic cities in the world. Its success as a thriving, vibrant city is built largely on a fundamental shared acceptance of tolerance and respect. Our social contract is one of social cohesion. COVID-19 tested our resolve, but for the last one and a half years since 7 October 2023 we have seen attempts to fracture our cohesion, with deliberate acts aimed at inciting fear and division. In Waverley, we are home to one of Australia's largest Jewish communities, which has repeatedly been subjected to a campaign of intimidation.

Renewing Sydney's social cohesion requires strong and concerted effort by all levels of government. Local government in particular plays a critical role in safeguarding the wellbeing and resilience of our communities. We are the closest tier of government to the people—uniquely positioned to listen, respond and foster togetherness. This is why I was proud to co-host over 20 mayors from across Sydney as part of a mayoral roundtable held at Bondi Pavilion to combat extremism and strengthen cohesion between and within our communities.

Mayors from different parts of Sydney, with different political affiliations representing over 3.5 million Sydneysiders, gathered with a shared commitment: to develop concrete and proactive measures that foster unity and protect communities. The roundtable was also briefed by Multicultural NSW and the NSW Police Force on their current activities and strategies relating to antisemitism and social cohesion.

A historic initial statement signed by over 20 mayors determined that we would work collaboratively on projects and programs to boost engagement within and between communities including the creation of multicultural, education and interfaith programs. We called on other levels of government to enhance legislation to combat hate crimes and we reaffirmed that local government is for local issues and not the remit of foreign affairs.

I am proud that Waverley Council is leading from the front to combat antisemitism and promote social cohesion. Work has been undertaken for a local government first: a Strategy to Combat Antisemitism, which will be presented to Council in March, and for Waverley to host the Mayors of Sydney Roundtable in our local government area highlights our commitment and action. Our community has responded strongly in support of Council's commitment and support our united call for social cohesion.

In a time when division often seems louder than unity, we must amplify the voices of inclusion and hope and work together to ensure Sydney remains a welcoming, inclusive city where every resident—no matter their faith, culture, or identity—feels safe, respected, and valued. This is just the start of the journey, but I am optimistic for a brighter future enhanced by our collective desire to create stronger more resilient communities.

### **Mayors of Sydney joint statement on social cohesion**

6 February 2025

We, the mayors of the following councils, are united in calling out violence, hatred, and extremism. Our communities are welcoming and connected and made stronger by our diverse views, faiths, backgrounds, cultures and identities. The acts of hate and violence seen across Sydney must be condemned in the strongest terms, while these brazen and cowardly acts require prosecution with the full force of the law.

These criminal acts aim to create fear, chaos and division. We call on our communities to stand together, as we are standing together, to support one another during these challenging times. We unequivocally condemn the alarming rise in antisemitic attacks as well acknowledge the broader escalation of racism and violence against racial and faith-based communities including Muslims, Christians, Jews, Hindus and Buddhists. There is no place for hate in our society.

Sydney is a vibrant and proudly multicultural and multifaith city. Its diverse population is reflected right across the city, creating an inclusive community of which we are proud. Every layer of government and every person in our community has a role to play in maintaining our peaceful harmonious community in Sydney. Local government plays a crucial role in fostering this inclusivity among multicultural communities, where everyone feels safe, respected, and valued. We strongly state that local government is for local issues, and that foreign affairs is not the remit or expertise of Councils.

We are committed to being champions of social cohesion and using our leadership and knowledge to combat racism and promote community safety. Our communities deserve to live free from fear and hatred and we will work together to uphold these values and advocate for the support needed to achieve them.

Today, we call on the NSW and Federal Governments to take urgent action by:

- Recognising local government as a vital tier of Government in creating and maintaining social cohesion.
- Partnering with Councils to combat the scourge of antisemitism, and protect all communities from vilification, intimidation, and violence.
- Investing in multicultural and interfaith education programs to strengthen understanding and unity between communities.
- Enhancing legislation to combat hate crimes and discrimination and ensure stronger protections for all.
- Supporting local government to develop anti-racism, inclusion and social cohesion strategies and policies.
- Providing security infrastructure and resources where needed to safeguard at-risk communities including robust and effective policing, to find and charge perpetrators of hate crimes.

We will continue to collaborate as elected representatives to advocate for our communities, share

best practices, coordinate and promote initiatives, activities and community safety. We intend to formalise this work through strategic frameworks. Our goal is to create a stronger, safer and more united society where everyone feels respected and valued.

Jointly signed by:

Will Nemesh, Mayor, Waverley Council  
Ned Mannoun, Mayor, Liverpool Council  
Darcy Byrne, Mayor, Inner West Council  
Zoe Baker, Mayor, North Sydney Council  
Elise Borg, Mayor, Georges River Council  
Jack Boyd, Mayor, Sutherland Shire Council  
Trenton Brown, Mayor, City of Ryde  
John-Paul Baladi, Mayor, Strathfield Council  
Sarah Swan, Mayor, Woollahra Council  
Dr. Michelle Byrne, Mayor, The Hills Shire Council  
Brad Bunting, Mayor, Blacktown City Council  
Ann Marie Kimber, Mayor, Mosman Council  
Edward McDougall, Mayor, Bayside Council  
Michael Megna, Mayor, Canada Bay Council  
Zac Miles, Mayor, Hunters Hill Council  
Dylan Parker, Mayor, Randwick Council  
Sue Heins, Mayor, Northern Beaches Council  
Tanya Taylor, Mayor, Willoughby  
Warren Waddell, Mayor, Hornsby Shire Council  
Martin Zaiter, Lord Mayor, City of Parramatta  
Christine Kay, Mayor, Ku-ring-gai Council

## 7. Reports

### **CM/7.1/25.02      Audit, Risk and Improvement Committee Meeting - 18 September 2024 - Minutes (SF23/5437)**

#### **MOTION / UNANIMOUS DECISION**

Mover:      Cr Nemesh  
Seconder: Cr Spicer

That Council notes the minutes of the Audit, Risk and Improvement Committee meeting held on 18 September 2024 attached to the report.

### **CM/7.2/25.02      Multicultural Advisory Committee Meeting - 20 November 2024 - Minutes (A24/0249)**

#### **MOTION / UNANIMOUS DECISION**

Mover:      Cr Nemesh  
Seconder: Cr Lewis

That Council notes the minutes of the Multicultural Advisory Committee meeting held on 20 November 2024 attached to the report.

**CM/7.3/25.02                    Reconciliation Action Plan Advisory Committee Meeting - 3 December 2024  
- Minutes (A24/0293)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Nemesh  
Seconder: Cr Lewis

That Council notes the minutes of the Reconciliation Action Plan Advisory Committee meeting held on 3 December 2024 attached to the report.

**CM/7.4/25.02                    Precinct Committees - Motions and Update (A04/0038)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Nemesh  
Seconder: Cr Lewis

That Council:

1.    Notes the status of Precinct Committee motions from April 2024 to December 2024 attached to the report.
2.    Notes the update on Precinct activities, as set out in the report.

**CM/7.5/25.02                    Q2 Budget Review - December 2024 (SF24/4957)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Nemesh  
Seconder: Cr Stephenson

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 2024–25 Operating and Capital budgets in accordance with the attachments to the report.

**CM/7.6/25.02                    Investment Portfolio Report - November 2024 (SF24/3676)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Nemesh  
Seconder: Cr Lewis

That Council notes:

1.    The Investment Summary Report for November 2024 attached to the report.
2.    That the Executive Manager, Finance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

**CM/7.7/25.02 Investment Portfolio Report - December 2024 (SF24/3676)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Lewis

That Council:

1. Notes the Investment Summary Report for December 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.

**CM/7.8/25.02 Investment Portfolio Report - January 2025 (SF24/3676)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Frazer

That Council:

1. Notes the Investment Summary Report for January 2025 attached to the report.
2. Note that the Executive Manager, Finance, as the Responsible Accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

**CM/7.9/25.02 Model Code of Meeting Practice - Submission (SF25/341)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Townsend

That Council approves the submission to the Office of Local Government attached to the report (Attachment 3) on the consultation draft of the new Model Code of Meeting Practice.

**CM/7.10/25.02 Australian Local Government Association - National General Assembly 2025 - Attendance and Motions (A13/0314)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Stephenson

That Council:

1. Nominates Crs Nemesh, Spooner, Stephenson, Masselos, Frazer, Merten and Fabiano to attend the 2025 Australian Local Government Association National General Assembly to be held at the National Convention Centre in Canberra from Tuesday, 24 June, to Friday, 27 June 2025.

2. Nominates Cr Nemesh as Council's voting delegate and Cr Spooner 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 the 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 Assembly at the Council meeting on 18 March 2025.

**CM/7.11/25.02      Councillor Expenses and Facilities - Six-Monthly Report (SF23/170)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh  
Seconder: Cr Lewis

That Council notes the six-monthly report on Councillor expenses and facilities for the period 1 July 2024 to 31 December 2024 attached to the report.

**CM/7.12/25.02      Returns Disclosing Interests of Councillors (SF24/4378)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh  
Seconder: Cr Stephenson

That Council notes the returns of Councillors disclosing interests, as set out in the report.

**CM/7.13/25.02      Support for the Jewish Community - Collaboration with Woollahra Council on Public Artwork (A23/0698)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council:

1. Approves the process for the commission and delivery of a public artwork memorialising the impact that the events of 7 October 2023 have had and continue to have on the Waverley/Woollahra community and in particular the Jewish community, as set out in the report.
2. Approves the terms of reference for the Joint Public Art Installation Committee attached to the report to manage the public art installation subject to the following amendments:
  - (a) Page 223 of the agenda, section 1, 'Who we are' – Amend to read as follows:

'The Joint Public Art Installation Committee (the Committee) is a joint project between Waverley Council and Woollahra Council, established for the purpose of overseeing the installation of a piece of public art to memorialise the impact that the events of 7 October 2023 have had and continue to have on the Waverley/Woollahra community and in

particular the Jewish community.’

- (b) Page 223 of the agenda, section 2, ‘Background’ – Amend to read as follows:

‘The Committee was established by council resolution on [dates for both councils to be inserted] and is a joint project between Waverley Council and Woollahra Council for the purpose of overseeing the installation of a piece of public art to memorialise the impact that the events of 7 October 2023 have had and continue to have on the Waverley/Woollahra community and in particular the Jewish community. The establishment of this Committee is only for the life of the above-mentioned project.’

3. Authorises the General Manager, in consultation with the Mayor, to appoint two members from Council’s Arts, Culture and Creativity Advisory Committee to the Joint Public Art Installation Committee.

*M Gencher (on behalf of StandWithUs Australia), D Adler (on behalf of the Australian Jewish Association) and Y Eshed (on behalf of the Zionist Council of NSW) addressed the meeting.*

**CM/7.14/25.02      Bondiwood 2025 - Financial Assistance (A25/0248)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh  
Seconder: Cr Merten

That Council:

1. In accordance with section 356(2) of the *Local Government Act 1993*, publicly exhibits for 28 days the proposal to grant \$11,607 (including GST) of in-kind financial assistance to Smart St Films Pty Ltd to support the cost of Bondiwood 2025.
2. Officers prepare a report to Council following the exhibition period.

**CM/7.15/25.02      Ocean Lovers Festival 2025 - Financial Assistance (A25/0207)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh  
Seconder: Cr Masselos

That Council:

1. In accordance with section 356 of the *Local Government Act 1993*, grants \$137,259 of in-kind support and \$23,413 in cash to Ocean Lovers Alliance Incorporated to support the cost of delivering the Ocean Lovers Festival 2025.
2. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

**CM/7.16/25.02      Waverley Community Awards 2025 - Judging Panel (A25/0206)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council:

1. Notes that the Local Hero Awards are now known as the Waverley Community Awards.
2. Notes the other changes to the Awards, as set out in the report.
3. Appoints Crs Nemesh, Westwood, Townsend, Merten and Cr Fabiano to the judging panel for the Waverley Community Awards 2025.

**CM/7.17/25.02      Access and Inclusion Advisory Panel - Community Membership (SF24/3939)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh  
Seconder: Cr Lewis

That Council:

1. Treats the attachment 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 attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Appoints the following community members to the Access and Inclusion Advisory Panel to March 2027:
  - (a) Sara Chesterman.
  - (b) Riley Dunn.
  - (c) Debbie Goddard.
  - (d) Astrida Grigulus.
  - (e) Suzanna Kertesz.
  - (f) Rachel Lazarov.
  - (g) Jessica Tattersall.
  - (h) Kanae Yamamoto.
3. Establishes the following pool of suitable candidates from the reserve list to fill any vacancies on the Panel, utilising their expertise to provide advice on specific issues as needed:
  - (a) Mia Capitalenis.
  - (b) Andre Cioban.



- (c) Saxon Graham.
- (d) Natasha Lee-Mays.
- (e) Julia Lewthwaite.
- (f) Heather Proudfoot.

4. Thanks the following former community members for their contribution:

- (a) Danny Hui.
- (b) Andre Cioban.
- (c) Mia Capitanelis.
- (d) Ben Alexander.
- (e) Ben Whitehorn.
- (f) Rachel Lazarov.
- (g) Petra Pattinson.
- (h) Riley Dunn.

**CM/7.18/25.02      Electric Vehicle Charging Stations (A17/0586)**

**MOTION / UNANIMOUS DECISION**

Mover:      Cr Nemesh  
Seconder: Cr Stephenson

That Council:

1. Installs electric vehicle charging signage and line marking at the locations set out in the attachment to the report.
2. Includes these charging stations in the formalised charging monitoring system being implemented by Council.
3. Delegates authority to the Executive Manager, Infrastructure Services, to modify the signage should on-site circumstances warrant changes.

**CM/7.19/25.02      Petition - Bondi Beach Volleyball Nets - Multi-Purpose Use (A18/0274)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Lewis

That Council:

1. Refers the petition requesting multi-purpose use of the approved net spaces at Bondi Beach beyond volleyball and foot volley to the Director, Assets and Operations, for consideration.
2. Officers prepare a report to Council on the outcome.

**8. Notice of Motions****CM/8.1/25.02      RESCISSION MOTION - CM/7.8/24.12 - Planning Proposal - Dwelling Density - Post-Exhibition (PP-3/2023)****MOTION**

Mover: Cr Fabiano

Seconder: Cr Masselos

That Council rescinds resolution CM/7.8/24.12 – Planning Proposal – Dwelling Density – Post Exhibition, passed at the Council meeting on 10 December 2024.

**FORESHADOWED MOTION 1**

Mover: Cr Fabiano

Seconder: Cr Lewis

That Council:

1. Forwards the planning proposal attached to the report to limit the loss of residential density in R3 Medium Density Residential and R4 High Density Residential zones, and the submissions received during public exhibition, to the Department of Planning, Housing and Infrastructure (DPHI) with a recommendation to proceed to finalisation and gazettal, subject to the following amendment:
  - (a) Clause 6.18(4), 'Residential Dwelling Density in Zone R3 and R4 zones' – Amend to read as follows:

'Development consent must not be granted or a development consent must not be modified for development to which this clause applies unless the consent authority is satisfied that the residential dwelling density of the development site is not being reduced by more than 15% (rounded to the nearest whole dwelling number). Where the nearest whole number is 0, the number may be rounded to 1.'
2. Requests the DPHI to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* to amend the WLEP.

**FORESHADOWED MOTION 2**

Mover: Cr Nemesh

Seconder: Cr Westwood

That Council:

1. Does not proceed with the planning proposal to limit the reduction of residential density in R3

Medium Density Residential and R4 High Density Residential zones.

2. Notifies the Department of Planning, Housing and Infrastructure and those who made submissions of Council's decision.
3. Officers prepare a report to Council no later than June 2025 that investigates amendments to the Waverley Development Control Plan that considers:
  - (a) The mixture of apartment unit types to provide housing choice.
  - (b) The forecast demographic profile of the Waverley local government area and housing needs to support diverse household types.
  - (c) The demand for affordable housing.
  - (d) The requirements of the NSW Apartment Design Guidelines, which call for a diversity in apartment mix.
  - (e) The relationship with the *State Environmental Planning Policy (Housing) 2021*.
  - (f) Opportunities to further strengthen planning controls for the retention or adaptation of existing Inter-War Art deco buildings.
  - (g) Targeted controls based on locality, such as the Bondi Basin (postcode 2026).
4. Notes that much of the existing stock of Inter-War Art Deco buildings in the Bondi basin has a level of protection, either as a listed item or in a Heritage Conservation Area, or Development Control Plan provisions (Section B16) that encourage retention and appropriate conservation works in accordance with Council's Inter-War Building Design Guidelines.
5. Notes that managing future dwelling diversity is more appropriately addressed via Council's Development Control Plan to provide the appropriate level of guidance and flexibility to support implementation, without further adding red tape or delay in meeting Council's development assessment performance target.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

THE FIRST FORESHADOWED MOTION THEN BECAME THE MOTION.

THE MOTION WAS THEN PUT AND DECLARED LOST.

#### **Division**

**For the Motion:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**Against the Motion:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

THE SECOND FORESHADOWED MOTION THEN BECAME THE MOTION.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

#### **DECISION**

That Council:

1. Does not proceed with the planning proposal to limit the reduction of residential density in R3

Medium Density Residential and R4 High Density Residential zones.

2. Notifies the Department of Planning, Housing and Infrastructure and those who made submissions of Council's decision.
3. Officers prepare a report to Council no later than June 2025 that investigates amendments to the Waverley Development Control Plan that considers:
  - (a) The mixture of apartment unit types to provide housing choice.
  - (b) The forecast demographic profile of the Waverley local government area and housing needs to support diverse household types.
  - (c) The demand for affordable housing.
  - (d) The requirements of the NSW Apartment Design Guidelines, which call for a diversity in apartment mix.
  - (e) The relationship with the *State Environmental Planning Policy (Housing) 2021*.
  - (f) Opportunities to further strengthen planning controls for the retention or adaptation of existing Inter-War Art deco buildings.
  - (g) Targeted controls based on locality, such as the Bondi Basin (postcode 2026).
4. Notes that much of the existing stock of Inter-War Art Deco buildings in the Bondi basin has a level of protection, either as a listed item or in a Heritage Conservation Area, or Development Control Plan provisions (Section B16) that encourage retention and appropriate conservation works in accordance with Council's Inter-War Building Design Guidelines.
5. Notes that managing future dwelling diversity is more appropriately addressed via Council's Development Control Plan to provide the appropriate level of guidance and flexibility to support implementation, without further adding red tape or delay in meeting Council's development assessment performance target.

#### Division

**For the Motion:** Crs Fabiano, Frazer, Merten, Nemesh, Spicer, Spooner, Stephenson, Townsend and Westwood.

**Against the Motion:** Crs Lewis, Masselos and Wy Kanak.

*S Alexander (on behalf of Save Bondi Village) addressed the meeting.*

#### **CM/8.2/25.02          Cost-Shifting onto Waverley Ratepayers (A25/0302)**

#### **MOTION**

Mover: Cr Stephenson

Seconder: Cr Nemesh

That Council:

1. Notes the growing financial burden on local government and specifically Waverley Council of cost-shifting practices by State and Federal Government, including but not limited to:

- (a) Proposed water monitoring of beaches.
  - (b) User pays policing.
  - (c) Remediation and construction of sea walls.
  - (d) Additional bus services.
  - (e) Remediation of Council assets after State and Federal utilities have damaged those assets.
  - (f) Emergency services levy.
2. Officers prepare a report to Council no later than May 2025 investigating the rise in cost-shifting practices and outlining:
- (a) The rise in cost-shifting from the State and Federal Government onto Council and identification of actual responsibility of these costs.
  - (b) The specific programs, projects, assets and infrastructure which Council has had to assume expenditure, with a breakdown and quantity of those costs.
  - (c) Recommendations to identify opportunities to reduce the cost-shifting onto Council and the proposed savings to Waverley residents.
3. Writes to the following stakeholders informing them of this motion:
- (a) The Minister for Local Government, the Hon Ron Hoenig MP.
  - (b) The Member for Vacluse, Kellie Sloane MP.
  - (c) The Member for Coogee, Marjorie O'Neill MP.
  - (d) The Member for Wentworth, Allegra Spender MP.
  - (e) All Waverley Precincts.

**AMENDMENT 1**

Mover: Cr Lewis  
Seconder: Cr Masselos

That clause 3 be deleted.

THE AMENDMENT WAS PUT AND DECLARED LOST.

**AMENDMENT 2**

Mover: Cr Masselos  
Seconder: Cr Spooner

That the following clause be added to the motion:

‘Notes the work and advocacy already undertaken by Local Government NSW and the Southern Sydney Regional Organisation of Councils over several years concerning cost-shifting to local government by State and Federal governments.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

## **DECISION**

That Council:

1. Notes the growing financial burden on local government and specifically Waverley Council of cost-shifting practices by State and Federal Government, including but not limited to:
  - (a) Proposed water monitoring of beaches.
  - (b) User pays policing.
  - (c) Remediation and construction of sea walls.
  - (d) Additional bus services.
  - (e) Remediation of Council assets after State and Federal utilities have damaged those assets.
  - (f) Emergency services levy.
2. Officers prepare a report to Council no later than May 2025 investigating the rise in cost-shifting practices and outlining:
  - (a) The rise in cost-shifting from the State and Federal Government onto Council and identification of actual responsibility of these costs.
  - (b) The specific programs, projects, assets and infrastructure which Council has had to assume expenditure, with a breakdown and quantity of those costs.
  - (c) Recommendations to identify opportunities to reduce the cost-shifting onto Council and the proposed savings to Waverley residents.
3. Writes to the following stakeholders informing them of this motion:
  - (a) The Minister for Local Government, the Hon Ron Hoenig MP.
  - (b) The Member for Vacluse, Kellie Sloane MP.
  - (c) The Member for Coogee, Marjorie O'Neill MP.
  - (d) The Member for Wentworth, Allegra Spender MP.
  - (e) All Waverley Precincts.

**CM/8.3/25.02      Oxford Street Mall - Fairy Lights (A25/0316)****MOTION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council:

1. Notes that it has upgraded lighting within Oxford Street Mall to a compliant standard but has not upgraded amenity lighting.
2. Installs fairy lights in Oxford Street Mall in areas where electricity is available, including:
  - (a) On umbrellas.
  - (b) Light poles.
  - (c) Street trees.
3. Funds the installation and ongoing maintenance of the fairy lights from existing lighting budgets within Council's operational and capital works budgets.
4. Informs the following stakeholders of this motion:
  - (a) Bondi and Districts Chamber of Commerce.
  - (b) Businesses on Oxford Street Mall.
  - (c) Lawson Ward Precincts.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 4(c).

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

**UNANIMOUS DECISION**

That Council:

1. Notes that it has upgraded lighting within Oxford Street Mall to a compliant standard but has not upgraded amenity lighting.
2. Installs fairy lights in Oxford Street Mall in areas where electricity is available, including:
  - (a) On umbrellas.
  - (b) Light poles.
  - (c) Street trees.
3. Funds the installation and ongoing maintenance of the fairy lights from existing lighting budgets within Council's operational and capital works budgets.
4. Informs the following stakeholders of this motion:
  - (a) Bondi and Districts Chamber of Commerce.

- (b) Businesses on Oxford Street Mall.
- (c) All Precincts.

*E Constantinou (on behalf of Bondi and Districts Chamber of Commerce) addressed the meeting.*

**CM/8.4/25.02          Rose Bay Shops (North) - Streetscape Upgrade (A25/0272)**

**MOTION / UNANIMOUS DECISION**

Mover:      Cr Nemesh  
Seconder: Cr Frazer

That Council:

1. Acknowledges the importance of the Rose Bay shops (north) as a vibrant local village and recognises the need to enhance its streetscape to improve amenity, accessibility and economic vitality.
2. Notes that Old South Head Road is a State Road, and any proposed upgrades must be consistent with relevant Transport for NSW policies and standards.
3. Officers prepare a report to Council no later than June 2025 outlining high-level concept options and indicative costs for a streetscape upgrade of the Rose Bay shops (north), including but not limited to:
  - (a) Matching materiality to the previously upgraded Rose Bay shops (south).
  - (b) Assessment and design of improved pedestrian crossings, pathways and other treatments to prioritise pedestrian safety and accessibility, including consideration of universal access principles.
  - (c) Incorporating appropriate planting to enhance the streetscape's aesthetic appeal and provide shade.
  - (d) Review of existing traffic flow and parking arrangements to identify opportunities for improvement.
  - (e) Feasibility study and cost analysis of undergrounding existing overhead power lines and street lighting/banners to improve visual amenity and safety.
  - (f) Outlining a strategy for community consultation to ensure local residents, businesses, and other stakeholders have the opportunity to provide input on the proposed upgrades.
  - (g) Options for staging the works to minimise disruption to businesses and the community.
4. Informs the following stakeholders of this motion:
  - (a) Hunter Ward Precincts.
  - (b) The Mayor of Woollahra Council, Cr Sarah Swan.
  - (c) The Member for Vaucluse, Kellie Sloane MP.



**CM/8.5/25.02          Waverley Council Chambers (A24/0987)****MOTION**

Mover:      Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Notes the Waverley Council Chambers on Bondi Road is closed and no longer used for Council administration.
2. Notes the Councillor briefing in January 2025, with further consideration of the matter to take place through the Strategic Property Review Committee.
3. Informs the community that consultation on the future of the site is scheduled to take place in mid-2025.
4. Informs all Precincts of this motion and publishes it on Council's website.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 3.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Notes the Waverley Council Chambers on Bondi Road is closed and no longer used for Council administration.
2. Notes the Councillor briefing in January 2025, with further consideration of the matter to take place through the Strategic Property Review Committee.
3. Informs the community that consultation on the future of the site is scheduled to take place in mid-2025, with consideration of short-term use while the plan is being formulated.
4. Informs all Precincts of this motion and publishes it on Council's website.

**Division****For the Motion:**      Crs Fabiano, Frazer, Lewis, Merten, Nemesh, Spicer, Spooner, Stephenson, Townsend and Westwood.**Against the Motion:** Crs Masselos and Wy Kanak.**CM/8.6/25.02          Carrington Road and Macpherson Street, Waverley - Signalised Intersection Optimisation (A03/0042-04)****MOTION**

Mover:      Cr Townsend

Seconder: Cr Westwood

That Council:

1. Investigates opportunities for signal optimisation at the intersection of Macpherson Street and Carrington Road, Waverley.

2. Undertakes an analysis for the introduction of a right turn arrow signal for vehicle movements from Macpherson Street into Carrington Road.
3. Officers prepare a report to the Traffic Committee with the results of the analysis and any associated recommendations for consideration.
4. Informs the Charing Cross precinct and the Member for Coogee, Marjorie O'Neill MP, of this motion.

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

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

### **UNANIMOUS DECISION**

That Council:

1. Investigates traffic congestion, including the need for signal optimisation, at the intersection of Macpherson Street and Carrington Road, Waverley.
2. Undertakes an analysis for the introduction of a right turn arrow signal for vehicle movements from Macpherson Street into Carrington Road.
3. Officers prepare a report to the Traffic Committee with the results of the analysis and any associated recommendations for consideration.
4. Informs the Charing Cross precinct and the Member for Coogee, Marjorie O'Neill MP, of this motion.

### **CM/8.7/25.02          Waverley Park - Pick-Up and Drop-Off Zones (PUDO) (A20/0336)**

#### **MOTION**

Mover:      Cr Spicer  
Seconder: Cr Westwood

That Council:

1. Notes that Waverley Park is a central recreational hub for the Waverley community, and the limitations of the time-restricted pick-up and drop-off point (PUDO) in Birrell Street present accessibility and safety challenges for park users
2. Investigates additional PUDO options to facilitate vehicle pick-up and drop-off activities in Birrell Street close to Waverley Park, within the car park off Paul Street and the Council Chambers driveway off Bondi Road, with a report to be prepared to Council no later than April 2025 outlining the findings of the investigation and making recommendations to improve accessibility.
3. Informs the following stakeholders of this motion:
  - (a) Local sporting organisations.
  - (b) The Access and Inclusion Advisory Panel.

(c) Waverley College.

(d) Waverley Ward Precincts.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 3(d) AND THE ADDITION OF A NEW CLAUSE 3(e).

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

### **UNANIMOUS DECISION**

That Council:

1. Notes that Waverley Park is a central recreational hub for the Waverley community, and the limitations of the time-restricted pick-up and drop-off point (PUDO) in Birrell Street present accessibility and safety challenges for park users
2. Investigates additional PUDO options to facilitate vehicle pick-up and drop-off activities in Birrell Street close to Waverley Park, within the car park off Paul Street and the Council Chambers driveway off Bondi Road, with a report to be prepared to Council no later than April 2025 outlining the findings of the investigation and making recommendations to improve accessibility.
3. Informs the following stakeholders of this motion:
  - (a) Local sporting organisations.
  - (b) The Access and Inclusion Advisory Panel.
  - (c) Waverley College.
  - (d) All Precincts.
  - (e) Local public schools.

### **CM/8.8/25.02 Waverley Cemetery Writers' Centre (A23/0522)**

#### **MOTION**

Mover: Cr Merten  
Seconder: Cr Masselos

That Council:

1. Notes that the cemetery residence building at Waverley Cemetery is currently being utilised for staff accommodation and that officers have prepared a plan (currently without budget) to undertake required works to vacate staff and storage from the building.
2. Officers investigate and prepare a report for the building to be repurposed as the Waverley Writers' Centre, including capacity, costs and plans for the building to be co-shared with Council staff where necessary, with the report to include the following:
  - (a) The Waverley Writers' Centre hosting residencies for writers for six-monthly periods

during which they would have their own room/office between the hours of 7 am and 7 pm, seven days per week.

- (b) The number of rooms/offices available and including a desk, desk chair and armchair.
  - (c) Wi-Fi and access to a kitchen/common room and bathrooms.
  - (d) Spaces within the building where events could be held, including showcasing the work of the resident writers.
  - (e) Costs and resourcing required to administer the centre and program.
3. Officers include in the report the next steps for a pilot program to be implemented and a time frame for implementation.
4. Officers present the scoping report to Council at the June 2025 Council meeting.

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:

1. Notes that the cemetery residence building at Waverley Cemetery is currently being utilised for staff accommodation and that officers have prepared a plan (currently without budget) to undertake required works to vacate staff and storage from the building.
2. Officers prepare a report no later than the July 2025 Council meeting, investigating the following:
  - (a) The capacity, costs and plans for the cemetery residence to be repurposed as the Waverley Writers' Centre.
  - (b) The Waverley Writers' Centre hosting residencies for writers for six-monthly periods during which they would have their own room/office between the hours of 7 am and 7 pm, seven days per week.
  - (c) The number of rooms/offices available and including a desk, desk chair and armchair.
  - (d) Wi-Fi and access to a kitchen/common room and bathrooms.
  - (e) Spaces within the building where events could be held, including showcasing the work of the resident writers.
  - (f) Costs and resourcing required to administer the centre and program.
  - (g) Any other Council buildings that could be considered more appropriate or fit for purpose for the location of the Waverley Writers' Centre, noting current operational requirements of Waverley Cemetery staff.
3. Officers include in the report the next steps for a pilot program to be implemented and a time frame for implementation.

4. Refers this motion to the Strategic Property Review Committee for its consideration and recommendation on the suitability of the cemetery residence and/or other cemetery buildings compared with other potential Council assets.

*G Naher addressed the meeting.*

**CM/8.9/25.02          Street Numbering in Simpson Street, Bondi (A23/0818)**

**MOTION**

Mover: Cr Stephenson

Seconder: Cr Nemesh

That Council:

1. Notes that members of the community have made representations regarding the need for logical and consistent guidelines around street numbering in Simpson Street, Bondi.
2. Officers prepare a report to Council by July 2025 investigating a change to numbering in Simpson Street and the implications for the street.
3. Informs the North Bondi Precinct of this motion.

**AMENDMENT**

Mover: Cr Wy Kanak

Seconder: Cr Lewis

That clause 2 be amended to read as follows:

‘Officers prepare a report to Council by July 2025 investigating a change to numbering in Simpson Street and the implications for the street and including the responses to Councillor questions provided at the reconvened Council meeting on 26 February 2025.

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

**For the Amendment:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**Against the Amendment:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Notes that members of the community have made representations regarding the need for logical and consistent guidelines around street numbering in Simpson Street, Bondi.
2. Officers prepare a report to Council by July 2025 investigating a change to numbering in Simpson Street and the implications for the street.
3. Informs the North Bondi Precinct of this motion.

**Division**

**For the Motion:** Crs Fabiano, Frazer, Masselos, Merten, Nemesh, Spicer, Spooner, Stephenson,

Townsend and Westwood.

**Against the Motion:** Crs Lewis and Wy Kanak.

**CM/8.10/25.02      Bondi Beach Share Surfboards (A25/0300)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Stephenson

Seconder: Cr Frazer

That Council:

1. Notes the success of share surfboards at Bondi Beach.
2. Officers investigate bringing the program back, with a report to Council no later than May 2025 exploring:
  - (a) Engagement with lifeguards about potential risks to beach users.
  - (b) Positive impacts to the community.
  - (c) The operation framework required to enable and maintain the program.

*C Scott (on behalf of North Bondi Share Boards) addressed the meeting.*

**CM/8.11/25.02      Laneway between Victoria Street and Bronte Road, Waverley - Naming (A15/0568)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Westwood

Seconder: Cr Spooner

That Council:

1. Informally names the laneway connecting Bronte Road and Victoria Street Car Park, Waverley, as 'St Clare's Way' through signage installation on the public footpath on Bronte Road and within Victoria Street Car Park.
2. Integrates signage with Council's new signposts being installed as part of the Charing Cross Streetscape Upgrade works.
3. Notes that there have been previous attempts to formally name the laneway 'St Clare's Way.'
4. Notes that formal naming of the laneway is not possible.
5. Informs the following stakeholders of this motion:
  - (a) Charing Cross Precinct.
  - (b) The petitioners who petitioned Council on this matter in July 2024.
  - (c) The Member for Coogee, Marjorie O'Neill MP.

*S Alexander (on behalf of Save Bondi Village) addressed the meeting.*

## 9. Questions with Notice

There were no questions with notice.

## 10. Urgent Business

There was no urgent business.

## 11. Closed Session

### CM/11/25.02 Closed Session

#### MOTION

Mover: Cr Nemesh  
Seconder: Cr Spicer

That:

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

#### CM/11.1/25.02 CONFIDENTIAL REPORT - Code of Conduct Complaints

This matter is considered to be confidential in accordance with section 10A(2)(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 alleged contraventions of any code of conduct requirements applicable under section 440.

#### CM/11.2/25.02 CONFIDENTIAL REPORT - Creative Partnership Agreement

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

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 7.42 pm, at the reconvened meeting, Council moved into closed session.*

**CM/11.1/25.02      CONFIDENTIAL REPORT - Code of Conduct Complaints (SF24/6594)**

*A notice of motion to rescind this resolution has been submitted with the General Manager. The rescission motion will be considered at the Council meeting on 18 March 2025.*

*Cr Wy Kanak declared a less than significant non-pecuniary interest in this item and informed the meeting that he knows all former Councillors from the previous term.*

**MOTION**

Mover:      Cr Nemesh  
Seconder: Cr Stephenson

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 alleged contraventions of any code of conduct requirements applicable under section 440.
2. Does not table the final investigation report in relation to the Code of Conduct complaints against a former Councillor made in December 2023 and January and February 2024 for the reasons set out in the report.
3. Notes the following three recommendations relating to Council's policies, practices and procedures:
  - (a) That the General Manager and Council consider a policy requiring Councillors to use their Council email accounts for all Council business.
  - (b) That the General Manager considers reviewing the adequacy of the existing policy and guidelines relating to interactions between Councillors and Council staff.
  - (c) That the General Manager and Council consider ensuring that sufficiently rigorous RSA procedures are in place for Council premises.

**FORESHADOWED MOTION 1 (LAPSED)**

Mover:      Cr Wy Kanak

That Council requests the General Manager to prepare a report on the final investigation report that:

1. Extracts observations by the conduct reviewer that may be of benefit to Council in terms of amending policies or learning from past mistakes.
2. Reports in a manner that does not expose Council to the risk of defamation action.
3. Does not unnecessarily compromise the privacy of any individual.
4. Is compatible with the Procedures for the Administration of the Code of Conduct, which Council is required to adhere to as per section 440AA of the *Local Government Act 1993*.

**FORESHADOWED MOTION 2 (LAPSED)**

Mover:      Cr Lewis

That:

1. Council 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)(i) of the *Local*



*Government Act 1993*. The report contains alleged contraventions of any code of conduct requirements applicable under section 440.

2. Council tables the final investigation report of the conduct reviewer received by Council's complaints coordinator on 13 September 2024, in respect of a Code of Conduct complaint, at the Council meeting to be held on 18 March 2025 in confidential session for Council's consideration.
3. To ensure confidentiality and that the contents of the report are not publicly disclosed:
  - (a) All names other than the conduct reviewer are to be redacted.
  - (b) Councillors physically in attendance at the March 2025 meeting are to be provided with a hard copy of the final investigation report at the commencement of the meeting, which is to be returned to the General Manager at the end of the confidential session.
  - (c) Councillors attending the March 2025 meeting by audio-visual link are to be provided with an electronic and password-protected copy of the final investigation report at the commencement of the meeting, which is to be deleted at the end of the confidential session.

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

## 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 alleged contraventions of any code of conduct requirements applicable under section 440.
2. Does not table the final investigation report in relation to the Code of Conduct complaints against a former Councillor made in December 2023 and January and February 2024 for the reasons set out in the report.
3. Notes the following three recommendations relating to Council's policies, practices and procedures:
  - (a) That the General Manager and Council consider a policy requiring Councillors to use their Council email accounts for all Council business.
  - (b) That the General Manager considers reviewing the adequacy of the existing policy and guidelines relating to interactions between Councillors and Council staff.
  - (c) That the General Manager and Council consider ensuring that sufficiently rigorous RSA procedures are in place for Council premises.

## Division

**For the Motion:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

**Against the Motion:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

*P Paech addressed the meeting.*

**CM/11.2/25.02      CONFIDENTIAL REPORT - Creative Partnership Agreement (A25/0088)****MOTION**

Mover:      Cr Nemesh  
Seconded: Cr Stephenson

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. Defers this item to the March 2025 Council meeting.

**AMENDMENT**

Mover:      Cr Masselos  
Seconded: Cr Lewis

That clause 2 be amended to read as follows:

‘Defers this item to the March 2025 Council meeting, with a confidential Councillor briefing to be held as a matter of urgency prior to the March 2025 Council meeting.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOTION 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. Defers this item to the March 2025 Council meeting.

*Cr Wy Kanak requested that his vote against the motion be recorded in the minutes.*

**CM/11.3/25.02      CONFIDENTIAL REPORT - Bondi Beach Surf School - Licence - Exhibition (A25/0283)**

*Cr Stephenson declared a less than significant non-pecuniary interest in in this item and informed the meeting that she knows one of the surf school operators.*

*Council dealt with this item in open session.*

**MOTION / UNANIMOUS DECISION**

Mover:      Cr Nemesh  
Seconded: Cr Lewis

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. In accordance with section 47A of the *Local Government Act 1993*, publicly notifies and exhibits for 28 days the proposal to grant a licence of up to five years for the operation of a surf school at Bondi Beach.
3. Officers prepare a report to Council following the exhibition period.

**CM/11.4/25.02            CONFIDENTIAL REPORT - 63A Wairoa Avenue, North Bondi - Lease - Exhibition (A25/0282)**

*Council dealt with this item in open session.*

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Lewis

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. In accordance with section 47 of the *Local Government Act 1993*, publicly notifies and exhibits for 28 days the proposal to grant a lease of up to five years with a five-year option to Waverley Action for Youth Services (WAYS) for 63A Wairoa Avenue, North Bondi.
3. Approves in principle the granting of a lease of up to five years with a five-year option to WAYS for 63A Wairoa Avenue and authorises the General Manager or delegate to negotiate with WAYS on the terms of the lease.
4. Officers prepare a report to Council following the exhibition period to consider the submissions and grant the lease.

**12. Resuming in Open Session**

**CM/12/25.02            Resuming in Open Session**

**MOTION / DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council resumes in open session.

*At 9.04 pm, at the reconvened meeting, Council resumed in open session.*

***Resolutions from closed session made public***

*In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumed in open session the chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.*

**13. Meeting Closure**

**THE MEETING CLOSED AT 9.09 PM.**

.....  
**SIGNED AND CONFIRMED**  
**MAYOR**  
**18 MARCH 2025**

## CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/25.03



**Subject:** Confirmation of Minutes - Extraordinary Council Meeting - 4 March 2025

**TRIM No:** A23/0761

**Manager:** Richard Coelho, Executive Manager, Governance

---

### RECOMMENDATION:

That Council confirms the minutes of the extraordinary Council meeting held on 4 March 2025 as a true record of the proceedings of that meeting.

### Introduction/Background

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

### Attachments

1. Extraordinary Council Meeting Minutes - 4 March 2025 .



**MINUTES OF THE WAVERLEY EXTRAORDINARY COUNCIL MEETING  
HELD AT THE BOOT FACTORY, SPRING STREET, BONDI JUNCTION ON  
TUESDAY, 4 MARCH 2025**

**Present:**

Councillor Will Nemesh (Mayor) (Chair)	Hunter Ward
Councillor Keri Spooner (Deputy Mayor)	Waverley Ward
Councillor Ludovico Fabiano	Waverley Ward
Councillor Dov Frazer	Hunter Ward
Councillor Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Margaret Merten	Bondi Ward
Councillor Joshua Spicer	Waverley Ward
Councillor Michelle Stephenson	Bondi Ward
Councillor Lauren Townsend	Lawson Ward
Councillor Katherine Westwood	Lawson Ward
Councillor Dominic Wy Kanak	Bondi Ward

**Staff in attendance:**

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

*At the commencement of proceedings at 6.03 pm, those present were as listed above, with the exception of Cr Merten who arrived at 6.05 pm during apologies and Cr Spooner who arrived at 6.06 pm after apologies.*

*Cr Wy Kanak attended the meeting by audio-visual link.*

*Cr Townsend initially attended the meeting by audio-visual link.*

**PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE**

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

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

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

**1. Apologies/Leaves of Absence**

There were no apologies.

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

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

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

There were no addresses by members of the public.

**4. Closed Session**

**CM/4/25.03E          Closed Session**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Spicer  
Seconder: Cr Masselos

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/4.1/25.03      CONFIDENTIAL REPORT - Affordable Housing Purchase

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

5. 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*.

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*.

At 6.05 pm, Council moved into closed session.

**CM/4.1/25.03E      CONFIDENTIAL REPORT - Affordable Housing Purchase (A07/0597)**

**MOTION**

Mover: Cr Nemesh

Seconder: Cr Frazer

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. Purchases the property identified in section 4 of the report (the Property) as part of its affordable and social housing program, subject to:
  - (a) The due diligence reports being to the satisfaction of the General Manager.
  - (b) The maximum bid or offer to purchase the Property being the amount agreed to at the Council meeting or a lower figure as determined by the General Manager.
3. Authorises the General Manager to appoint an agent or delegate to bid on the Property on Council's behalf at the auction, or make an offer, up to and including the maximum bid.
4. Should it be successful at the auction, authorises the General Manager and the Mayor to execute, and affix Council's seal to, the contract for sale and any other documentation to finalise the matter.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSE 2(a) AND 3.

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

**UNANIMOUS 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. Purchases the property identified in section 4 of the report (the Property) as part of its affordable and social housing program, subject to:
  - (a) The due diligence reports being to the satisfaction of the General Manager, Mayor and



Deputy Mayor.

- (b) The maximum bid or offer to purchase the Property being the amount agreed to at the Council meeting or a lower figure as determined by the General Manager.
3. Authorises the General Manager to appoint an agent or delegate to bid on the Property on Council's behalf at the auction, or make an offer, up to and including the maximum bid as agreed at the meeting.
4. Should it be successful at the auction, authorises the General Manager and the Mayor to execute, and affix Council's seal to, the contract for sale and any other documentation to finalise the matter.

## 5. Resuming in Open Session

**CM/5/25.03E                      Resuming in Open Session**

### **MOTION**

Mover:        Cr Nemesh  
Seconder:    Cr Townsend

That Council resumes in open session.

*At 6.46 pm, Council resumed in open session.*

### ***Resolutions from closed session made public***

*In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumed in open session the chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.*

## 6. Meeting Closure

**THE MEETING CLOSED AT 6.49 PM.**

.....  
**SIGNED AND CONFIRMED**  
**MAYOR**  
**18 MARCH 2025**

:

## MAYORAL MINUTES

### CM/6/25.03



WAVERLEY  
COUNCIL

**Subject:** Mayoral Minutes

**Author:** Mayor of Waverley, Cr Will Nemesh

---

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.*

## MAYORAL MINUTE

### CM/6.1/25.03



**Subject:** Head on Photo Festival - Financial Assistance

**TRIM No:** A25/0489

**Author:** Mayor of Waverley, Cr Nemesh

---

#### MOTION:

That Council:

1. Notes the significant artistic contribution of the Head On Foundation and Moshe Rosenzweig OAM (founder and creative director) in the field of photography and visual art.
2. Further notes the ongoing successful partnership between Head On and Waverley Council.
3. Provides financial support of \$10,000 for the operations of the festival and \$5,000 for a Mayor's Prize for Photography Excellence.
4. Includes this support in the upcoming 2025–26 Budget.
5. Writes to Head On Foundation advising them of this mayoral minute.

#### Background

Waverley Council has a strong commitment to arts and culture, demonstrated by our vibrant visual arts program, including the Bondi Beach Sea Wall, Waverley Artist Studio, Waverley Art Prize and Waverley Youth Art Prize, and our exhibition program in Bondi Pavilion and Waverley Library Galleries.

Council enjoys a long history and successful partnership with Head On Foundation. Head On has utilised Waverley venues for almost a decade, showcasing many of their featured exhibitions in Bondi Pavilion Art Gallery. Waverley collaborated with Head On to bring artistic photography to public locations along the beachfront, activating public spaces during COVID-19. This exciting intersection of art and public space allowed those who wouldn't enter an art gallery to access beautiful exhibitions in a safe, outdoor environment. Recent editions of the Festival have been overwhelmingly popular with residents and visitors alike, and we look forward to our continued relationship with Head On through their major annual event, the Head On Photo Festival, which will activate various spaces in Bondi Pavilion and along Bondi Beach promenade.

Bondi Pavilion courtyard spaces will feature the festival launch with over 1,500 guests celebrating photography with live music, food and drink. Exhibitions, conversations and artist talks will take place in other parts of the venue, including featured exhibitions and artist talks. Bondi Pavilion Art Gallery will host the Head On Portrait exhibition featuring Australian and international artists. Bondi Beach promenade will exhibit 30 to 40 featured, Head-On-curated exhibitions of Australian and international artists.

## REPORT

### CM/7.1/25.03



**Subject:** Risk Appetite Statement

**TRIM No:** SF24/356

**Manager:** Lucas Atkinson, Executive Officer

**Director:** Emily Scott, General Manager

---

### RECOMMENDATION:

That Council:

1. Treats the attachment 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 attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Adopts the Risk Appetite Statement attached to the report.

#### 1. Executive Summary

The purpose of this report is to seek approval of the Risk Appetite Statement, which has been prepared as part of Council's ongoing Enterprise Risk Management program.

#### 2. Introduction/Background

Council implements an ongoing Strategic Internal Audit Program of Council's Enterprise Risk Management program to identify and prioritise a long-term plan of action. This ensures that Council effectively manages both operational and strategic risk associated with the delivery of its services.

Council's internal audit program identified the need to develop a Risk Appetite Statement, which documents and informs overall risk tolerance levels and the management of risks at an enterprise level.

#### 3. Relevant Council Resolutions

Nil.

#### 4. Discussion

In 2024, Council engaged an independent consultant, Grant Thornton Australia Limited, to prepare a Risk Appetite Statement. The scope of the project included an initial review of Council's existing risk management processes and strategic risk register, in addition to a workshop with Council's executive staff to develop an enterprise-level Risk Appetite Statement.

The process to develop the Risk Appetite Statement also included consultation and feedback provided by Council's Audit, Risk and Improvement Committee. The draft Risk Appetite Statement

was also circulated to the Council for feedback following a Councillor briefing session on 25 March 2025.

The Risk Appetite Statement is presented in Attachment 1 of the report. The statement has been developed to document the level of risk that Council will accept, tolerate, attempt to resist or will not tolerate across six key strategic categories including:

- Financial.
- People (staff or public).
- Environment.
- Reputation/governance.
- Legal/regulatory.
- Service/project Delivery.

The overall tolerance of risk for each strategic category is defined as being low, medium or high. Risk tolerance levels are determined and referenced against the risk assessment process set out in Council's Enterprise Risk Management Plan.

It is recommended that the Risk Appetite Statement attached to this report be adopted and integrated into Council's existing Enterprise Risk Management program.

## **5. Financial Impact**

There are no direct costs associated with the endorsement of the Risk Appetite Statement. The ongoing management of Council's risks via the Enterprise Risk Management program and Risk Appetite Statement will assist to ensure that operational and strategic risks are identified and managed proactively to reduce Council's potential exposure to significant financial impacts.

## **6. Risks/Issues**

The Risk Appetite Statement aligns with Council's current Enterprise Risk Management program and addresses a key action identified in the Strategic Internal Audit Program.

Council has existing programs and processes in place to manage enterprise risk. However, the development and adoption of the Risk Appetite Statement will improve Council's long-term enterprise risk management and inform future decision-making processes associated with the delivery of its services.

## **7. Attachments**

1. Risk Appetite Statement (confidential) .

## REPORT

### CM/7.2/25.03



**Subject:** Investment Portfolio Report - February 2025

**TRIM No:** SF24/3676

**Manager:** Teena Su, Executive Manager, Finance

**Director:** Tara Czinner, Director, Corporate Services

---

### RECOMMENDATION:

That Council:

1. Notes the Investment Summary Report for February 2025 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 February 2025, Council's investment portfolio generated \$398,599 in interest.

The interest income for year to date achieved 77.42% (\$3,730,994) of the current budget forecast of \$4,819,168. Council is on track to exceed the interest income budgeted for the financial year 2024-25, an upward adjustment is expected for the Q3 budget review.

#### 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 interest on investment budget for the 2024-25 financial year was adopted by Council at this meeting on 18 June 2024 and was set at \$4,127,190. The Q1 Budget Review revised the interest on investment to \$4,819,168 for the 2024-25 financial year.

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	Original Budget	Current Budget	Actual Monthly (\$)	Actual YTD (\$)	Tracking YTD Current Budget %
July	4,127,190	4,819,168	402,607	402,607	8.35%
August	4,127,190	4,819,168	383,202	785,869	16.31%
September	4,127,190	4,819,168	626,228	1,412,037	29.30%
October	4,127,190	4,819,168	437,122	1,849,159	38.37%
November	4,127,190	4,819,168	435,720	\$2,284,879	47.41%
December	4,127,190	4,819,168	642,811	\$2,927,690	60.75%
January	4,127,190	4,819,168	404,704	\$3,332,394	69.15%
February	4,127,190	4,819,168	398,599	\$3,730,994	77.42%

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 18 February 2025	CM/7.6/25.02	<p>That Council notes:</p> <ol style="list-style-type: none"> <li>1. The Investment Summary Report for November 2024 attached to the report.</li> <li>2. 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 <i>Local Government Act 1993</i> and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.</li> </ol>
Council 18 February 2025	CM/7.7/25.02	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the Investment Summary Report for December 2024 attached to the report.</li> <li>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 <i>Local Government Act 1993</i> and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.</li> </ol>
Council 18 February 2025	CM/7.8/25.02	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the Investment Summary Report for January 2025 attached to the report.</li> <li>2. Note that the Executive Manager, Finance, as the Responsible Accounting officer, advises that all</li> </ol>

		investments have been made in accordance with the requirements of section 625 of the <i>Local Government Act 1993</i> and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.
--	--	--

#### 4. Discussion

Council's investment portfolio posted a return of 4.21% pa (0.32% actual) for the month versus the bank bill index benchmark return of 4.51% pa (0.34% actual). Over the past 12 months, the investment portfolio has returned 5.28%, versus the bank bill index benchmark's 4.48%.

The NSW TCorp Long Term Growth Fund gave back some of its recent gains, down 0.33% actual, reflecting the pullback in the US and Australian share markets during the month. A drop in market interest rates boosted marked-to-market performance on bonds, both in the funds and those held directly, helping mitigate the impact of the share exposures' fall.

Without marked-to-market influences, Council's investment portfolio yielded 4.96% 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.

During February, Council had maturities of \$6m between two term deposits with original terms of 6 and 12 months which were yielding an average of 5.07% pa. Council invested \$6m between two new deposits with maturities of 8 and 12 months at an average rate of 4.68% pa. The two new investments are fossil fuel ADI deposits and made in accordance with Council's Investment Policy.

*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
26 Feb 2025	3,000,000.00	8	4.59%	<b>4.70%</b>
26 Feb 2025	3,000,000.00	12	4.59%	<b>4.65%</b>

As at 28 February 2025, Council's investment portfolio has a current market value of \$130,177,562 which represents a gain of \$2,056,995 on the \$128,120,567 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	\$16,473,946	\$16,943,946
Floating Rate Note	\$22,900,000	\$23,123,057
Managed Funds	\$8,746,620	\$8,746,620
Term Deposit	\$80,000,000	\$81,833,939
<b>Total</b>	<b>\$128,120,567</b>	<b>\$130,177,562</b>



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

<b>Reserves</b>	<b>Value</b>
External Restriction Reserves	\$43,338,087
Internal Restriction Reserves	\$68,643,365
Unrestricted fund	\$16,139,115
<b>Total</b>	<b>\$ 128,120,567</b>

### Analysis

Attached to this report is a summary of the investment portfolio for the month of February. 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.*

<b>Month</b>	<b>Portfolio return %</b>	<b>Ausbond BB index %</b>	<b>Variance %</b>
Nov-23	8.30	4.34	3.96
Dec-23	7.70	4.43	3.27
Jan-24	5.93	4.44	1.49
Feb-24	7.99	4.43	3.56
Mar-24	7.11	4.41	2.70
Apr-24	0.10	0.35	-0.25
May-24	6.10	4.50	1.60
Jun-24	5.60	4.34	2.70
July-24	7.08	4.49	2.59
Aug-24	4.85	4.54	0.31
Sep-24	5.17	4.45	0.72
Oct-24	4.45	4.50	-0.05
Nov-24	6.65	4.48	2.17
Dec-24	4.61	4.53	0.08
Jan-25	6.29	4.59	1.70
Feb-25	4.21	4.51	-0.30
<b>Average % return over the last 12 months</b>	<b>5.28</b>	<b>4.48</b>	<b>0.80</b>

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 TCorp'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 February 2025, 82% 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 10% of the portfolio. The remaining 8% is invested with TCorp.

From June 2018 to February 2025, Council has reduced its investment in fossil-fuel-lending ADIs from 59% to 10%, as shown in Figure 1 below.

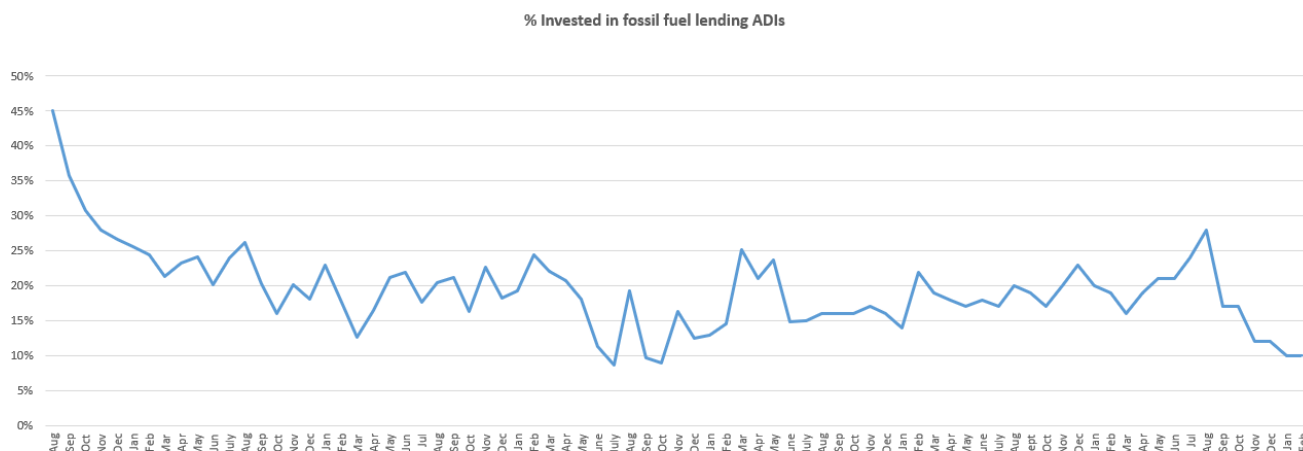


Figure 1. Investments in fossil-fuel-lending ADIs.

When excluding the working capital funds held in the Commonwealth Bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 87% of Council's investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, 5.37% fossil-fuel-lending ADIs and the remaining 7.83% is invested with TCorp as displayed in Figure 2 below.

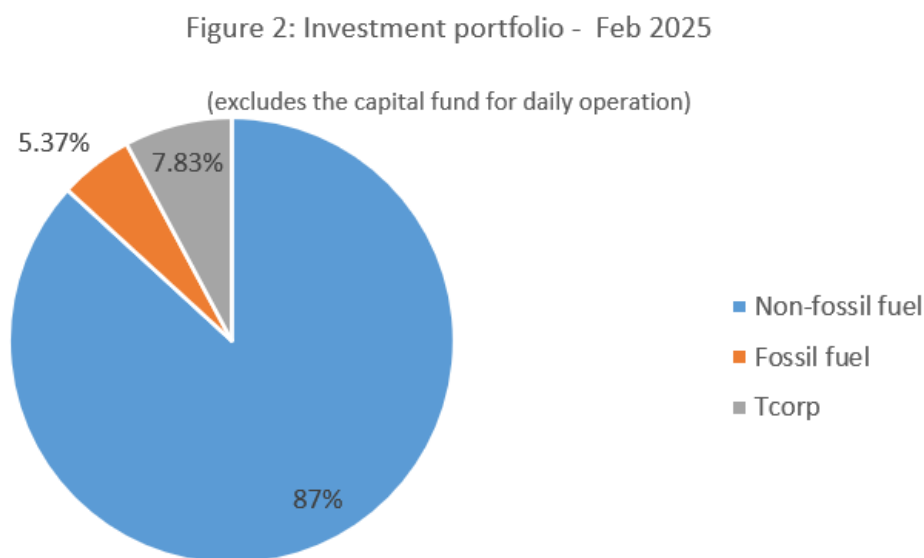


Figure 2. Investment portfolio.

## 5. Financial Impact

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

**6. Risks/Issues**

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 TCorp'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.

**7. Attachments**

1. Investment Report - February 2025 [↓](#)



## Investment Summary Report February 2025

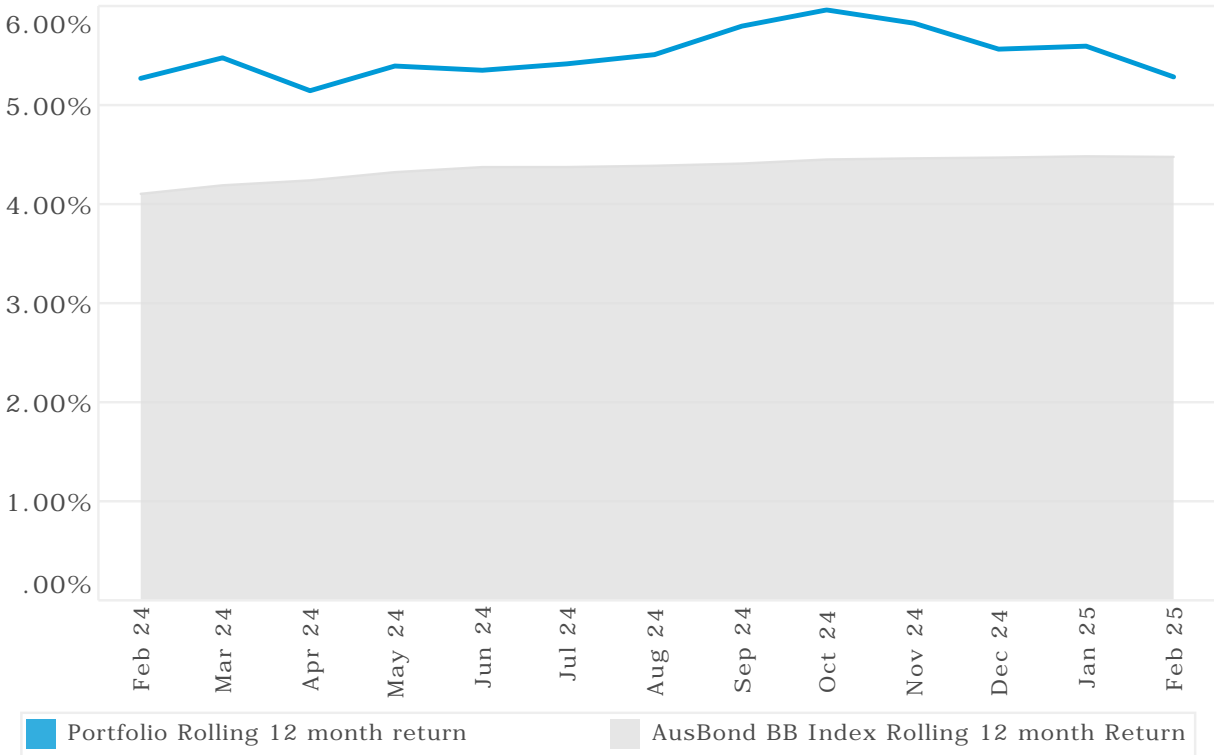
Waverley Council  
Executive Summary - February 2025



Investment Holdings

Investment Performance

	Face Value (\$)	Current Value (\$)
Cash	16,473,946	16,473,946
Floating Rate Note	22,900,000	23,123,057
Managed Funds	8,746,620	8,746,620
Term Deposit	80,000,000	81,833,939
	128,120,567	130,177,562

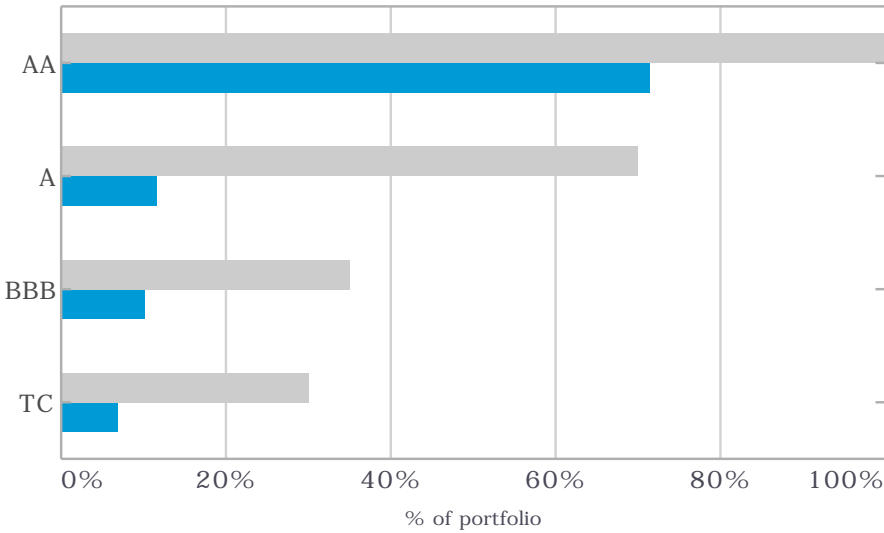


Investment Policy Compliance

Total Credit Exposure

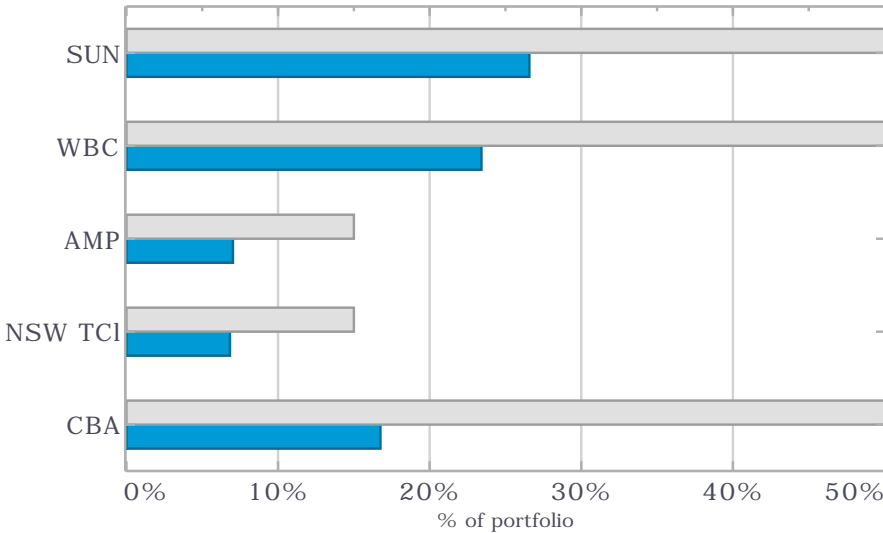
Individual Institutional Exposures

Term to Maturities



Portfolio Exposure

Investment Policy Limit



	Face Value (\$)	Policy Max
Between 0 and 1 years	102,770,567	80% 100% a
Between 1 and 10 year:	25,350,000	20% 70% a
	128,120,567	

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 - February 2025



Cash Accounts										
	Face Value (\$)	Current Rate (%)	Institution	Credit Rating			Current Value (\$)	Deal No.		Reference
	2,461.50	0.0000%	Commonwealth Bank of Australia	AA-			2,461.50	120800		Eastgate CP
	2,519.99	0.0000%	Commonwealth Bank of Australia	AA-			2,519.99	120797		Depositor Funds
	4,684.81	0.0000%	Commonwealth Bank of Australia	AA-			4,684.81	120796		Cemetery Funds
	15,952.36	0.0000%	Commonwealth Bank of Australia	AA-			15,952.36	120801		Hollywood Av CP
	16,098.83	0.0000%	Commonwealth Bank of Australia	AA-			16,098.83	120799		Library CP
	52,359.06	0.0000%	Commonwealth Bank of Australia	AA-			52,359.06	370151		Library Gift
	74,375.86	0.0000%	Commonwealth Bank of Australia	AA-			74,375.86	120795		Trust Funds
	3,833,628.00	0.0000%	Commonwealth Bank of Australia	AA-			3,833,628.00	120794		General Funds
	12,471,865.88	4.1000%	Commonwealth Bank of Australia	AA-			12,471,865.88	120789		24hr Call
	16,473,946.29	3.1040%					16,473,946.29			

Managed Funds										
	Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name		Current Value (\$)	Deal No.		Reference
	8,746,620.28	-0.3294%	NSW T-Corp (LT)	TCl	Long Term Growth Fund		8,746,620.28	538089		
	8,746,620.28	-0.3294%					8,746,620.28			

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
4-Mar-25	2,000,000.00	2.0200%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,012,175.34	542329	12,175.34	Quarterly	Green
4-Mar-25	2,000,000.00	5.0800%	Suncorp Bank	AA-	2,000,000.00	2-Apr-24	2,092,692.60	544974	92,692.60	At Maturity	
4-Mar-25	3,000,000.00	5.0800%	Suncorp Bank	AA-	3,000,000.00	4-Sep-24	3,074,321.10	545448	74,321.10	At Maturity	
4-Mar-25	3,000,000.00	5.1000%	Suncorp Bank	AA-	3,000,000.00	3-Sep-24	3,075,032.88	545440	75,032.88	At Maturity	
5-Mar-25	4,000,000.00	5.0800%	Westpac Group	AA-	4,000,000.00	5-Mar-24	4,200,973.15	544912	200,973.15	At Maturity	Green
12-Mar-25	3,000,000.00	4.9500%	Westpac Group	AA-	3,000,000.00	12-Mar-24	3,032,141.10	544931	32,141.10	Quarterly	Green
18-Mar-25	3,000,000.00	4.9800%	Suncorp Bank	AA-	3,000,000.00	18-Sep-24	3,067,127.67	545500	67,127.67	At Maturity	
25-Mar-25	3,000,000.00	5.0800%	Suncorp Bank	AA-	3,000,000.00	26-Sep-24	3,065,135.34	545521	65,135.34	At Maturity	



Waverley Council  
Investment Holdings Report - February 2025



Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
25-Mar-25	3,000,000.00	5.0900%	Suncorp Bank	AA-	3,000,000.00	23-Sep-24	3,066,518.63	545508	66,518.63	At Maturity	
2-Apr-25	3,000,000.00	5.0000%	Suncorp Bank	AA-	3,000,000.00	5-Sep-24	3,072,739.73	545455	72,739.73	At Maturity	
22-Apr-25	3,000,000.00	5.0700%	Suncorp Bank	AA-	3,000,000.00	25-Sep-24	3,065,423.84	545518	65,423.84	At Maturity	
1-May-25	3,000,000.00	5.2700%	Westpac Group	AA-	3,000,000.00	1-May-24	3,131,677.81	545052	131,677.81	At Maturity	Green
11-Jun-25	3,000,000.00	5.1800%	Bank of Queensland	A-	3,000,000.00	11-Dec-24	3,034,060.27	545699	34,060.27	At Maturity	
20-Jun-25	3,000,000.00	5.0200%	AMP Bank	BBB+	3,000,000.00	29-Aug-24	3,075,918.90	545419	75,918.90	At Maturity	
20-Jun-25	3,000,000.00	5.2000%	AMP Bank	BBB+	3,000,000.00	19-Dec-24	3,030,772.60	545711	30,772.60	At Maturity	
25-Jun-25	3,000,000.00	5.0200%	AMP Bank	BBB+	3,000,000.00	28-Aug-24	3,076,331.51	545407	76,331.51	At Maturity	
8-Jul-25	3,000,000.00	5.1500%	Bank of Queensland	A-	3,000,000.00	28-Nov-24	3,039,365.75	545661	39,365.75	At Maturity	Green
16-Jul-25	3,000,000.00	5.1000%	Suncorp Bank	AA-	3,000,000.00	5-Nov-24	3,048,624.66	545605	48,624.66	At Maturity	
20-Aug-25	3,000,000.00	4.8600%	Westpac Group	AA-	3,000,000.00	20-Aug-24	3,077,094.25	545371	77,094.25	At Maturity	Green
20-Aug-25	3,000,000.00	4.8600%	Westpac Group	AA-	3,000,000.00	23-Aug-24	3,075,895.89	545380	75,895.89	At Maturity	Green
2-Sep-25	2,000,000.00	4.8100%	Westpac Group	AA-	2,000,000.00	5-Sep-24	2,046,650.41	545456	46,650.41	At Maturity	Green
23-Sep-25	2,000,000.00	4.7700%	Westpac Group	AA-	2,000,000.00	26-Sep-24	2,040,773.70	545520	40,773.70	At Maturity	Green
1-Oct-25	3,000,000.00	4.7900%	Westpac Group	AA-	3,000,000.00	2-Oct-24	3,059,054.79	545539	59,054.79	At Maturity	Green
29-Oct-25	3,000,000.00	4.7000%	National Australia Bank	AA-	3,000,000.00	27-Feb-25	3,000,772.60	545831	772.60	At Maturity	
20-Feb-26	2,000,000.00	4.8500%	Westpac Group	AA-	2,000,000.00	20-Feb-24	2,002,391.78	544856	2,391.78	Quarterly	Green
25-Feb-26	3,000,000.00	4.6500%	National Australia Bank	AA-	3,000,000.00	27-Feb-25	3,000,764.38	545832	764.38	At Maturity	
17-Mar-26	3,000,000.00	4.8400%	Suncorp Bank	AA-	3,000,000.00	19-Mar-24	3,138,039.45	544951	138,039.45	Annually	
17-Apr-26	3,000,000.00	5.0300%	Westpac Group	AA-	3,000,000.00	17-Apr-24	3,131,469.04	545017	131,469.04	Annually	Green
80,000,000.00		4.9180%			80,000,000.00			81,833,939.17	1,833,939.17		

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
2-Dec-25	2,250,000.00	4.9560%	BEN Snr FRN (Dec25) BBSW+0.52%	A-	2,250,000.00	2-Dec-20	2,279,732.61	540603	27,190.11	3-Mar-25	
24-Feb-26	1,300,000.00	4.5787%	SUN Snr FRN (Feb26) BBSW+0.45%	AA-	1,300,000.00	24-Feb-21	1,301,335.38	540958	815.38	26-May-25	
4-Mar-26	4,000,000.00	5.0527%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB+	4,000,000.00	4-Mar-21	4,048,133.69	540983	48,173.69	4-Mar-25	



Waverley Council  
Investment Holdings Report - February 2025



Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
15-May-26	1,000,000.00	5.4240%	BEN Snr FRN (May26) BBSW+ 1.25%	A-	1,000,000.00	15-May-23	1,009,883.23	544084	1,783.23	15-May-25	
18-Jun-26	4,000,000.00	5.1180%	BEN Snr FRN (Jun26) BBSW+ 0.65%	A-	4,000,000.00	18-Jun-21	4,045,304.00	541523	40,944.00	18-Mar-25	
15-Sep-26	3,750,000.00	4.9399%	SUN Snr FRN (Sep26) BBSW+ 0.48%	AA-	3,750,000.00	15-Sep-21	3,786,976.80	541877	38,064.30	17-Mar-25	
23-Dec-26	5,000,000.00	4.8613%	CBA Green Snr FRN (Dec26) BBSW+ 0.41%	AA-	5,000,000.00	23-Sep-21	5,039,133.34	541916	45,283.34	24-Mar-25	
14-May-27	1,600,000.00	5.1793%	BEN Snr FRN (May27) BBSW+ 1.00%	A-	1,600,000.00	14-May-24	1,612,557.57	545080	3,405.57	14-May-25	
	22,900,000.00	4.9925%			22,900,000.00		23,123,056.62		205,659.62		





Waverley Council  
Accrued Interest Report - February 2025



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Floating Rate Note									
BEN Snr FRN (Dec25) BBSW+0.52%	540603		2,250,000.00	2-Dec-20	2-Dec-25	0.00	28	8,554.19	4.96%
SUN Snr FRN (Feb26) BBSW+0.45%	540958		1,300,000.00	24-Feb-21	24-Feb-26	15,768.26	28	4,800.77	4.81%
NPBS Snr FRN (Mar26) BBSW+0.63%	540983		4,000,000.00	4-Mar-21	4-Mar-26	0.00	28	15,504.18	5.05%
BEN Snr FRN (May26) BBSW+1.25%	544084		1,000,000.00	15-May-23	15-May-26	14,600.65	28	4,268.45	5.56%
BEN Snr FRN (Jun26) BBSW+0.65%	541523		4,000,000.00	18-Jun-21	18-Jun-26	0.00	28	15,704.55	5.12%
SUN Snr FRN (Sep26) BBSW+0.48%	541877		3,750,000.00	15-Sep-21	15-Sep-26	0.00	28	14,210.67	4.94%
CBA Green Snr FRN (Dec26) BBSW+0.41%	541916		5,000,000.00	23-Sep-21	23-Dec-26	0.00	28	18,646.08	4.86%
BEN Snr FRN (May27) BBSW+1.00%	545080		1,600,000.00	14-May-24	14-May-27	21,887.63	28	6,498.39	5.29%
						52,256.54		88,187.28	5.02%
Term Deposits									
Suncorp Bank	544863		3,000,000.00	28-Feb-24	26-Feb-25	151,084.93	25	10,376.71	5.05%
Suncorp Bank	545414		3,000,000.00	28-Aug-24	26-Feb-25	75,991.23	25	10,438.35	5.08%
Suncorp Bank	544974		2,000,000.00	2-Apr-24	4-Mar-25	0.00	28	7,793.97	5.08%
Suncorp Bank	545440		3,000,000.00	3-Sep-24	4-Mar-25	0.00	28	11,736.99	5.10%
Suncorp Bank	545448		3,000,000.00	4-Sep-24	4-Mar-25	0.00	28	11,690.96	5.08%
Westpac Group	542329		2,000,000.00	9-Feb-22	4-Mar-25	0.00	28	3,099.18	2.02%
Westpac Group	544912		4,000,000.00	5-Mar-24	5-Mar-25	0.00	28	15,587.94	5.08%
Westpac Group	544931		3,000,000.00	12-Mar-24	12-Mar-25	0.00	28	11,391.78	4.95%
Suncorp Bank	545500		3,000,000.00	18-Sep-24	18-Mar-25	0.00	28	11,460.82	4.98%
Suncorp Bank	545508		3,000,000.00	23-Sep-24	25-Mar-25	0.00	28	11,713.97	5.09%
Suncorp Bank	545521		3,000,000.00	26-Sep-24	25-Mar-25	0.00	28	11,690.96	5.08%
Suncorp Bank	545455		3,000,000.00	5-Sep-24	2-Apr-25	0.00	28	11,506.85	5.00%
Suncorp Bank	545518		3,000,000.00	25-Sep-24	22-Apr-25	0.00	28	11,667.95	5.07%
Westpac Group	545052		3,000,000.00	1-May-24	1-May-25	0.00	28	12,128.22	5.27%
Bank of Queensland	545699		3,000,000.00	11-Dec-24	11-Jun-25	0.00	28	11,921.09	5.18%
AMP Bank	545419		3,000,000.00	29-Aug-24	20-Jun-25	0.00	28	11,552.87	5.02%



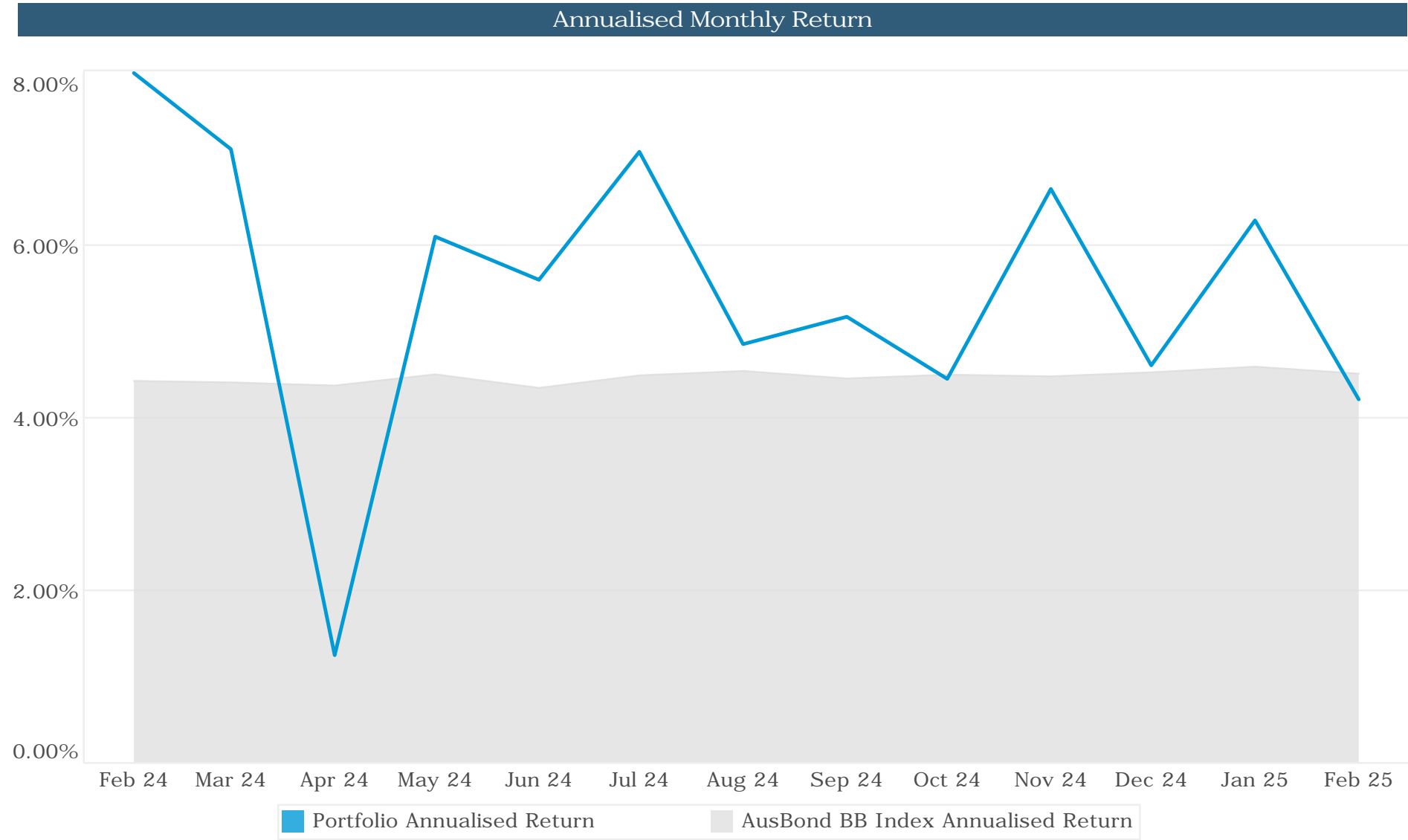
Waverley Council  
Accrued Interest Report - February 2025



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
AMP Bank	545711		3,000,000.00	19-Dec-24	20-Jun-25	0.00	28	11,967.12	5.20%
AMP Bank	545407		3,000,000.00	28-Aug-24	25-Jun-25	0.00	28	11,552.88	5.02%
Bank of Queensland	545661		3,000,000.00	28-Nov-24	8-Jul-25	0.00	28	11,852.05	5.15%
Suncorp Bank	545605		3,000,000.00	5-Nov-24	16-Jul-25	0.00	28	11,736.99	5.10%
Westpac Group	545371		3,000,000.00	20-Aug-24	20-Aug-25	0.00	28	11,184.66	4.86%
Westpac Group	545380		3,000,000.00	23-Aug-24	20-Aug-25	0.00	28	11,184.66	4.86%
Westpac Group	545456		2,000,000.00	5-Sep-24	2-Sep-25	0.00	28	7,379.73	4.81%
Westpac Group	545520		2,000,000.00	26-Sep-24	23-Sep-25	0.00	28	7,318.36	4.77%
Westpac Group	545539		3,000,000.00	2-Oct-24	1-Oct-25	0.00	28	11,023.56	4.79%
National Australia Bank	545831		3,000,000.00	27-Feb-25	29-Oct-25	0.00	2	772.60	4.70%
Westpac Group	544856		2,000,000.00	20-Feb-24	20-Feb-26	24,449.32	28	7,441.10	4.85%
National Australia Bank	545832		3,000,000.00	27-Feb-25	25-Feb-26	0.00	2	764.38	4.65%
Suncorp Bank	544951		3,000,000.00	19-Mar-24	17-Mar-26	0.00	28	11,138.63	4.84%
Westpac Group	545017		3,000,000.00	17-Apr-24	17-Apr-26	0.00	28	11,575.89	5.03%
						251,525.48		302,651.22	4.94%
<u>Grand Totals</u>						<u>303,782.02</u>		<u>390,838.50</u>	<u>4.96%</u>

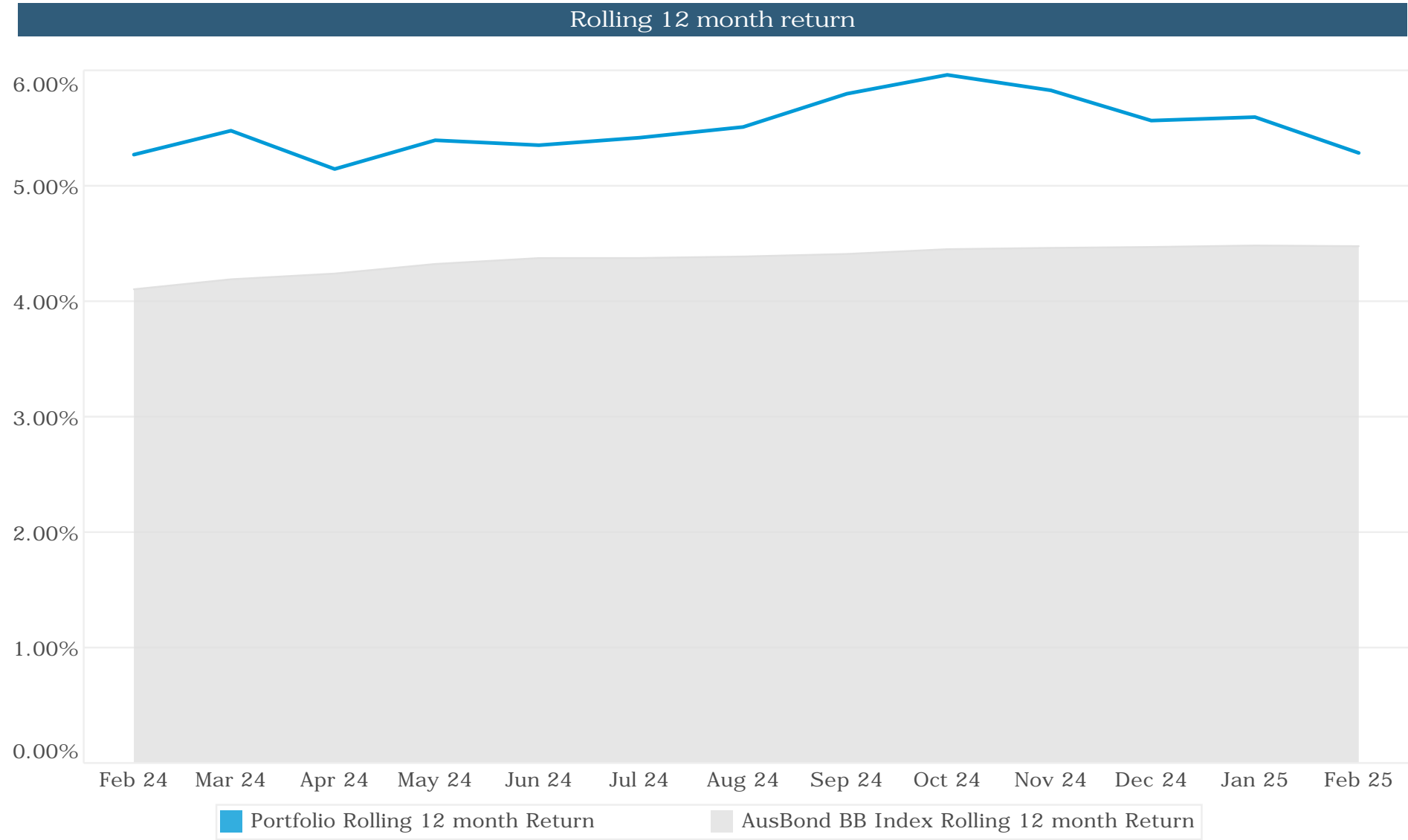


Waverley Council  
Investment Performance Report - February 2025



Historical Performance Summary (% pa)			
	Portfolio	Annualised BB Index	Outperformance
Feb 2025	4.21%	4.51%	-0.30%
Last 3 months	5.06%	4.54%	0.52%
Last 6 months	5.23%	4.51%	0.72%
Financial Year to Date	5.42%	4.51%	0.91%
Last 12 months	5.28%	4.48%	0.80%

Waverley Council  
Investment Performance Report - February 2025



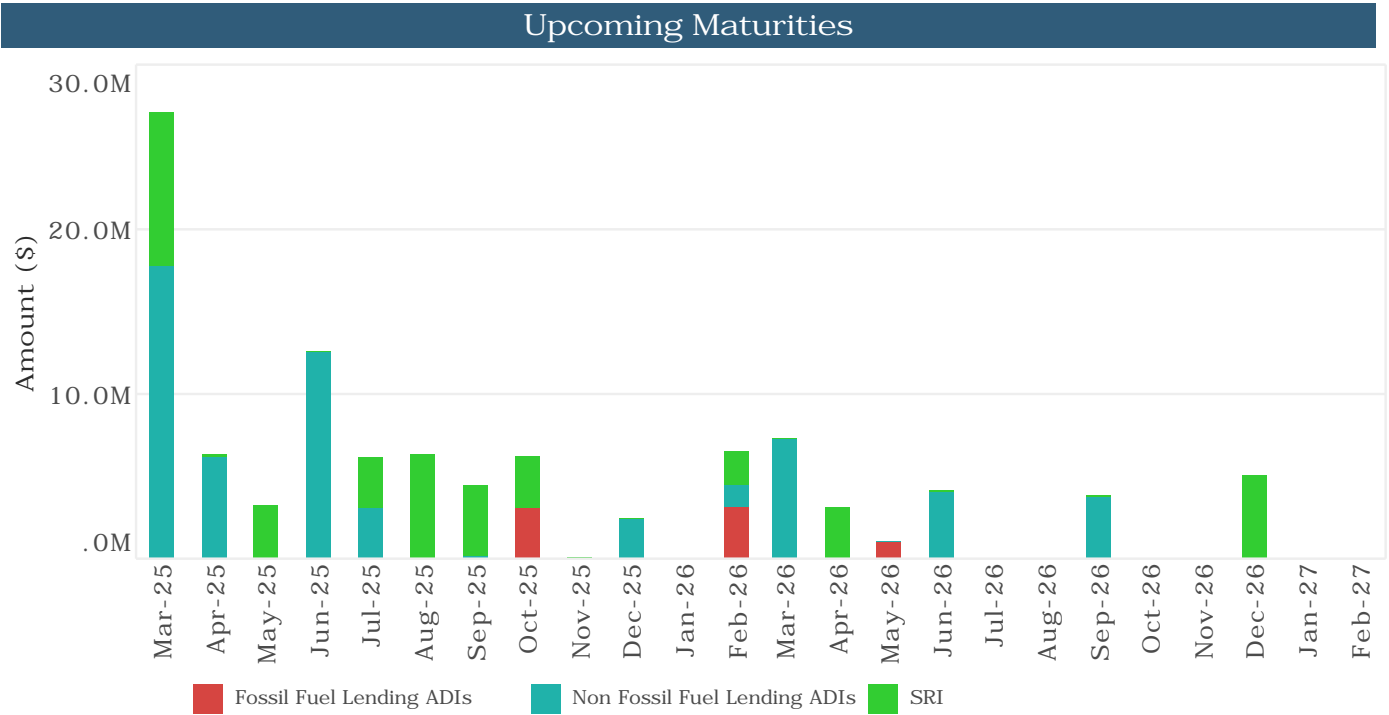
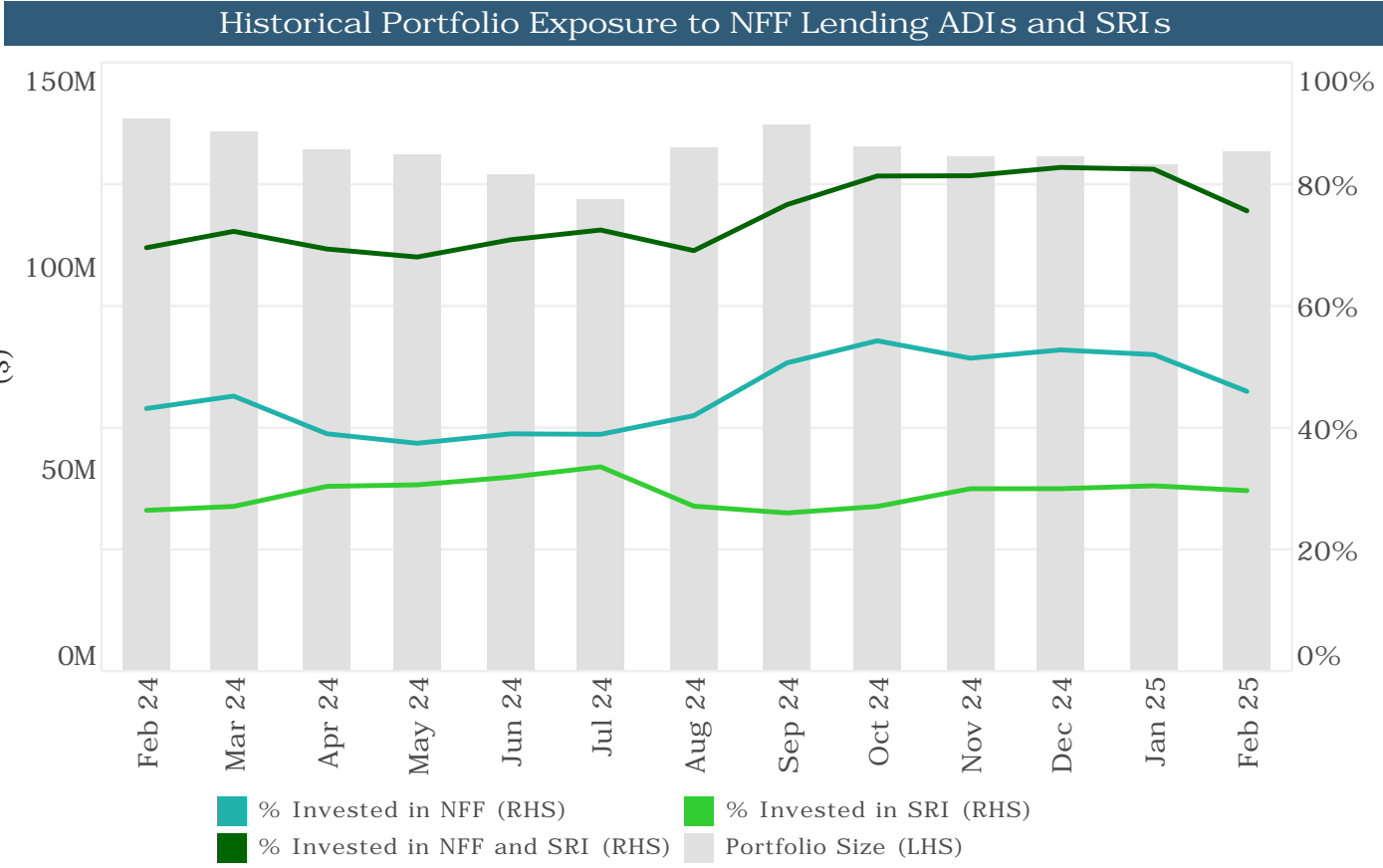
Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
Feb 2025	0.32%	0.34%	-0.02%
Last 3 months	1.22%	1.10%	0.12%
Last 6 months	2.56%	2.21%	0.35%
Financial Year to Date	3.58%	2.98%	0.60%
Last 12 months	5.28%	4.48%	0.80%

Waverley Council  
Environmental Commitments Report - February 2025

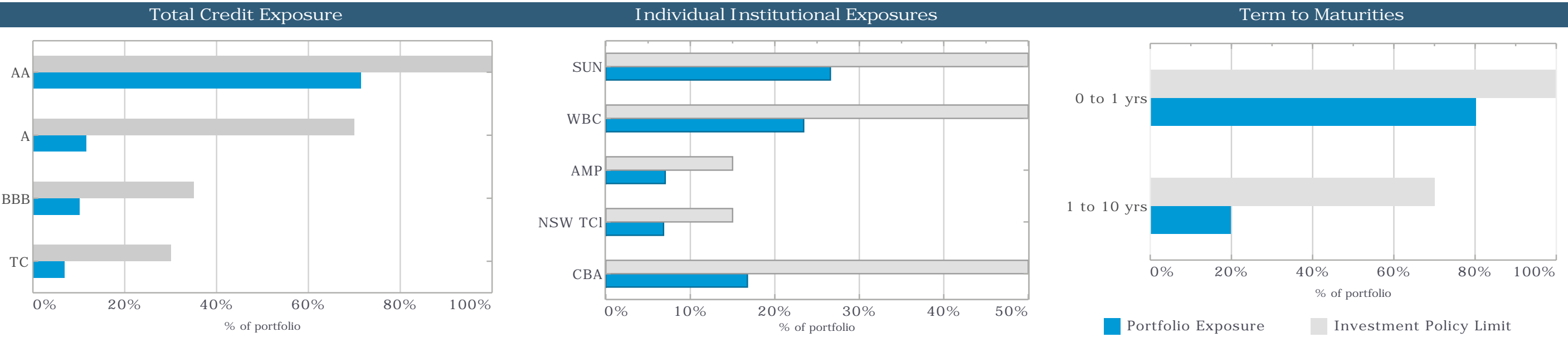


Current Breakdown				
ADI Lending Status *	Current Month (\$)		Previous Month (\$)	
Fossil Fuel Lending ADIs				
Commonwealth Bank of Australia	16,473,946		13,099,786	
National Australia Bank	6,000,000		0	
	22,473,946	18%	13,099,786	10%
Non Fossil Fuel Lending ADIs				
AMP Bank	9,000,000		9,000,000	
Bank of Queensland	3,000,000		3,000,000	
Bendigo and Adelaide Bank	8,850,000		8,850,000	
Newcastle Greater Mutual Group	4,000,000		4,000,000	
Suncorp Bank	34,050,000		40,050,000	
	58,900,000	46%	64,900,000	52%
Other				
NSW T-Corp (LT)	8,746,620		8,775,523	
	8,746,620	7%	8,775,523	7%
Socially Responsible Investment				
CBA (Green)	5,000,000		5,000,000	
Westpac Group (Green TD)	33,000,000		33,000,000	
	38,000,000	30%	38,000,000	30%
	128,120,567		124,775,310	

\* source: Marketforces & APRA  
Percentages may not add up to 100% due to rounding



Waverley Council  
Investment Policy Compliance Report - February 2025



■ Portfolio Exposure    ■ Investment Policy Limit

Credit Rating Group	Face Value (\$)	Policy Max
AA	91,523,946	71% 100% a
A	14,850,000	12% 70% a
BBB	13,000,000	10% 35% a
TC	8,746,620	7% 30% a
	128,120,567	

Institution	% of portfolio	Investment Policy Limit
Suncorp Bank (AA-)	27%	50% a
Westpac Group (AA-)	23%	50% a
AMP Bank (BBB+)	7%	15% a
NSW T-Corp (TCI)	7%	15% a
Commonwealth Bank of Australia (AA-)	17%	50% a
Bendigo and Adelaide Bank (A-)	7%	30% a
Newcastle Greater Mutual Group (BBB+)	3%	15% a
Bank of Queensland (A-)	5%	30% a
National Australia Bank (AA-)	5%	50% a

	Face Value (\$)	Policy Max
Between 0 and 1 years	102,770,567	80% 100% a
Between 1 and 10 years	25,350,000	20% 70% a
	128,120,567	

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

a = compliant  
r = non-compliant

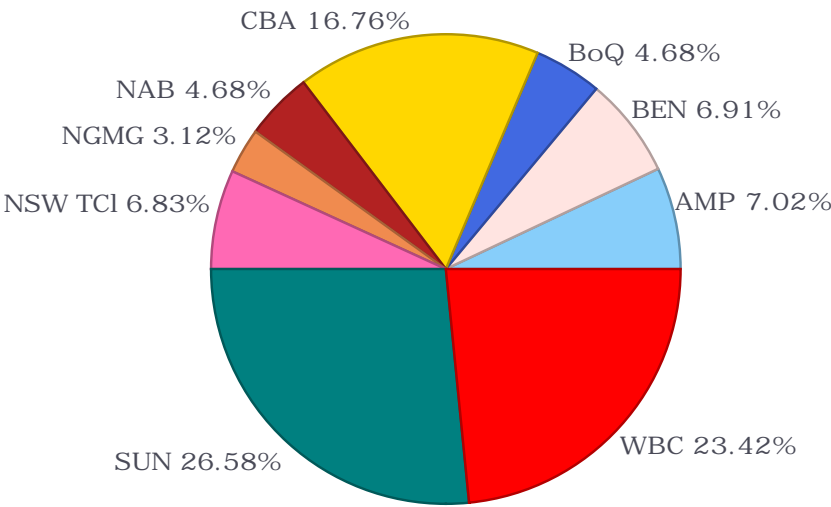
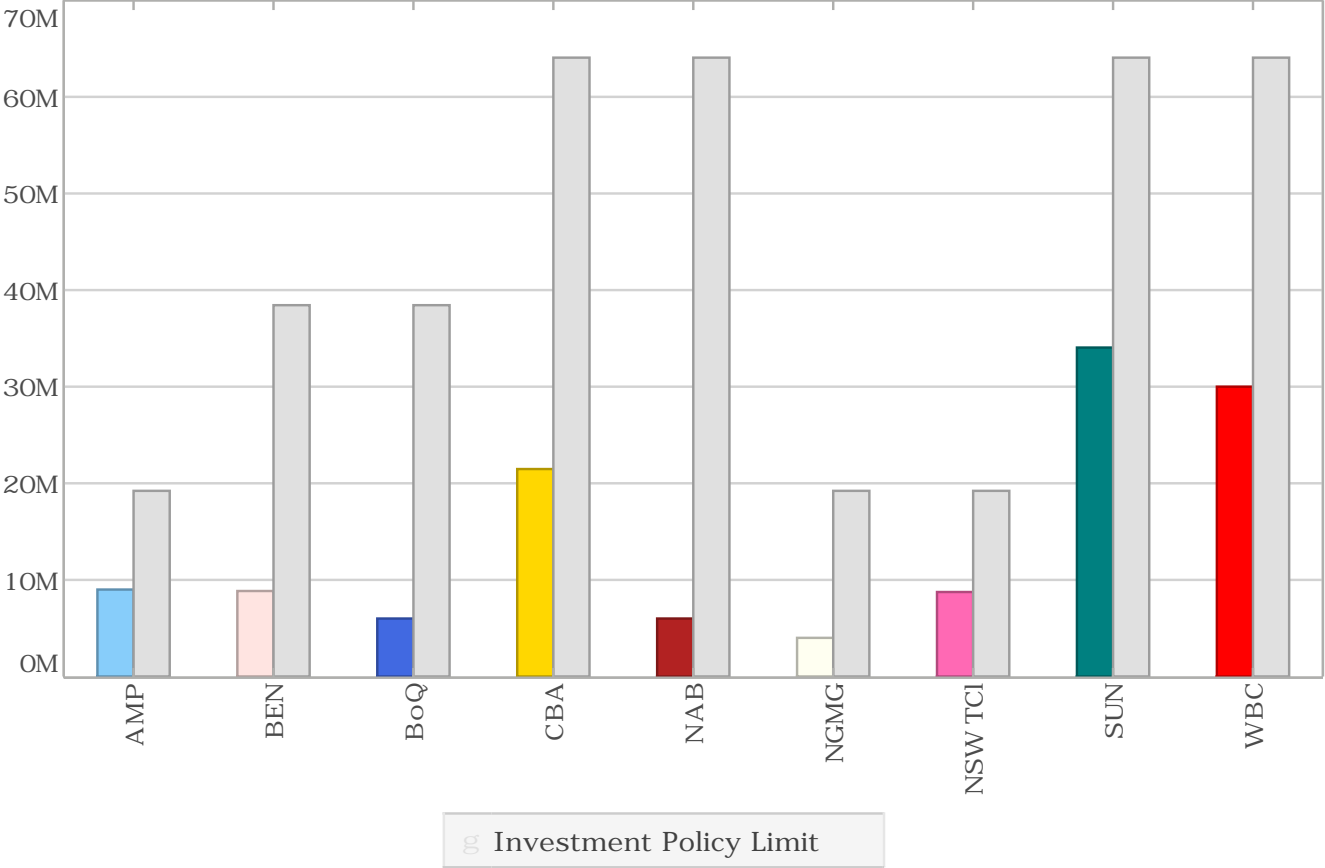
Waverley Council  
Individual Institutional Exposures Report - February 2025



Individual Institutional Exposures

Individual Institutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
AMP Bank (BBB+)	9,000,000	7%	19,218,085	15%	10,218,085
Bank of Queensland (A-)	6,000,000	5%	38,436,170	30%	32,436,170
Bendigo and Adelaide Bank (A-)	8,850,000	7%	38,436,170	30%	29,586,170
Commonwealth Bank of Australia (AA-)	21,473,946	17%	64,060,283	50%	42,586,337
National Australia Bank (AA-)	6,000,000	5%	64,060,283	50%	58,060,283
Newcastle Greater Mutual Group (BBB+)	4,000,000	3%	19,218,085	15%	15,218,085
NSW T-Corp (TCI)	8,746,620	7%	19,218,085	15%	10,471,465
Suncorp Bank (AA-)	34,050,000	27%	64,060,283	50%	30,010,283
Westpac Group (AA-)	30,000,000	23%	64,060,283	50%	34,060,283
	128,120,567				



Waverley Council  
Cashflows Report - February 2025



Actual Cashflows for February 2025						
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount	
14-Feb-25	545080	BEN Snr FRN (May27) BBSW+ 1.00%	Floating Rate Note	Coupon Date	21,887.63	
Deal Total					21,887.63	
Day Total					21,887.63	
17-Feb-25	544084	BEN Snr FRN (May26) BBSW+ 1.25%	Floating Rate Note	Coupon Date	14,600.65	
Deal Total					14,600.65	
Day Total					14,600.65	
20-Feb-25	544856	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	24,449.32	
Deal Total					24,449.32	
Day Total					24,449.32	
24-Feb-25	540958	SUN Snr FRN (Feb26) BBSW+ 0.45%	Floating Rate Note	Coupon Date	15,768.26	
Deal Total					15,768.26	
Day Total					15,768.26	
26-Feb-25	544863	Suncorp Bank	Term Deposit	Maturity: Face Value	3,000,000.00	
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	151,084.93	
		Deal Total			3,151,084.93	
26-Feb-25	545414	Suncorp Bank	Term Deposit	Maturity: Face Value	3,000,000.00	
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	75,991.23	
		Deal Total			3,075,991.23	
Day Total					6,227,076.16	
27-Feb-25	545831	National Australia Bank	Term Deposit	Settlement: Face Value	-3,000,000.00	
Deal Total					-3,000,000.00	
27-Feb-25	545832	National Australia Bank	Term Deposit	Settlement: Face Value	-3,000,000.00	
Deal Total					-3,000,000.00	
Day Total					-6,000,000.00	
Total for Month					303,782.01	



Waverley Council  
Cashflows Report - February 2025



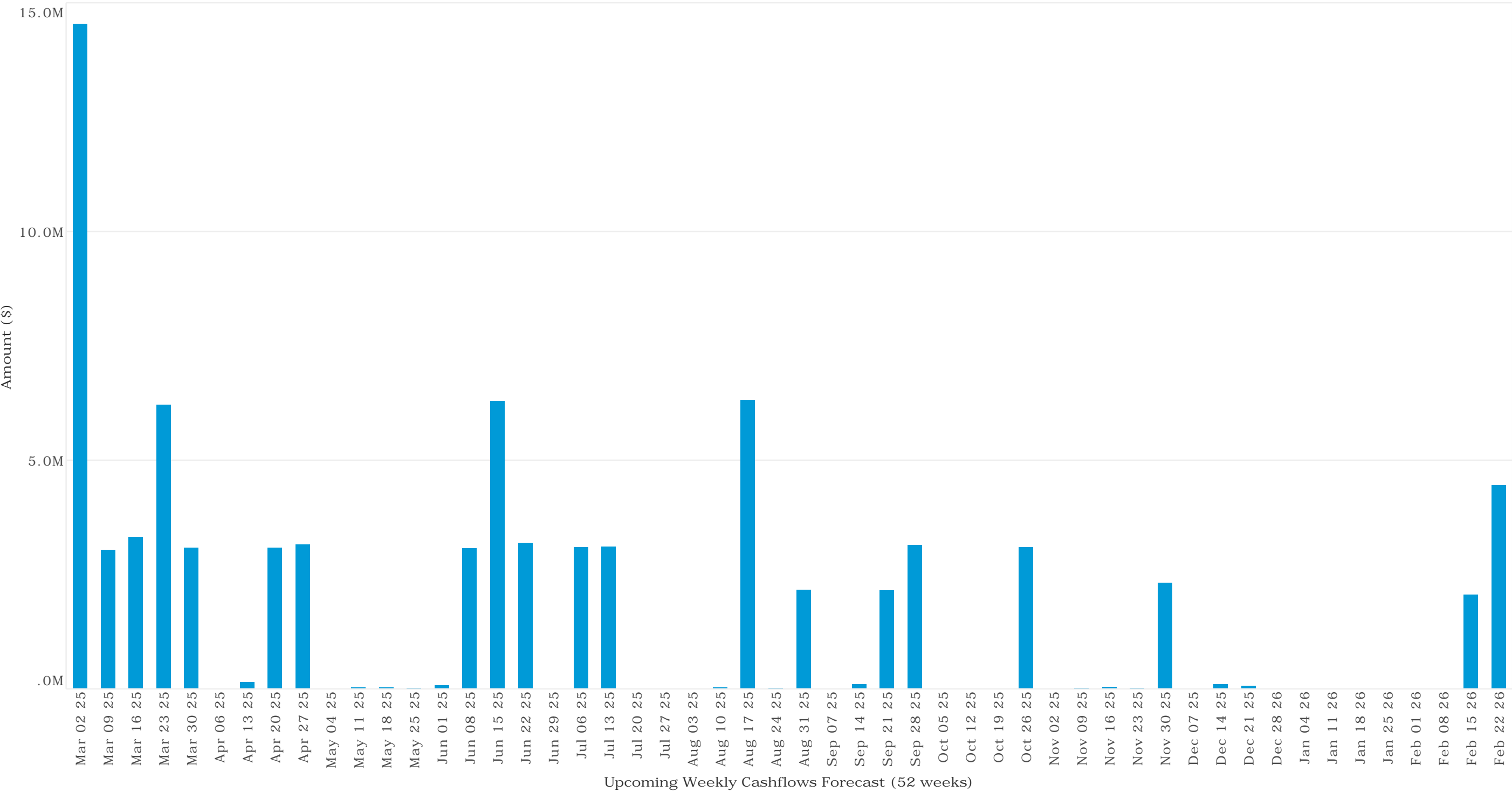
Forecast Cashflows for March 2025							
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description		Amount	
3-Mar-25	540603	BEN Snr FRN (Dec25) BBSW+0.52%	Floating Rate Note		Coupon Date	27,801.12	
						<u>Deal Total</u>	<u>27,801.12</u>
						Day Total	27,801.12
4-Mar-25	540983	NPBS Snr FRN (Mar26) BBSW+0.63%	Floating Rate Note		Coupon Date	49,834.85	
						<u>Deal Total</u>	<u>49,834.85</u>
4-Mar-25	542329	Westpac Group	Term Deposit		Maturity: Face Value	2,000,000.00	
		Westpac Group	Term Deposit		Maturity: Interest Received/Paid	12,507.40	
		<u>Deal Total</u>					<u>2,012,507.40</u>
4-Mar-25	544974	Suncorp Bank	Term Deposit		Maturity: Face Value	2,000,000.00	
		Suncorp Bank	Term Deposit		Maturity: Interest Received/Paid	93,527.67	
		<u>Deal Total</u>					<u>2,093,527.67</u>
4-Mar-25	545440	Suncorp Bank	Term Deposit		Maturity: Face Value	3,000,000.00	
		Suncorp Bank	Term Deposit		Maturity: Interest Received/Paid	76,290.41	
		<u>Deal Total</u>					<u>3,076,290.41</u>
4-Mar-25	545448	Suncorp Bank	Term Deposit		Maturity: Face Value	3,000,000.00	
		Suncorp Bank	Term Deposit		Maturity: Interest Received/Paid	75,573.70	
		<u>Deal Total</u>					<u>3,075,573.70</u>
						Day Total	10,307,734.03
5-Mar-25	544912	Westpac Group	Term Deposit		Maturity: Face Value	4,000,000.00	
		Westpac Group	Term Deposit		Maturity: Interest Received/Paid	203,200.00	
		<u>Deal Total</u>					<u>4,203,200.00</u>
						Day Total	4,203,200.00
12-Mar-25	544931	Westpac Group	Term Deposit		Maturity: Face Value	3,000,000.00	
		Westpac Group	Term Deposit		Maturity: Interest Received/Paid	36,616.44	
		<u>Deal Total</u>					<u>3,036,616.44</u>
						Day Total	3,036,616.44

Waverley Council  
Cashflows Report - February 2025

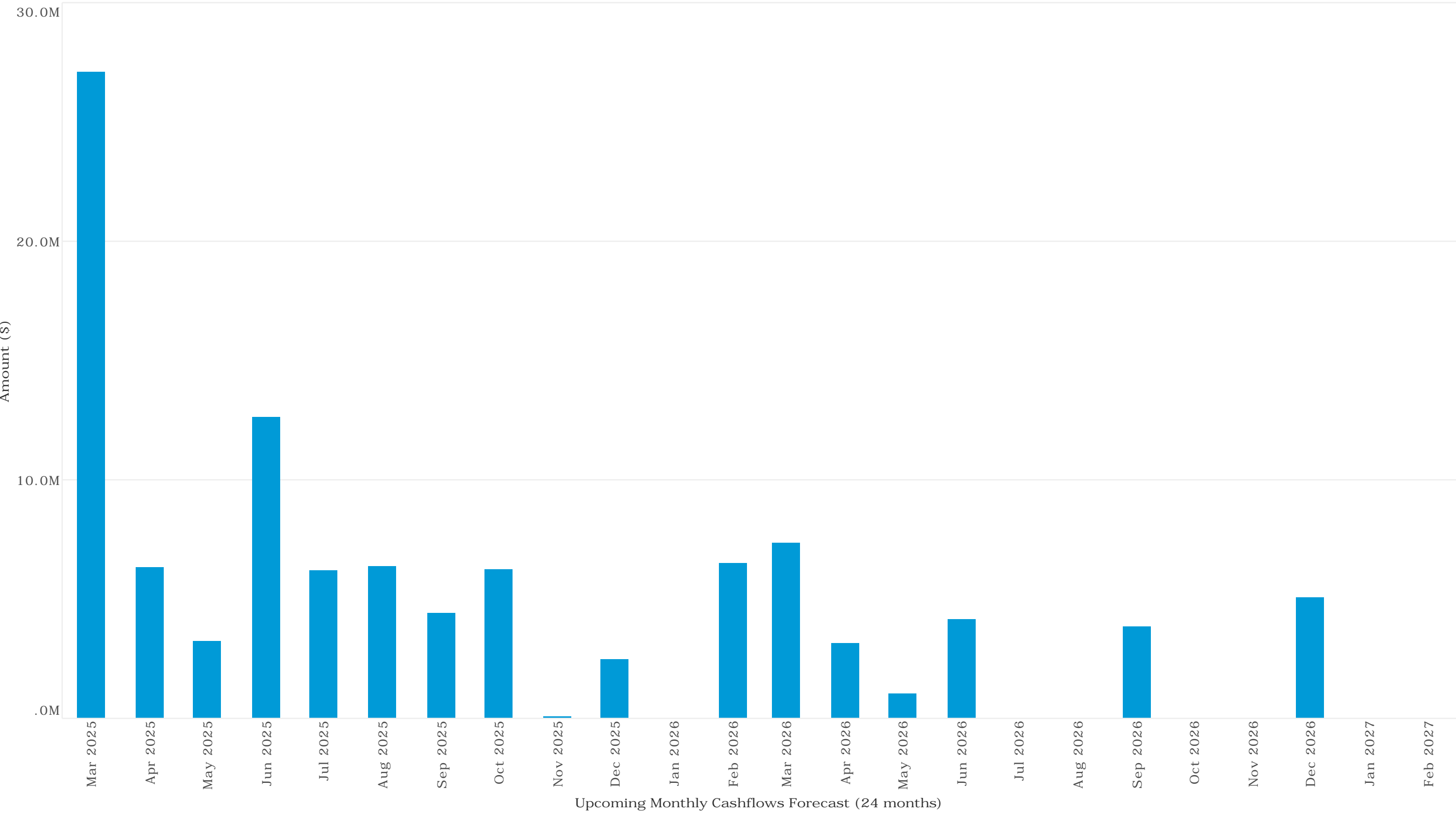


Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
17-Mar-25	541877	SUN Snr FRN (Sep26) BBSW+0.48%	Floating Rate Note	Coupon Date	46,184.68
				Deal Total	46,184.68
				Day Total	46,184.68
18-Mar-25	541523	BEN Snr FRN (Jun26) BBSW+0.65%	Floating Rate Note	Coupon Date	50,478.90
				Deal Total	50,478.90
18-Mar-25	545500	Suncorp Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	74,086.03
				Deal Total	3,074,086.03
				Day Total	3,124,564.93
19-Mar-25	544951	Suncorp Bank	Term Deposit	During: Interest Received/Paid Dates	145,200.00
				Deal Total	145,200.00
				Day Total	145,200.00
24-Mar-25	541916	CBA Green Snr FRN (Dec26) BBSW+0.41%	Floating Rate Note	Coupon Date	60,599.77
				Deal Total	60,599.77
				Day Total	60,599.77
25-Mar-25	545508	Suncorp Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	76,559.18
				Deal Total	3,076,559.18
25-Mar-25	545521	Suncorp Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	75,156.16
				Deal Total	3,075,156.16
				Day Total	6,151,715.34
				Total for Month	27,103,616.31

Waverley Council  
Cashflows Report - February 2025



Waverley Council  
Cashflows Report - February 2025



## REPORT

### CM/7.3/25.03



**Subject:** Delegations Review

**TRIM No:** SF25/95

**Manager:** Richard Coelho, Executive Manager, Governance

**Director:** Tara Czinner, Director, Corporate Services

---

### RECOMMENDATION:

That Council:

1. Revokes all previous delegations to the General Manager.
2. Delegates/sub-delegates to the General Manager the functions set out in Attachment 1 of the report.
3. Revokes all previous delegations to the Finance, Operations and Community Services Committee and the Strategic Planning and Development Committee.
4. Delegates to the Finance, Operations and Community Services Committee the functions set out in Attachment 2 of the report.
5. Delegates to the Strategic Planning and Development Committee the functions set out in Attachment 3 of the report.
6. Authorises the Mayor and Deputy Mayor to affix the Council seal to the instruments of delegation for the General Manager, the Finance, Operations and Community Services Committee and the Strategic Planning and Development Committee.

#### 1. Executive Summary

In accordance with section 380 of the *Local Government Act 1993*, Council must review its delegations within the first 12 months of each term of office.

The main change proposed to the General Manager's delegations is increasing the limit on the procurement exemption delegation from \$150,000 to \$250,000. It is also recommended that Council does not limit the General Manager's ability to decline to accept all tenders.

It is further recommended that Council removes the minor limitations currently imposed on Council's committees (the Finance, Operations and Community Services Committee and the Strategic Planning and Development Committee). This will enable them to exercise all delegable functions.

#### 2. Introduction/Background

In accordance with section 377(1) of the *Local Government Act 1993*, Council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of Council) any of the functions of Council under the Act or any other Act, other than the following:

- (a) The appointment of a general manager.
- (b) The making of a rate.
- (c) A determination under section 549 as to the levying of a rate.
- (d) The making of a charge.
- (e) The fixing of a fee.
- (f) The borrowing of money.
- (g) The voting of money for expenditure on its works, services or operations.
- (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
- (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
- (j) The adoption of an operational plan under section 405.
- (k) The adoption of a financial statement included in an annual financial report.
- (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
- (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
- (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
- (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
- (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
- (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons.
- (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
- (s) The making of an application, or the giving of a notice, to the Governor or Minister.
- (t) This power of delegation.
- (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.

Delegation enables the General Manager to undertake most of the activities and functions of Council on Council's behalf.

Council has delegated functions to the General Manager and to its two Council Committees: the Finance, Operations and Community Service Committee and the Strategic Planning and Development Committee.

Section 380 of the *Local Government Act 1993* states that 'Each council must review all its delegations during the first 12 months of each term of office.'

Under section 378(2) of the Act, the 'general manager may sub-delegate a function delegated to the general manager by the council to any person or body (including another employee of the council).' The General Manager sub-delegates a range of functions to staff.

In addition, in accordance with section 378(1), the 'general manager may delegate any of the functions of the general manager, other than this power of delegation.' The General Manager delegates a number of the position's functions (section 335) to staff to carry out the day-to-day management of Council; for example, authorising expenditure, signing contracts or approving leave:-

The sub-delegations in section 378(2) and the delegations in section 378(1) are regularly reviewed by the General Manager and are not reviewable by the elected Council.

Council also has a number of advisory committees. These committees have no delegations, cannot make decisions on behalf of Council and are therefore not considered in this report.

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 18 June 2024	CM/7.8/24.06	<p>That Council:</p> <ol style="list-style-type: none"> <li>Notes that the Waverley Local Planning Panel (WLPP) has delegated the following functions to the General Manager and other staff: <ol style="list-style-type: none"> <li>The control and direction of Land and Environment Court (LEC) appeals against WLPP decisions under section s 8.15(4) of the <i>Environmental Planning and Assessment Act 1979</i> (EP&amp;A Act).</li> <li>The determination of applications to modify development consents granted by the LEC under section 4.56 of the EP&amp;A Act unless the modification meets the criteria for conflict of interest, contentious development or departure from development standards.</li> </ol> </li> <li>Authorises the Mayor and Cr Lewis to affix the Council seal to the instrument of delegation to the General Manager attached to the report</li> </ol>
Council 15 November 2022	CM/7.2/22.11	<p>That:</p> <ol style="list-style-type: none"> <li>Council notes that at its meeting on 1 June 2021, Council delegated to the General Manager, Emily Scott, the functions in accordance with the instrument of delegation to the General Manager also dated 1 June 2021.</li> <li>Sharon Cassidy be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.</li> <li>Should Sharon Cassidy be unable or unwilling to act as General Manager at any time, Tara Czinner be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.</li> <li>Should Sharon Cassidy and Tara Czinner be unable or unwilling to act as General Manager at any time, Fletcher Rayner be appointed to act as General Manager if the General Manager is sick or</li> </ol>

		<p>otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.</p> <p>5. Should Sharon Cassidy, Tara Czinner and Fletcher Rayner be unable or unwilling to act as General Manager at any time, Ben Thompson be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.</p> <p>6. Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by Council.</p>
Council 12 April 2022	CM/7.5/22.04	<p>That Council makes no changes to its delegations to:</p> <ol style="list-style-type: none"> <li>1. The General Manager attached to the report (Attachment 1).</li> <li>2. The Finance, Operations and Community Services Committee attached to the report (Attachment 2).</li> <li>3. The Strategic Planning and Development Committee attached to the report (Attachment 3).</li> </ol>
Extraordinary Council 1 June 2021	CM/4.1/21.06E	<p>That:</p> <ol style="list-style-type: none"> <li>1. Council delegates/sub-delegates to the General Manager the functions in accordance with the Instrument of Delegation to the General Manager attached to the report, subject to the following amendments: <ul style="list-style-type: none"> <li>(a) The limitation in Part A of Schedule 1 relating to the <i>Local Government Act 1993</i>, s 377(1)(i), being amended to read as follows: <p>‘Authority to accept tenders where the proposed contract is not for services currently provided by members of staff of the Council with a total contract value (incl GST) of up to:</p> <ul style="list-style-type: none"> <li>• \$2.5 million during the Council end of year recess (i.e. from the day following the last Council meeting of the calendar year until the first Council or Committee meeting of the following year); and</li> </ul> </li> </ul> </li> </ol>



		<ul style="list-style-type: none"> <li>• \$500,000 for the rest of the year.</li> </ul> <p>This function cannot be sub-delegated by the General Manager.</p> <p>The General Manager must report to Councillors on a monthly basis by email outlining all tenders accepted.'</p> <p>(b) The limitation in Part B of Schedule 1 relating to procurement exemptions being amended to read as follows:</p> <p>'Authority to approve purchases with fewer than the required quotes called for in the Purchasing Procedure up to \$150,000.</p> <p>The General Manager must report to Councillors on a monthly basis by email outlining all exemptions approved under this delegation.'</p> <p>2. Council authorises the Mayor and Deputy Mayor to affix the Council Seal to the Instrument of Delegation to the General Manager.</p> <p>3. John Clark be appointed to act as the General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.</p> <p>4. Should John Clark be unable or unwilling to act as General Manager at any time, Karen Mobbs be appointed to act as the General Manager if the General manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.</p> <p>5. Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by Council.</p> <p>6. The General Manager reports to Councillors monthly by email on tenders accepted under delegation and any procurement exemptions approved.</p>
--	--	---

## 4. Discussion

### General Manager

The General Manager's delegations were last reviewed in June 2024 following the Waverley Local Planning Panel's (WLPP) delegation of certain functions to the General Manager under sections 4.56 and 8.15(4) of the *Environmental Planning and Assessment Act 1979*.

Officers have since reviewed the General Manager's delegations, as required by the Act. The proposed instrument of delegation is attached, with all changes shown in red (Attachment 1). The instrument delegates all Council functions to the General Manager except:

- Those functions that cannot be delegated under section 377(1).
- Any additional functions or activities that the elected Council has decided not to delegate or to delegate with limitations. These limitations include those prescribed by Council policy.

Even where a function is delegated, the General Manager may decline to exercise the delegation and seek Council input and approval instead.

The main changes are set out in the table below.

*Table 1. Changes to General Manager's delegations.*

Delegation	Change/recommendation
Procurement exemption	<ul style="list-style-type: none"> <li>• Increase the limit on procurement exemptions from up to \$150,000 to up to \$250,000 to align with the tender threshold and to reduce the number of operational exemptions that need to go to Council.</li> <li>• Amend the wording of the delegation to clarify that it extends to expenditure <i>and</i> receipt of income, consistent with the Act.</li> <li>• Remove the requirement in the instrument for the General Manager to report monthly to Councillors on exemptions to allow flexibility in how exemptions are reported.</li> </ul>
Accepting tenders	<ul style="list-style-type: none"> <li>• Remove the requirement in the instrument for the General Manager to report monthly to Councillors on accepted tenders to allow flexibility in reporting.</li> </ul>
Declining to accept all tenders	<ul style="list-style-type: none"> <li>• Do not limit the General Manager's ability to decline to accept all tenders and add a note to the instrument to this effect.</li> </ul> <p>In December 2022, section 179 of the <i>Local Government (General) Regulation 2021</i> was amended to allow councils to delegate the decision to decline to accept all tenders and to invite fresh tenders or cancel the proposal, among other options. However, the decision to decline to accept all tenders and enter into negotiations must still be made by resolution: s 178(3)(e).</p> <p>This change will reduce the need to report to Council where</p>

	none of the tenders are advantageous and negotiation is not feasible.
Policy limitations	<ul style="list-style-type: none"> <li>For completeness, add the limitations on the General Manager's ability to approve sponsorships and donations.</li> </ul>

The Procurement Policy and Procurement Procedure will be updated to reflect the changes to exemptions and tenders above.

### **Appointment of Acting General Manager**

Under section 377(1)(a) of the Act, only Council can appoint the General Manager. In November 2022, Council resolved to appoint senior staff to act as General Manager when the General Manager is sick or otherwise absent from work. Council also resolved that any person acting as General Manager have all the functions, delegations and sub-delegations given to the General Manager by Council. See section 3 above.

### **Finance, Operations and Community Services Committee**

In October 2017, Council changed the name of the Operations Committee to the Operations and Community Services Committee and delegated it all Council functions other than:

- The functions contained in section 377(1) of the Act, which are not delegable.
- The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403 and 404 of the Act.

In February 2022, Council changed the name of the Committee to the Finance, Operations and Community Services Committee. The Committee's delegations were reviewed in April 2022, with no changes being made.

The Committee can determine any matter within its delegation, and it considers a variety of matters.

Officers have reviewed the Committee's delegations and recommend removing all limitations other than those functions set out in section 377(1) of the Act, which are not delegable. Broad delegations are appropriate, as all Councillors are members of the Committee. The proposed instrument of delegation is attached, with changes shown in red (Attachment 2).

### **Strategic Planning and Development Committee**

In September 2017, Council established a new Council Committee called the Strategic Planning and Development Committee. The purpose of the Committee is to consider various matters relating to urban planning and development, including:

- Changes to the *Waverley Local Environment Plan 2012*.
- Changes to the *Waverley Development Control Plan 2022*.
- Planning proposals.
- Submissions to State government agencies on town-planning-related matters of significance to Waverley such as the Central District Plan.
- Changes to planning legislation.
- Changes to Council planning or development-related policies such as the Planning Agreement Policy. Policy matters concerning the operation of the Waverley Local Planning Panel.
- Heritage matters, including conservation management plans.

- Land and Environment Court decisions that may impact on Council development controls and policies.
- Building compliance issues of significance, such as private certification, illegal backpackers, short stay letting, footpath seating.
- Environmental Action Plan implementation and progress against strategic environmental targets.
- Urban and coastal resilience strategies and policies.
- Urban ecology plans and greening policies.
- Strategic transport planning plans and strategies.
- Economic development plans and strategies.
- Urban design plans and strategies.

In October 2017, Council delegated all Council functions to the Committee other than:

- The functions contained in section 377(1) of the Act, which are not delegable.
- The acceptance of tenders.
- The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403 and 404 of the Act.

The Committee's delegations were reviewed in April 2022, with no changes being made.

Officers have reviewed the Committee's delegations and, as with the Finance, Operations and Community Services Committee, recommend removing all limitations other than those functions set out in section 377(1) of the Act, which are not delegable. This will also align the delegations of the two committees. The proposed instrument of delegation is attached, with changes shown in red (Attachment 3).

## **5. Financial Impact**

The recommended changes to the General Manager's delegations will enable the General Manager to make more procurement decisions.

## **6. Risks/Issues**

If too many functions are delegated, there is a risk that the General Manager and officers may make decisions that are inconsistent with the strategic direction or wishes of the elected Council. It also potentially reduces Council oversight of decision-making.

If too little is delegated, decision-making can be slower and less strategic, with a focus on otherwise operational matters.

If functions are not correctly delegated, or if delegations are not regularly reviewed or unclear, there is a risk that decisions may be made without authority and therefore liable to legal challenge. Unclear delegations may also discourage staff from putting matters to Committee.

## **7. Attachments**

1. General Manager - Draft instrument of delegation [↗](#)
2. Finance, Operations and Community Services Committee - Draft instrument of delegation [↗](#)
3. Strategic Planning and Development Committee - Draft instrument of delegation [↗](#)

# Waverley Council Instrument of Delegation to General Manager



On Tuesday, 18 March 2025, Waverley Council ('Council') resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. The person who from time to time holds the position of General Manager of Council ('**General Manager**'), being at the date of this instrument, be delegated authority under section 377 of the LG Act, to exercise and/or perform on behalf of Council the Council's Functions under all legislation and Council policies in force and as amended from time to time:
  - (a) **Subject to** any condition or limitation on a Function specified in Schedule 1.
  - (b) **Excluding** those Functions:
    - (i) That are expressly prohibited from delegation as listed under section 377 of the LG Act.
    - (ii) That are expressly required by legislation to be exercised by a resolution of Council.
3. The General Manager be sub-delegated authority to exercise and/or perform on behalf of Council the Functions delegated to Council under, and in accordance with, the instrument of delegation to Council set out in **Schedule 2**, excluding those functions which pursuant to the terms of the delegation to Council may not be sub-delegated.
4. The General Manager be delegated any function that is taken to be conferred or imposed on Council pursuant to section 381(1) of the LG Act.
5. In the absence of the General Manager, that a person/persons appointed to act as General Manager by resolution of Council on 15 November 2022 (CM/7.7/22.11) assume all functions, delegations, and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by Council.
6. These delegations and authorities are subject to, and are to be exercised in accordance with:
  - (a) The requirements of the relevant Legislation.
  - (b) Any conditions or limitations set out in **Schedule 1** and **Schedule 3**.
  - (c) Any resolution or policy, procedure or budget adopted from time to time by Council.
7. These delegations and authorities are effective from the date of the resolution of Council and remain in force until amended or revoked by a resolution of Council.
8. In this delegation:
  - '**Functions**' means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.
  - '**Legislation**' means legislation enacted by the parliament of New South Wales and the parliament of the Commonwealth of Australia, including an Act, regulation made under an Act, by-law, rule or ordinance.
  - '**LG Act**' means the *Local Government Act 1993* as amended.

## Schedule 1: Limitations

<b>Part A – Limitations applicable to specific statutory Function (if any)</b>	
<i>Environmental Planning and Assessment Act 1979</i>	All functions delegated to the Waverley Local Planning Panel (WLPP) under Local Planning Panels Direction – Development Applications dated 23 February 2018 and Local Planning Panels Direction – Planning Proposals dated 27 September 2018 and any subsequent Direction.
<i>Local Government Act 1993, s 377(1)(i)</i>	<p>Authority to accept tenders where the proposed contract is not for services currently provided by members of staff of Council with a total contract value (incl GST) of up to:</p> <ul style="list-style-type: none"> <li>\$2.5 million during the Council end of year recess (i.e. from the day following the last Council meeting of the calendar year until the first Council or Council Committee meeting of the following year).</li> <li>\$500,000 for the rest of the year.</li> </ul> <p>This function cannot be sub-delegated by the General Manager.</p> <p><del>The General Manager must report to Councillors on a monthly basis by email outlining all tenders accepted.</del></p> <p><del>Note: the General Manager can decline to accept all tenders but is unable to decline to accept all tenders and enter into negotiations, in accordance with section 178 of the <i>Local Government (General) Regulation 2021</i>.</del></p>
<b>Part B - General Limitations</b>	
<i>Asset disposal</i>	<p><b>Asset disposal</b></p> <p>Authority to approve the disposal of assets up to the value of \$1,000,000 in accordance with the Asset Disposal Policy and Asset Disposal Procedure.</p> <p>Approval must not be given without consideration of a recommendation from the Director of the relevant business area.</p> <p>This authorisation does not apply to the disposal of real property, civil fixed assets and financial investments.</p>
<i>Debt write off</i>	<p><b>Debt write off</b></p> <p>Authority to write off debts up to the value of \$2,500 (including GST) without a resolution of Council in accordance with section 213(2) of the <i>Local Government Regulation 2021</i> and Council resolution CM/7.5/17.07.</p>
<i>Rates and charges write off</i>	<p><b>Rates and charges write off</b></p> <p>Authority to write off rates and charges up to the value of \$100 without a resolution of Council in accordance with section 131(1) of the <i>Local Government Regulation 2021</i> and Council resolution CM 7.6/17.07.</p>
<i>Procurement</i>	<p><b>Procurement exemption</b></p> <p>Authority to approve purchases <del>or receipt of income</del> with fewer than the required quotes called for in the <del>Procurement</del> Procedure up to <del>\$250,000</del>.</p> <p><del>The General Manager must report to Councillors on a monthly basis by email outlining all exemptions approved under this delegation.</del></p>

<b>Sponsorship</b>	<p><b>Inbound sponsorship</b></p> <p>Authority to approve inbound sponsorship up to \$249,999 in accordance with clause 4.10.1 of the Sponsorship Policy</p> <p>Authority to approve inbound sponsorship exceeding \$250,000 in urgent circumstances only, subject to consultation with all Councillors and with the approval of the Mayor, in accordance with clause 4.10.1 of the Sponsorship Policy</p> <p><b>Outbound sponsorship</b></p> <p>Authority to approve outbound sponsorship up to \$14,999 in accordance with clause 4.10.2 of the Sponsorship Policy.</p>
<b>Donations</b>	Authority to approve incoming donations up to \$20,000 without a Council resolution in accordance with clause 4.2 of the Inbound Donations Policy.

## Schedule 2: Instruments of Delegation to Council

Delegator	Instrument Name	Date Of Instrument
NSW Food Authority	Instrument of appointment of a Category B enforcement agency	Tuesday, 1 July 2008
Transport for New South Wales	Traffic Management and Pedestrian Works Temporary Delegation to Councils No.2	12 December 2023 to 30 June 2026
Waverley Local Planning Panel	Minutes of the Waverley Local Planning Panel Meeting held 13 December 2023	13 December 2023

Pursuant to a resolution of Council at its meeting of Tuesday, 18 March 2025.

\_\_\_\_\_  
 Councillor **Nemesh**  
 Mayor  
 Date:

\_\_\_\_\_  
 Councillor **Spooner**  
 Deputy Mayor  
 Date:

## General Manager's acknowledgement of Delegations of Authority

I, Emily Scott, currently employed by Council in the position of General Manager, do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

\_\_\_\_\_  
 Emily Scott  
 General Manager of Waverley Council  
 Date:

## Delegations of the Finance, Operations and Community Services Committee

On 18 March 2025, Waverley Council delegated to the Finance, Operations and Community Services Committee the authority to determine any matter other than:

1. The matters in s 377(1) of the *Local Government Act 1993*, which are as follows:
  - (a) The appointment of a general manager.
  - (b) The making of a rate.
  - (c) A determination under section 549 as to the levying of a rate.
  - (d) The making of a charge.
  - (e) The fixing of a fee.
  - (f) The borrowing of money.
  - (g) The voting of money for expenditure on its works, services or operations.
  - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
  - (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
  - (j) The adoption of an operational plan under section 405.
  - (k) The adoption of a financial statement included in an annual financial report.
  - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
  - (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
  - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
  - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
  - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
  - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons.
  - (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
  - (s) The making of an application, or the giving of a notice, to the Governor or Minister.
  - (t) This power of delegation.
  - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.

- ~~2. The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403, and 404 of the *Local Government Act 1993*.~~



## Delegations of the Strategic Planning and Development Committee

On 18 March 2025, Waverley Council delegated to the Strategic Planning and Development Committee the authority to determine any matter other than:

1. The matters in s 377(1) of the *Local Government Act 1993*, which are as follows:
  - (a) The appointment of a general manager.
  - (b) The making of a rate.
  - (c) A determination under section 549 as to the levying of a rate.
  - (d) The making of a charge.
  - (e) The fixing of a fee.
  - (f) The borrowing of money.
  - (g) The voting of money for expenditure on its works, services or operations.
  - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
  - (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
  - (j) The adoption of an operational plan under section 405.
  - (k) The adoption of a financial statement included in an annual financial report.
  - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
  - (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
  - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
  - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
  - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
  - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons.
  - (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
  - (s) The making of an application, or the giving of a notice, to the Governor or Minister.
  - (t) This power of delegation.
  - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.
2. ~~Despite clause 1(i) above, the Strategic Planning and Development Committee does not have delegated authority to accept any tenders.~~
3. ~~The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403, and 404 of the *Local Government Act 1993*.~~

**REPORT**  
**CM/7.4/25.03**

**Subject:** Council Resolutions - Status Update

**TRIM No:** SF22/3521

**Manager:** Richard Coelho, Executive Manager, Governance

**Director:** Tara Czinner, Director, Corporate Services

**RECOMMENDATION:**

That Council notes the status of outstanding resolutions from July 2019 to December 2024, as set out in the attachment to the report.

**1. Executive Summary**

This report provides an update on the status of outstanding Council resolutions from July 2019 to October 2024.

**2. Introduction/Background**

Officers report to Council every quarter on the status of all outstanding Council resolutions.

**3. Relevant Council Resolutions**

Meeting and date	Item No.	Resolution
Council 10 December 2024	CM/7.3/24.12	That Council notes the status of outstanding resolutions from February 2018 to October 2024, as set out in the attachment to the report.
Finance, Operations and Community Services Committee 5 March 2024	FC/5.1/24.03	That Council:  1. Notes the status of outstanding Council resolutions from February 2018 to December 2023, as set out in the attachment to the report.  2. Officers include the date of comment in the 'comments' column for new comments in future status updates.

**4. Discussion**

The attachment to this report contains all outstanding Council resolutions from July 2019 to December 2024. It covers resolutions from mayoral minutes, notices of motion and officer reports passed at both Council and Council Committee meetings (the Finance, Operations and Community Services Committee and the Strategic Planning and Development Committee).

The status and comments for each resolution have been supplied by the Executive Leadership Team (ELT) and their respective departments. As requested at the Finance, Operations and Community Services Committee meeting on 5 March 2024, the new comments are now dated and replace previous comments.

In the period July 2019 to December 2024, Council passed 1,741 resolutions, comprising 81 mayoral minutes, 279 notices of motion and 1,220 officer reports. Of the 1,741 resolutions, officers have implemented 1,695 resolutions (97%), and 46 remain active. The 46 active resolutions comprise three mayoral minutes, 21 notices of motion and 22 officer reports. Once a resolution is finalised, it is no longer reported.

A table of all resolutions, including finalised resolutions, from February 2018 onwards is available on Council's website. The table is updated regularly. It does not include comments or status.

## **5. Financial Impact**

There was no unbudgeted cost to Council to prepare this report.

## **6. Risks/Issues**

A resolution tracking sheet is maintained to mitigate the risk of resolutions not being actioned. It is also a useful reference point for Councillors, staff and members of the public.

## **7. Attachments**

1. Outstanding resolutions - July 2019 to December 2024 [↓](#)

Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council	16/07/2019	Report	CM/7.8/19.07	Petition - Darling Street, Bronte - Installation of 'No Stopping' Restrictions (A02/0637-02)	1. That Council receives the petition and officers review road and pedestrian conditions at the intersection of Darling Street, Andrew Street and Ashley Street with reference to the movement of garbage trucks, and report back to Council on options to improve pedestrian safety and increase resident parking. 2. Informs all petitioners of this resolution.	A&O	06/03/2025 The "No Stopping" was not introduced in line the petition in 2019. The Integrated Tansport and Waste teams continue to monitor to review if parking restrictions required.
Council	10/10/2019	Notice of Motion	CM/8.3/19.10	Child Car Seat Check Days (A13/0640)	1. Submits an application for funding to Roads and Maritime Services (Transport) to host two free child car seat safety check days during the 2019–20 financial year. 2. Receives a report, following determination of the funding application, providing additional details on the free child car seat safety check days, including the proposed schedule and location, and confirming measures to promote the event and process applications. 3. Receives a follow-up report outlining outcomes of the free child car seat safety check days, including details of attendance and interest in the program. The report should also identify options for future programs in subsequent financial years, including the continuation of the child car seat safety check days and the costs involved in expanding the program to include a voucher scheme for child car seat installation.	PS&C	1/3/2025 Discussions underway with RMS on funding opportunities to run the safety check days.
Council	02/06/2020	Notice of Motion	CM/8.1/20.06	Animal Registration Fees (A06/0149)	1. Notes the surge in animal adoptions during the coronavirus period. 2. Notes that animal registrations are statutory fees and charges and are set by NSW State Government. 3. Writes to the Minister for Local Government, the Hon Shelly Hancock MP, requesting the State Government review and reduce the statutory fees and charges associated with animal adoption. 4. Investigates the allocation of up to \$20,000 from the fees collected from the registration of animals within the Companion Animals Act to deliver obedience training of animals adopted by Waverley residents.	PS&C	1/3/2025 To be completed in Q=4 of 2024/25 Financial Year
Council Meeting	20/07/2021	Notice of Motion	CM/8.1/21.07	Vibrations from Demolition Sites (A21/0364)	1. Officers prepare an urgent report into the reasons for recent collapses and excessive construction vibration levels at Bondi and other Waverley construction sites. The report should include a list of all current conditions that are placed on large-scale development, construction and demolition so Councillors can assess whether any further standard conditions should be included. 2. Investigates and prepares a report on how to reduce the risks to neighbouring properties during excavation, demolition and construction works, including the following: (a) Implementing processes for improved assessment and management of development sites in the Bondi sands area. (b) Considering the inclusion of provisions in all DA conditions of consent for the Bondi basin requiring placement of monitors at 3 metre intervals along all site boundaries prior to commencement of any work, for the purpose of detecting and measuring vibrations and any ground movement, all to be inspected by Council on a daily basis during demolition and excavation, cost of inspections to be included in fees, and potential for movement to be subject of stop work provisions while solutions are resolved. (c) Considering the inspection of all construction certificates as lodged and before any work begins on site to verify engineering requirements for demolition and excavation, particularly regarding safety of neighbouring properties, and to establish credentials of private certifiers, and listing on the Services NSW register.	PS&C	1/3/2025  1. To be actioned by June 2025.
Council Meeting	23/09/2021	Adoption of Minutes	CM/5.2.1/21.09	Adoption of Minutes - Waverley Traffic Committee Meeting - 26 August 2021 - TC/C.01/21.08 - Grafton Street, Bondi Junction - Bicycle Shared Path (SF21/4020)	That Council: 1.Installs shared path signage and blue shared path lines with associated text and symbols to the edge of footpath on the northern side of Grafton Street between Adelaide Street and the proposed commuter bicycle cage within Transport for NSW land beneath Syd Einfeld Drive on the western side of Grosvenor Street, Bondi Junction. 2.Reinstates shared path signage and installs blue shared path lines with associated text and symbols to the existing shared path beside Syd Einfeld Drive between Oxford Street and Adelaide Street. 3.Provides a kerb ramp to the north-eastern side of the roundabout at the intersection of Adelaide Street and Grafton Street to facilitate on-road bicycle riders to access the existing shared path. 4.Installs cyclist dismount signs at the zebra crossing at the north side of the roundabout at the intersection of Adelaide Street and Grafton Street. 5.Refers the proposal of changing the existing pedestrian-only lantern lens covers to combined pedestrian and bicycle lantern lens covers at the intersections of Graton Street/Grosvenor Street to Transport for NSW for assessment. 6.Installs a cyclist dismount sign at the termination of the shared pathway north of Oxford Street. 7.Officers investigate improving the safety of the zebra crossing to the north of the roundabout at the intersection of Adelaide Street and Grafton Street, including consideration of a raised crossing and additional lighting, with a report to be prepared for the Traffic Committee.	A&O	06/03/2025 Design well progressed and will be presented to Council prior to consultation. Grant funding received for FY 24/25 to complete the detailed design for the new shared path on Grafton St between Adelaide St and Grosvenor St, as well as crossing and intersection upgrades.

Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council Meeting	26/10/2021	Notice of Motion	CM/8.1/21.10	Bronte Park and Beach - Primary Access Point (A16/0168)	1. Notes that the Bronte Park and Beach Plan of Management recognises issues of accessibility and makes provision for paths to be regraded to meet accessibility standards. 2. Notes that community representation has indicated concerns that entrance paths into Bronte Park from Bronte Road are inadequate and inconvenient, and not wide enough for a reasonable volume of pedestrian traffic. 3. Develops design options for: (a) Improving and making compliant with AS1428 Australian Standards for Access and Mobility the shared way access path from the Bronte Village Centre and bus terminal into Bronte Park and onto the promenade. (b) Widening paths within the park to enable a good flow of pedestrians and address bottlenecks during peak times. (c) A separate entrance path into Bronte Park opposite the pedestrian crossing. 4. Officers report to Council on design options, program and funding implications. 5. Notes that construction funding would be considered in the development of future Capital Works budgets.	A&O	02/12/2024 1. Noted 2. Noted 3. (a-c) Investigation in progress. Concept developed and reviewing in context of Bronte SLSC redevelopment which requires compliant access from the nearest accessible parking bays. 4. To be reported once 3 complete 5. Noted
Council Meeting	26/10/2021	Notice of Motion	CM/8.8/21.10	DA Tracker - Enhancing Planning Transparency (A21/0500)	That Council investigates, subject to considering issues of intellectual property and copyright in relation to third party documents in addition to compliance with the Privacy and Personal Information Protection Act 1998: 1. Options to upload more development-related information to its DA Tracker, including: (a) Geotechnical and other engineering reports. (b) Construction management plans. (c) Construction certificates. (d) Construction zone permits. (e) Occupation certificates. 2. Mechanisms to identify differences in design and development controls that have occurred in the progress of a development application from approval to eventual occupation.	PS&C	1/3/2025 To be completed by June 2025
Council Meeting	15/02/2022	Notice of Motion	CM/8.8/22.02	Liquor Licences (A17/0067)	1. Council officers prepare a report on the statistics of liquor licences and liquor applications in Waverley, particularly Bondi, as part of a report on Council's capacity to assist the community in the process of making more informed public submissions on liquor applications related to the consent authority, the NSW Independent Liquor and Gaming Authority (ILGA). 2. The report is to outline how Council officers can engage with, and help the community engage with, the National Drug and Alcohol Research Centre's resources in informing public and Council submissions to NSW ILGA liquor applications and related actions to ameliorate anti-social behaviour and violence associated with unregulated alcohol consumption.	PS&C	1/3/2025 To be completed in 204/25 Financial Year
Council Meeting	17/05/2022	Mayoral Minute	CM/6.1/22.05	Walking to School - Safe Routes (A04/0668)	1. Notes that: (a) Victoria Walks, an evidence-based health promotion charity, cites a dramatic decline in Australian school children walking to school since the 1970s, when 40% of children walked, in 1994 it was 24% and in 2021 it is thought to be as low as 15%. (b) The benefits of school students walking to school are significant, including improved physical and mental health, increased exercise, maintenance of healthy weight, improved confidence and independence in children, and reduced traffic congestion on roads. (c) Many schools in Waverley require students to cross busy main roads 2. Investigates: (a) The establishment of a series of safe walking routes to schools. (b) The types of safety and traffic signage to facilitate safely crossing busy streets and roads. (c) The traffic speeds and any adjustments that may be required to facilitate safe walking routes. (d) Consultation needs of key stakeholders, such as school principals, P&C associations, police and the broader community, and develops an outreach and community consultation strategy. (e) A time frame that will ensure successful stakeholder buy-in and implementation. (f) The required budget necessary for successful implementation and a funding source, including potential State and Federal grant funding. (g) Existing resources available through the NSW Government and other State and Territory governments. 3. Receives a report on the proposed Walking to School study addressing the identified elements in clause 2, the recommended project plan and required funding.	A&O	21/05/2024 Engaging with local schools. Working toward catered workshops. Work also to be rolled into Walking Strategy  30/09/2024 Have undertaken two workshops (Bondi Beach Public School, Bronte Public School). Have received Get NSW Active Grants for crossings at Warners/Gould & Mitchell St/Blair St  02/12/2024 Workshops have supported the application for a Get Active NSW grant to enhance a crossing at Hewett St & Alfred St  06/03/2025 Councillor briefing scheduled for March 2025 with a report to follow in April / May 2025.

Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council Meeting	17/05/2022	Notice of Motion	CM/8.1/22.05	Queens Park Laneway Safety (A22/0153)	1.As a precursor to investigating a program of changes to laneways across Waverley, investigate measures to reduce vehicle speed and volumes, as well as improving the safety of pedestrians, in the laneways of Queens Park such as: (a)Introducing speed limiting devices, including raised thresholds and different surface treatments of the lane. (b)Introducing 10 km/h shared zones. 2.Uses Alt Lane, Queens Park, to trial the recommended changes from the above investigation following community consultation, a Councillor briefing, and then a report to the Waverley Traffic Committee. 3.Notes that speed and volume counts are currently underway in Alt Lane. 4.Alerts the NSW Police to the unsafe speeding and illegal 'wrong way' vehicular movement alleged to be occurring in Alt Lane, and raises these matters for review at the next community precinct safety committee of the Eastern Suburbs Police Area Command. 5.Conducts an education program about the Street Play program for residents whose properties adjoin laneways in Waverley.	A&O	09/10/2024 TFNSW advice on Speed limit changes sought. TfNSW would prefer a holistic proposal be presented by Council on the introduction of 10km/h zones in lanes. Officers are working on this proposal with TfNSW. Alt Lane can still be a trial to this proposal.
Council Meeting	16/08/2022	Report	CM/7.7/22.08	Lived Experience of Overdevelopment and Community Planning Advocate (A22/0063)	1. Endorses the approach to the establishment of the Community Planning Advocate, as set out in the report. 2. Notes the interim resourcing approach of a fixed term project officer to be appointed to a newly established position of Community Planning Advocate. 3. Notes that the Community Planning Advocate and community planning survey are not currently funded in the 2022–23 budget. 4. Officers, as part of the quarterly budget review (Q1) to be presented to Council: (a) Identify funding sources and cost savings that can be used to fund the new Community Planning Advocate position and community planning survey in the current financial year 2022–23. (b) Provide further details of the new role, its relationship with existing planning staff and how community expectations will be managed.	GMU	The Community Planning Advocate role commenced at Council on 16 May 2023. The work of the role has included: •Working with the Executive Services Team and the Community Liaison Coordinator to assist in supporting Precinct Committees and other community members on Planning and Regulatory matters, including individual enquiries. •The development of community focused educational materials focusing on Planning and Regulatory matters and the NSW Planning System. •Submission template: a guide for residents when drafting their submission about DAs. •Construction sites: updated our compliance webpage for clearer information on construction sites. •Guide to use the DA Tracker: assists residents with navigating the Development Application Tracking tool. •Frequently Asked Questions: Covering the Waverley Local Environmental Plan (LEP), Waverley Development Control Plan(WDCP) and Submission writing. •Designing and overseeing the implementation of a Liveability Study for Waverley which has delivered metrics capturing the impacts of development/overdevelopment and feedback on what these terms mean to Waverley residents. •Website content and brochure outlining the detail on the NSW Government low and mid rise Housing reforms.
Council Meeting	15/11/2022	Notice of Motion	CM/8.2/22.11	Council Meetings - Addresses by Members of the Public (A22/0057)	1. Investigates allowing: (a) Members of the public to address Council and Committee meetings by audio-visual link. (b) Councillors to ask questions of members of the public at the end of their address. 2. Officers prepare a report to Council on the outcome of the investigation.	CS	A report recommending a trial of both practices is being considered at the Council meeting on 27 June 2023
Council Meeting	15/11/2022	Notice of Motion	CM/8.10/22.11	Diamond Bay - One-Way Traffic (A03/0042-04)	Investigates introducing a one-way traffic route for Diamond Bay Road, Craig Avenue and Isabel Avenue, Vaucluse, by: 1. Surveying residents. 2. Officers preparing a report for Council.	A&O	03/06/2025 Consultation completed and will be reported to Council. Clear support not evident. Further consultation may be required on alternative options.
Council Meeting	27/06/2023	Report	CM/7.6/23.06	Council Meetings - Addresses by Members of the Public by Audio-Visual Link (A22/0057)	1. Trials the following practice at Council and Council Committee meetings for a minimum of three months allowing members of the public to address meetings by audio-visual link. 2. Officers prepare a report to Council following the trial.	CS	Trial commenced October 2023 Council meeting. Using Zoom’s waiting room feature, we will admit each speaker to the meeting—along with any other speakers registered for the same item—when it is their turn to speak.

Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council Meeting	27/06/2023	Report	CM/7.12/23.06	Bus Driver Amenity Facilities - Licence to Transdev John Holland Buses - Post-Exhibition (A22/0152)	1. Grants three licences to Transdev John Holland Buses (Aust) Pty Ltd for eight years for the use of bus driver amenities at the following locations on the terms and conditions set out in the report: (a) South Head Cemetery, Old South Head Road, Vaucluse. (b) North Bondi Terminus, Campbell Parade, North Bondi. (c) Bronte Tram Shed, Bronte Road, Bronte. 2. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.	A&O	06/03/2025 Bronte & North Bondi licenses have been signed. The old South Head Rd license can now be signed following adoption of the Old South Head Cemetery POM.
Council Meeting	27/06/2023	Report	CM/11.2/23.06	CONFIDENTIAL REPORT - 194-214 Oxford Street and 2 Nelson Street, Bondi Junction - Use of Council Land (A21/0252)	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. Sells the land in Osmund Lane, Bondi Junction, identified in the report as Option 2 with zero floor space ratio, to Westgate Bondi Junction Pty Ltd for the negotiated price set out in the report as part of the development of 194–214 Oxford Street and 2 Nelson Street. 3. Authorises the General Manager and the Mayor to execute, and affix Council’s seal to, the contract for sale and any other documentation to finalise the matter. 4. Notes that the local community was consulted and was generally supportive of the sale of Osmund Lane.	A&O	06/03/2025 Road closure in final stages to allow sale to be completed - April 2025 expected.
Council Meeting	18/07/2023	Mayoral Minute	CM/6.1/23.07	Women's Council to the Mayor (A23/0495)	1. Council establishes an apolitical Council of Women to advise the Mayor on matters pertaining to women’s issues in the Waverley local government area (LGA), including, but not limited to, such matters as family and domestic violence, girls’ empowerment, women’s local leadership, mentoring and support, gender equity, sex discrimination and sexual harassment. 2. The Women’s Council, subject to further consultation with selected members, will: (a) Provide advice and identify issues of relevance to women residing in the Waverley LGA. (b) Comprise up to 20 female members, including women, young women and girls and one female Councillor from each political party, to be invited by the Mayor in consultation with the General Manager. (c) Meet twice yearly with a meeting outcomes summary to be reported to Council. 3. Council notes that the Council of Women meeting will be funded through the Council-approved operational budget for the Mayor’s Office.	GMU	The Wonen’s Council to the Mayor comprised of 18 external members, 3 local MPs, Waverley Mayor , 3 Waverley Councillors and the General Manager. The Women’s Council meet on three occasions: •13 October 2023 •5 April 2024 •14 June 2024 - This Workshop generated the following agreed action areas: •Developing network/community action group around domestic violence •Young people’s ambassador program •Recommendation to Council to focus on women and girl’s safety in public space In this action area the following actions have been completed: oSafety Walkshop - Participatory research regarding perceptions of safety and ideas to improve perceptions of safety at key locations across the LGA, with targeted cohorts women and young people. The Walkshops were conducted in November and December 2024. oSafety Survey: Online survey, with a similar approach to the TfNSW Safer Cities survey to understand sentiment around safety in public spaces in the LGA. Safety Survey was open from end of November 2024 to late January 2025.

Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council Meeting	15/08/2023	Report	CM/11.3/23.08	Confidential Report - Tender Evaluation - ICT Modernisation (A20/0450)	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 technology partner solutions and delivery partner services for the ICT Modernisation Program 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 and received conforming tenders for both technology and delivery partner. 4. In accordance with section 178(3)(e) of the Local Government (General) Regulation 2021, authorises the General Manager or delegate to: (a) Enter into negotiations with the top ranked technology partner and top ranked delivery partner to validate solution design and align implementation and delivery methodologies, with a view to entering into contract with the tenderers. (b) Enter into negotiations with one or more of the tenderers with a view to entering into a contract with the tenderer(s), should the negotiations in clause 4(a) be unsuccessful. 5. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter. 6. Notifies tenderers of the decision in accordance with section 179 of the Local Government (General) Regulation 2021.	CS	Delivery Partner negotiations discontinued. Technology Partner negotiations continuing as per revised ICT Strategy roadmap presented to Councillors at briefing to address staff data health and business capability/readiness and designed to control the pace of change; take a risk-based approach to prioritisation, maximise flexibility with the program.
Finance, Operations and Community Services Committee	05/09/2023	Report	FC/5.3/23.09	Barracluff Park - Dog Off-Leash Area and Management (A22/0336)	1. Declares Barracluff Park to be a dog off-leash area between 3 pm and 10 am daily: (a) Except when it has been hired or licensed for sporting activities and community events. (b) Not including the playground and within 10 metres of the playground and community hardcourt area, in accordance with section 13(6) of the Companion Animals Act 1998. 2. Approves an upgrade to the sports field surface in 2023–24 bringing forward \$695,150 currently allocated in the Long Term Financial Plan 6.1 in 2025–26, with a maintenance program to be developed to ensure co-location of uses. 3. Following the 2024–25 winter season, consults the community and sports clubs on the satisfaction of all users, and officers report back to Council	A&O	06/03/2025 1. Park signage and website updated with new rules of use. 2. Works in progress 3. On hold until field renovations completed
Strategic Planning and Development Committee	05/09/2023	Report	PD/5.3/23.09	Bike Plan Review - Communications and Engagement Plan (A11/0612)	1. Approves the Communications and Engagement Plan for the Waverley Bike Plan review attached to the report. 2. Notes that Transport for NSW grant funding has been received to facilitate the development of a revised Bike Plan. 3. Officers present the Bike Plan and Strategy to Council for approval in April 2024.	A&O	03/05/2025 Final draft bike strategy complete. Councillor briefing scheduled for March 2025 with report to Council to go to consultation planned for April / May 2025.
Council Meeting	21/11/2023	Notice of Motion	CM/8.3/23.11	E-Bikes (A17/0445)	1. Notes that: (a) There are three electric bike hire companies operating in the Waverley local government area (LGA). (b) There appears to be an increase in the number of e-bikes across the Waverley LGA. (c) Operators and users often place their e-bikes on narrow pavements, impeding access by pedestrians, prams and wheelchairs. (d) Share bike customers leave bikes in inappropriate and dangerous locations. (e) Operators do not appear to be collecting e-bikes in potentially dangerous locations quickly enough. (f) There is an increase in the number of complaints received from residents about e-bikes being carelessly parked on footpaths, nature strips and parking spaces creating obstacles that impede pedestrian egress. 2. Officers liaise with e-bike operators to negotiate: (a) More considerate and appropriate locations for the placement of their e-bikes. (b) Faster collection of used bikes. 3. Officers investigate relevant legislation and gaps in the legislation that may assist Council in removing offending e-bikes that are creating a hazard or littering the public domain. 4. Officers prepare a report to Council outlining outcomes of any negotiations and legislative options. 5. Refers this resolution to Council's Access and Inclusion Advisory Panel.	A&O	06/03/2025  2. Council officers continue working with bike share operators to identify areas of concern. Officers have also been working with TfNSW to provide designated parking in Bondi Junction. 3. Officers have inputted inputting into the State's Parliamentary Inquiry into use of e-scooters, e-bikes and related mobility options. The Office of Local Government has provided Councils with guidelines on three classes of items that may be considered unattended. Share bikes falls under Class 2, Shared Services.



Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council Meeting	21/11/2023	Notice of Motion	CM/8.6/23.11	Continuous Pedestrian Paths of Travel - Accessibility Solutions (A21/0205)	1. Notes Council resolution CM/8.2/21.11 (Accessibility in Waverley) for Waverley to become the most accessible place in NSW. 2. Notes the Disability Inclusion Action Plan (DIAP) 2022–26, which aims to identify what needs to be done to optimise accessibility and inclusion in Waverley. 3. Notes actions from Council’s Bondi Junction Pedestrian Access and Mobility Plan (PAMP) 2009 are now finalised. 4. Notes the Waverley People, Movement and Places Study approved by Council in December 2017. 5. Officers prioritise the installation of Tactile Graphic Surface Indicators (TGSIs), known as tactile markers, such as at existing continuous footpath treatments (CFTs) in Waverley, ensuring that installations meet best practice for proper alignment with all desire lines of pedestrian travel, starting with high pedestrian areas in Bondi Junction. 6. Officers, through Council’s internal Access and Mobility Working Group: (a) Continue to conduct access audits of the Bondi Junction commercial area and villages centres throughout Waverley to plan, prioritise and action improvements to continuous pedestrian paths of travel, including footpaths, kerb ramps, cycleways, continuous footpath treatments, shared paths, shared zones, unsignalised pedestrian crossing, and signalised intersections using a staged approach to create outcomes as soon as possible. (b) Identify areas of concern that fall under the authority of Transport for NSW/the NSW State Government and then make representations, as appropriate, with Councillors being notified. 7. Officers investigate any funding sources to carry out this work. 8. Officers engage with the Access and Inclusion Advisory Panel on proposals. 9. Officers request design input on the above initiatives from Guide Dogs NSW and other stakeholders in the vision impaired area. 10. Receives a progress report in the first half of 2024 on the above actions.	A&O	09/10/2024 1. Noted 2. Noted 3. Noted 4. Noted 5 & 6 Review in progress at Glenayar Ave and Birrell St. 6-10. To be progressed
Strategic Planning and Development Committee	05/12/2023	Report	PD/5.6/23.12	Strata Parking Area Agreements (A16/0667)	1. Defers this item to a Councillor briefing in the first half of 2024. 2. Officers review and update the draft Guidelines on Strata Parking Area Agreements attached to the report to include a fee structure and calculation methodology. 3. Officers prepare a draft pro forma agreement and operational policy and procedure to be followed by Council staff and strata managers. 4. Notes the document tabled at the meeting titled ‘Some Suggested Operational Aspects for a Strata Parking Enforcement Scheme at Waverley Council.’	PS&C	1/3/2025  1. Briefing to be scheduled in 2025 2. Guidelines under review 3. In development 4. Tabled information noted
Council Meeting	20/02/2024	Notice of Motion	CM/8.2/24.02	Complying Development Certificates - Notification (A11/0500)	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. Subject to the holding of a Councillor briefing, 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. Minutes of Council Meeting 20 February 2024 This is page 17 of the minutes of the Ordinary Council Meeting held on 20 February 2024 (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. Subject to the holding of a Councillor briefing, 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.	PS&C	1/3/2025  In progress, to be listed to future briefing in 2025.

Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council Meeting	20/02/2024	Notice of Motion	CM/8.8/24.02	Military Road Widening (A03/0506)	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 Kobada Road. (e) Including concept drawings at the identified pinch points identified. 5. Officers prepare a report to Council by July 2024.	A&O	06/03/2025 1 - 3 Noted 4. To be progressed in 2025/26 in line with transport priorities.
Council Meeting	20/02/2024	Notice of Motion	CM/8.9/24.02	Weed Removal and Native Planting (A12/0117)	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.	PS&C	1/3/2025  A report will be prepared in 2025.
Finance, Operations and Community Services Committee	05/03/2024	Report	FC/5.3/24.03	Petition - Speed Hump at 51 York Road, Queens Park (A03/0892)	1. Notes the petition to remove the speed hump in front of 51 York Road, Queens Park. 2. Notes that the speed hump was installed as part of the 40 km/h speed limit changes. 3. Investigates the residents' concerns about vibrations and road noise. 4. Officers assess in greater detail other potential options to reduce vehicle speeds in this area. 5. Officers prepare a report to the Traffic Committee if action is required.	A&O	09/10/2024 Monitoring of vibration and noise near complete. Analysis on-going.
Finance, Operations and Community Services Committee	05/03/2024	Report	FC/5.4/24.03	Petition - Speed Humps and Reduced Speed Limit at 81-99 Hewlett Street, Bronte (A03/0543)	1. Refers the petition to install speed humps and reduce the speed limit between 81 Hewlett Street and 99 Hewlett Street, Bronte, to the Executive Manager, Infrastructure Services, for consideration. 2. Officers consider measures to slow vehicles, improve pedestrian safety and prevent the narrow lower section of Hewlett Street being used as a 'rat run', including those suggested in the petition, and prepare a report to the Traffic Committee if action is required.	A&O	09/10/2024 Integrated Transport team to progress
Council Meeting	16/04/2024	Notice of Motion	CM/8.2/24.04	Hollow-Bearing Wildlife - Additional Habitat (A10/0741)	1. Notes the importance of mature trees in providing habitat for local fauna. 2. Officers prepare a report to Council that includes the options, feasibility and cost to create additional habitat in the Waverley local government area, such as artificial hollows or nest boxes, to support local fauna.	PS&C	1/3/25  1. No action required 2. Report to be prepared in 2025
Council Meeting	21/05/2024	Report	CM/7.7/24.05	Reconciliation Action Plan Advisory Committee Meeting - 27 March 2024 - Minutes and Place Renaming (A14/0173)	1. Notes the minutes of the Reconciliation Action Plan (RAP) Advisory Committee meeting held on 27 March 2024 attached to the report. 2. Notes that the Dawn Reflection Service on 26 January 2024 raised \$1,500 for the GO Foundation. 3. Approves the recommendation of the Gujaga Foundation, and supported by the RAP Advisory Committee, to apply to the Geographical Names Board of NSW to change the names of the following places: (a) Eora Reserve to Dharawal Reserve. (b) Cadigal Place to Gadigal Place. (c) Biddigal Reserve to Birrabirragal Reserve. 4. Advises residents of the Geographical Names Board process of community consultation in adopting a name change should it proceed. 5. Investigates what support can be made available to assist impacted residents in changing their address and officers prepare a report to Council.	A&O	06/03/2025 Consultation has been undertaken and a consultation summary report being compiled as per GNB requirements. Note Cadigal Place was subsequently resolved by Council not to progress.

Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council Meeting	21/05/2024	Notice of Motion	CM/8.2/24.05	Online Petitions (A08/1339)	1. Notes that the Australian Parliament and NSW Parliament have established mechanisms for online petitions. 2. Investigates methods to provide online petitions to Council, with officers to prepare a report to Council with recommendations no later than the August 2024 meeting of the Finance, Operations and Community Services Committee. 3. Considers as part of the investigation: (a) The suitability of existing/popular online petition platforms. (b) The feasibility and costs of providing online petitions on a Council website similar to the NSW and Federal parliamentary petitions. (c) Whether amendments to Council's Petitions Policy would be necessary.	CS	Under review
Council Meeting	18/06/2024	Report	CM/7.14/24.06	Subsidised Lease Program - Exhibition (A23/0388)	1. Publicly exhibits the draft Subsidised Lease Program Policy attached to the report for a minimum of 42 days. 2. Officers prepare a report to Council following the exhibition period.	PS&C	1/3/25  1. Subsidised Lease Policy Exhibited 2. Submission report to be scheduled to next avilable meeting.
Council Meeting	16/07/2024	Report	CM/7.12/24.07	Draft Resource Recovery and Waste Strategy - Exhibition (A20/0005)	1. Publicly exhibits the draft Resource Recovery and Waste Strategy attached to the report for 12 weeks. 2. Officers prepare a report to Council following the exhibition period.	PS&C	25/9/2024  1. Waste Strategy Exhibited 2. Submission report to be listed to next available meeting
Council Meeting	16/07/2024	Notice of Motion	CM/8.1/24.07	Rose Bay Secondary College - Community Access (SF21/372)	1. Notes that the Rose Bay Secondary College has recently written to surrounding residents advising that from April 2024 they would be securing all gates that lead in and out of school grounds to keep the school safe and secure. 2. Notes that for many years there was an informal pedestrian link from Reina Street north around the perimeter of the Rose Bay Secondary College playing field and that this pedestrian link was closed from the commencement of a substantial upgrade to the school in 2004. 3. Notes that Council considered a report in 2006 regarding the walkway, as well as managed community access to the school grounds. 4. Requests the General Manager and Council officers to hold discussions with the Department of Education and Rose Bay Secondary College around options for provision of managed community access to the school grounds.	A&O	02/12/2024 1. Noted 2. Noted 3. Noted 4. Council is preparing a licences proposal for community use to be reported to ELT for consideration.
Council Meeting	29/10/2024	Notice of Motion	CM/8.1/24.10	Pedestrian Amenity (A24/0956)	1. Notes that: (a) There is an existing Council resolution that addresses the process and prioritisation of pedestrian amenity improvements across Waverley, including: (i) Bronte Road from Ebley Street, Bondi Junction, to Victoria Street, Charing Cross (both sides of the road). (ii) Wellington Street, Bondi from Bondi Road to Edward Street (Bondi Public School Side). (b) Delivery of the program is currently underway. (c) A report will be prepared to Council on the Walking Strategy, including the findings of the Safe Walking Routes to School project, in early 2025. 2. Officers include in the report to Council the outcomes of the audit for the areas specified in clauses 1(a)(i) and (ii).	A&O	06/03/2025 Councillor briefing on Walking Strategy scheduled for March 2025 with a report to Council scheduled for April / May 2025.
Council Meeting	26/11/2024	Mayoral Minute	CM/6.1/24.11	Development of Local Government Antisemitism Strategy (A23/0698)	1. Notes the adoption of the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism (CM/8.4/21.10). 2. Further notes that officers have been progressing work on a Local Government Antisemitism Strategy that can be utilised by Council and other local governments across Australia (CM/8.4/23.12). 3. Hosts a Mayoral roundtable with the Sydney Jewish Museum, NSW Jewish Board of Deputies and other stakeholders in early 2025 to seek input and feedback on the proposed strategy and action plan. 4. Officers present the strategy to Council for formal adoption following the consultation. 5. Writes to the Sydney Jewish Museum and the NSW Jewish Board of Deputies informing them of this resolution and inviting them to immediately commence discussions with Council on the format and form of the Mayoral roundtable.	CC&CE	07.02.25 Draft Strategy being presented to March 2025 Council - consultation roundtable held on 7 Feb 2025 with Jewish Community representatives.

Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council Meeting	26/11/2024	Notice of Motion	CM/8.1/24.11	Small Business Support - Outdoor Dining (A08/0935-02)	1. Immediately amends the footpath dining permit system to not require strict compliance with the National Construction Code for sanitary facilities for the purpose of calculating the number of outdoor dining seats/patrons. 2. Officers prepare a report to Council no later than March 2025 outlining: (a) Housekeeping amendments to the Waverley Development Control Plan to create consistency with clause 1(a). (b) A new draft Outdoor Dining Policy and Guideline. 3. Writes to the following organisations informing them of Council's decision: (a) Bondi and Districts Chamber of Commence. (b) Night Time Industries Association (NTIA). (c) Independent Bars Association. (d) Council's Precincts.	PS&C	1/3/2025  1. Implemented 2. Report to be presented to next available meeting 3. Complete
Council Meeting	26/11/2024	Notice of Motion	CM/8.4/24.11	Birrell Street and Mackenzie Street Intersection, Bondi Junction - Road Safety Concerns (A22/0414)	1. Notes that: (a) The Birrell Street cycleway has now been built and was largely funded by Transport for NSW. (b) Residents living near this intersection and in Mackenzie Street have written to Council with serious road safety concerns as a result of the cycleway including: (i) Poor visibility when turning right out of Mackenzie Street into Birrell Street, requiring cars making this right hand turn to sweep into the other side of the road. (ii) The garden bed closest to the road on the corner of Birrell and Mackenzie Streets is problematic, as it creates safety issues when trying to make a right had turn. (iii) Concerns that this location could cause a fatality. (iv) Small sweep for buses turning left into Birrell Street from Bourke Road creating safety concerns and potential damage to parked vehicles. (c) Officers are presently conducting a road safety audit of this location. 2. Expedites the completion of the road safety audit as a matter of urgency given the serious road safety implications. 3. As matter of urgency: (a) Ensures any planting in the garden beds is low and does not impede vision of drivers. (b) Installs additional line marking in the vicinity to reinforce safe vehicular movements. 4. Officers prepare a report with the outcomes of the road safety audit and recommended actions to address any concerns identified, including removal of the garden bed closest to the road at the intersection of Birrell and Mackenzie Streets, as a matter of urgency and continues meaningful consultation with residents about the solutions.	A&O	06/03/2025 Road Safety Auit has been completed. A report is scheduled for March 2025 Council.
Council Meeting	26/11/2024	Notice of Motion	CM/8.6/24.11	Investment Policy (A05/0197)	1. Notes that it must maintain an investment policy that complies with the Local Government Act 1993 (NSW) and Ministerial Investment Order and ensure it or its representatives exercise care. 2. Amends part of clause 4.2(e) of the Investment Policy as follows: (a) Delete the following paragraph: 'When there is no availability of Green, ESG, or socially responsible investment options compliant with legislation and investment policy guidelines or exposures to non-fossil fuel banks are at policy limits, Council will source the most prudent investment choice at the time regarding the time horizon of funds, the credit quality of the institution and overall investment return.' (b) Add the following paragraph in its place: 'When making investment decisions, Council may consider institutions that adhere to ESG principles, where: • The investment complies with Council's Investment Policy, and • The rate of interest is within 0.05% favourable to Council relative to alternative options available at the time, and • The credit rating of the investment is comparable to alternative options available at the time. Any ESG investment considerations will be subject to Council's overall investment strategy objectives of optimising its return on investment of surplus funds in a prudent and measurable manner.'	CS	

Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council Meeting	26/11/2024	Confidential Report	CM/11.1/24.11	CONFIDENTIAL REPORT - 2A Edmund Street, Queens Park - Negotiation Phase Outcome (A24/0298)	1. Treats the report as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2)(d)(i) of the Local Government Act 1993. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 2. Notes the outcome of the negotiation phase of the tender for construction services for the 2A Edmund Street Social Housing Project, as set out in the report. 3. Declines to enter into contract for the construction of a social housing building at 2A Edmund Street, Queens Park. 4. Officers investigate Option 2, as set out in the report, for the future of the site, with a report to be prepared to Council no later than March 2025, which also considers key worker housing for Council staff at the site as part of the Affordable Housing Program.	A&O	17/2/2025 Report being drafted to go to April Committee meeting
Council Meeting	10/12/2024	Report	CM/7.5/24.12	Antisemitic Graffiti - Council Response (A23/0761)	1. Notes the resolution CM/6.1/24.11 in which Council will host a Mayoral roundtable with the Sydney Jewish Museum, NSW Jewish Board of Deputies and other stakeholders in early 2025. 2. Continues to: (a) Work with the Waverley community and NSW Police to ensure Council is resourced and equipped to respond to instances of antisemitic graffiti and vandalism now and into the future. (b) Undertake a holistic CCTV network review and explore appropriate infrastructure where more sophisticated CCTV cameras can be installed with a report to come back to Council no later than March 2025 on the findings of the review. (c) Maintain a register of antisemitic graffiti (which includes the date, time and location of each incident) and provide that register every six months to the NSW Police, NSW Jewish Board of Deputies and the Special Envoy to Combat Antisemitism in Australia. 3. Holds a Councillor workshop no later than February 2025 to review and provide feedback on the holistic CCTV network audit and potential upgrades (including budget implications). 4. Officers to review and update Council's current CCTV Code of Practice and Policy in a report to come back to Council at the same time as the report in 2(b) to include the following: (a) Data retention policy and specifically how long will the CCTV footage and metadata be held and privacy implications. (b) Access and privacy framework including who will have access to the CCTV footage and metadata and on what basis.	CC&CE	07.03.25 Briefing held in February General Manager Briefing session. Report being presented to Council at March Council Meeting.
Council Meeting	10/12/2024	Report	CM/7.14/24.12	Garage 2, 17-21 Victoria Street, Queens Park - Licence (A22/0367)	1. Grants a licence to BIKEast Incorporated for Garage 2, 17-21 Victoria Street, Queens Park, for one year with two one-year options, on the terms and conditions set out in the report. 2. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.	A&O	06/03/2025 Licence to be finalised.
Council Meeting	10/12/2024	Report	CM/8.1/24.12	Murriverie Road and Mitchell Street, North Bondi - Pedestrian Safety (A03/0042-04)	1. Investigates traffic calming and pedestrian safety measures at the intersection of Murriverie Road and Mitchell Street, North Bondi. 2. Undertakes community consultation on possible solutions by April 2025. 3. Officers prepare a report to the June 2025 Council meeting with the community consultation outcomes, a project scope and a funding strategy to implement traffic and pedestrian safety solutions. 4. Writes to the Rose Bay and North Bondi Precincts informing them of this resolution.	A&O	06/03/2025 Consultation to be undertaken by April 2025. Topographic survey has been procured and sketch options created.
Council Meeting	10/12/2024	Report	CM/8.2/24.12	O'Brien Street, Bondi - Pedestrian Safety (A24/0300)	1. Notes that the Council officers are well progressed in the development of the Bondi Local Traffic Management Plan (LATM), which includes O'Brien Street, Bondi Beach. 2. Officers present the draft Bondi LATM to Council as a matter of urgency at the March 2025 Council meeting. 3. Prioritises the development of measures to increase pedestrian safety in O'Brien Street at the intersections of Wellington Steet and Barracluff Avenue.	A&O	06/03/2025 Councillor briefing on LATM scheduled for March 2025 as well as a report to April Committee. These locations are prioritised.
Council Meeting	10/12/2024	Report	CM/8.3/24.12	Carrington Road and Judges Lane, Waverley - Pedestrian Refuge (A03/0042-04)	That Council officers write to Transport for NSW to advocate for a pedestrian refuge in Carrington Road, Waverley, at Judges Lane.	A&O	06/03/2025 Letter to be drafted and issued along with other issues to be raised with TfNSW.

Resolution Tracking Sheet							
Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council:)	Directorate	Comment
Council Meeting	10/12/2024	Confidential Report	CM/11.1/24.12	CONFIDENTIAL REPORT - Bronte Surf Life Saving Club and Community Facilities Building Upgrade - Funding Strategy (A18/0815)	<p>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.</p> <p>2. Approves the funding proposal to cover the shortfall for the Bronte Surf Life Saving Club and Community Facilities Building Upgrade, as set out in the report.</p> <p>3. Approves the continued partnership with the Bronte Surf Life Saving Club and commits to collaboratively promoting the project to all levels of government to secure funding support.</p> <p>4. Approves the Sustainable Funding Action Plan attached to the report as a guiding document for identifying and pursuing funding opportunities for the project, acknowledging its structured approach to aligning the project with grant eligibility criteria.</p> <p>5. Submits grant applications for priority funding programs identified in the Sustainable Funding Action Plan, including the Federal Urban Precincts and Partnerships Program (uPPP), the Active Transport Fund and the State Surf Club Facility Program, ensuring alignment with project objectives and compliance with program requirements.</p> <p>6. Commits to ongoing engagement with community members, Bronte Surf Life Saving Club members, and other key stakeholders to strengthen funding applications by demonstrating broad support and alignment with local, State and Federal priorities for community and infrastructure development.</p> <p>7. Officers hold a Councillor briefing in February 2025 on updated loan and funding options for the project.</p> <p>8. Officers prepare an updated report on the outcomes of grant applications and further funding recommendations at the April 2025 Council meeting to ensure continued alignment with the Sustainable Funding Action Plan and project priorities.</p> <p>9. Notes that negotiations have commenced with the top two ranked tenderers for head contractor services for the project.</p> <p>10. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter, including:</p> <p>(a) The project agreement with Bronte SLSC.</p> <p>(b) The contract with the preferred contractor for head contractor services, subject to funding.</p>	A&O	<p>06/03/2025</p> <p>1-4 - Noted</p> <p>5. Ongoing</p> <p>6. Ongoing</p> <p>7. Update provided at February CWRG.</p> <p>8. Report to be prepared</p> <p>9. Noted</p> <p>10. In progress</p>

## REPORT

### CM/7.5/25.03



**Subject:** Audit, Risk and Improvement Committee - Annual Report 2024

**TRIM No:** SF23/1230

**Manager:** Richard Coelho, Executive Manager, Governance

**Director:** Tara Czinner, Director, Corporate Services

---

### RECOMMENDATION:

That Council notes the Audit, Risk and Improvement Committee's Annual Report 2024 attached to the report, as prepared by the former chair of the Committee.

#### 1. Executive Summary

The chair of the Audit, Risk and Improvement Committee (ARIC) reports to Council annually on the Committee's work and its opinion on how Council is performing. This report satisfies that requirement.

#### 2. Introduction/Background

Section 9 of ARIC's Terms of Reference state that:

*The committee will provide an annual self-assessment to the governing body and the general manager on the committee's work and its opinion on how the Council is performing.*

#### 3. Relevant Council Resolutions

Nil.

#### 4. Discussion

The Annual Report 2024, prepared by the Committee's former chair, Elizabeth Gavey, is attached to this report. It covers the period January 2024 to December 2024. A draft of the report was endorsed by ARIC at its meeting on 21 November 2024.

It is recommended that Council notes the annual report.

#### 5. Financial Impact

Funds are allocated in Council's operational budget for the operation and support of an internal audit function, including ARIC and fees paid to its members. There was no unbudgeted cost to Council to prepare the annual report.

**6. Risks/Issues**

Should ARIC fail to adequately monitor Council's performance, Council could be exposed to various risks. The Committee's annual report ensures that Council is fully informed of the Committee's work and its opinion on how Council is performing. It also provides an opportunity for Council to develop an action plan to address any issues.

**7. Attachments**

1. ARIC Annual Report 2024 [↓](#)



## Annual ARIC Report January 2024 – December 2024

### About the report

This annual report documents the operation and activities of the Audit Risk & Improvement Committee (ARIC or Committee)) and an overview of the Internal Audit function for Waverley Council for the period from January 2024 to December 2024.

The ARIC is a key component of Waverley Council's governance framework. The objective of the ARIC is to support Council by monitoring and advising on Council's governance, risk and control frameworks and its external accountability requirements.

There are 3 independent voting members and 1 non-voting councillor member on the Committee.

### Purpose of this report

This report is tabled under Clause 9 of the ARIC Terms of Reference which requires that:

*The committee will provide an annual self-assessment to the governing body and the general manager on the committee's work and its opinion on how the Council is performing.*

### Member Profiles

Waverley Council's ARIC has been established as an advisory committee of Council to provide independent assistance to Council by monitoring, reviewing and providing advice on governance processes, risk management and control frameworks, and external accountability obligations. Members have varied qualifications and experience which contribute to the effectiveness of the Committee. The independent members meet the independence requirements specified in the *Local Government (General) Regulation 2021*.

Here is a snapshot of the independent members:

#### **Elizabeth Gavey-Committee Chair**

B Com (Economics) LLB GAICD

Elizabeth joined Waverley Council's Audit Risk and Improvement Committee as an independent member when it was first constituted in October 2019. She also serves on the Audit Risk and Improvement Committees for 3 other Local Councils in New South Wales and on the Audit and Risk Committees for Local Government NSW, the NSW Electoral Commission, the Office of Independent Review, the Audit Office of NSW and Museums of History NSW.

She has 30 years plus experience gained in commercial law, investment banking and the health sector and is an experienced Company Director in the Not-for-Profit sector.

**Sheridan Dudley – Committee Member**

BA, LLB, GradDipCrim, MAdmin, EdD

Sheridan was appointed to the Committee in August 2023 as an independent member. She is chair or member of 5 other NSW Local Government Audit, Risk and Improvement Committees and Honorary Senior Lecturer in Education at UNSW.

Sheridan has 20 years' board level experience in public and not-for-profit sectors; 18 years' experience as a company secretary including at large national and international not-for-profit organisations; and 30 years' experience as Chief Executive Officer and Leader for state and local government organisations and the not-for-profit sector, including as General Manager of a NSW Council.

**John Gordon – Committee Member**

B.Comm.(Hons.), FCA, CPA, AGIA, ACG, AIIA (Aust.), MAICD, JP.

John was appointed to the Committee on its formation in October 2019. He is an assurance, risk and corporate governance specialist. John had a career of over 30 years, 22 as an Audit/Assurance Partner, with PwC (PricewaterhouseCoopers) and predecessor firms. Clients covered a broad range of organisations including listed public companies across most industry sectors. Public Sector clients, including Federal, State and Local Governments, comprised approximately 30 % of John's portfolio. John served in the roles of Hunter Region Managing Partner; NSW Local Government Leader; National Staff Partner, and National Risk Management Partner for the Resources, Services and Government Division of PwC.

Since 2009, John has worked in governance and risk. He has served with Audit & Risk Committees for over 28 ACT, NSW State and NSW Local Government agencies as well as not-for-profit organisations. John is chair or member of 3 Audit & Risk Committees including 2 in NSW Local Government.

**What the Committee is tasked to do**

The Committee operates under the Audit, Risk and Improvement Committee Terms of Reference which were first approved by Council on 18 February 2020 and revised in June 2024 to reflect the Office of Local Government's Guidelines for Risk Management and Internal Audit (the Guidelines) and recent amendments to the *Local Government (General) Regulation 2021*. The Terms of Reference include the responsibilities of the ARIC specified under Section 428A of the *Local Government (Planning and Governance) Amendment Act 2016*.

The objective of the Committee is contained in the ARIC Terms of Reference:

*The objective of Council's audit, risk and improvement committee is to provide independent assistance and advice to Council by monitoring, reviewing and providing advice about the Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.*

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

The Terms of Reference contain a number of administrative requirements and also prescribes the main responsibilities of the Committee into broad categories as follows:

- Compliance
- Risk Management
- Fraud Control
- Financial Management
- Governance
- Implementation of the strategic plan, delivery program and strategies
- Service Reviews
- Collection of performance measurement data
- Internal Audit

The Committee annually adopts a forward responsibility meeting plan and has established a four-year strategic workplan to ensure coverage of these responsibilities over the Council term. The Committee is advisory only and has no executive delegations and/or powers.

### **An overview of the year and key achievements of the Committee**

During 2024, the ARIC performed its functions and responsibilities, as outlined in the ARIC Terms of Reference. This was facilitated by the adoption of a Forward Responsibility Calendar, which reflects the requirements of the Terms of Reference and Legislation, allocating the varying responsibilities to nominated meetings across a 12-month period to ensure complete coverage.

The ARIC recognises that 2024 was a challenging year for Council particularly as a result of recruitment challenges resulting in vacancies in key roles, including Risk Management. In addition, Council completed some significant and high profile projects, such as the work at the Tamarama Surf Life Saving Club, the Boot Factory and Mill Hill, where the liquidation of the previous contractor gave rise to significant delays and cost increases for these projects.

Council is also undertaking an essential Information Management and Technology program to modernise its technology systems, uplift its cyber security position and improve management of Council records and personal information that Council holds. The successful delivery of this multi-year work is vital in positioning Council to operate both efficiently and effectively going forwards.

Despite this, Council has continued to develop its management of strategic and operational risks, financial and other internal controls and compliance obligations. Areas on which to focus and dedicate resources have been prioritised by Council using a risk based approach.

The ARIC believes that Council is adequately supporting its internal and external audit functions and meets its external accountability requirements.

The ARIC's overall assessment is that the arrangements in the areas of responsibility specified in the ARIC Terms of Reference were operating adequately during 2024.

Key activities of the ARIC in 2024 include:

- Endorsement of a comprehensive and risk-based Internal Audit Program for 2024-2025 and regularly reviewing the same to ensure it addresses Council's needs.
- Oversight of 6 Internal Audit Reports covering:
  - Rates Billings and Collections
  - Records Management
  - Privacy
  - Asbestos Management
  - S10.7 Certificates
  - Cyber Security
- Continued oversight of Council's financial position with a presentation on Council's long term financial sustainability, a review of Council's long-term financial plan and quarterly reviews of its budget and investments.
- Review of the ARIC Terms of Reference and Internal Audit Charter to ensure alignment with the OLG Guidelines for Risk Management and Internal Audit.
- Oversight of the continued development of Risk Management, Compliance and Governance Frameworks.
- Oversight of Council's ICT Modernisation and Information Management Programs and Cyber Security uplift activities. These are major projects currently being undertaken by Council of a significant dollar value and associated risks. Accordingly, an update on these items is a standing agenda item at ARIC meetings.
- Oversight of the major capital projects that Council is undertaking and providing guidance in developing accurate and meaningful reporting on these projects to drive good decision making. An update on major capital works is a standing agenda item at ARIC meetings.
- Regular review and oversight of the implementation of recommendations from audits, reviews and investigations.
- Reviewing the External Audit Management Letter and Engagement Plan and monitoring Council's preparedness for its annual audit of its Financial Statements, assessing if associated procedures are robust and providing input on Council's draft Financial Statements on 8 October 2024.
- Receiving updates on the implementation of business improvement activities.
- Monitoring Council's work in uplifting its Workplace Health and Safety activities and reviewing data and trends (including complaints and Employee Assistance Program data) to assess Council's management in this area.
- Reviewing Council's work on its Fraud and Corruption Control Activities, including monitoring GIPA and Office of Local Government reporting statistics.

Overall, during 2024, the Committee continued to be a well-balanced team that has operated in a collaborative and constructive manner.

## **2 Committee assessment of Council's Performance in key responsibility areas for January 2024 – December 2024**

The Committee has assessed the key responsibility areas as follows

Responsibility	Assessment
Compliance	<p>Specific areas of compliance are well established, especially financial reporting.</p> <p>Comprehensive Council-wide legislative compliance framework established and in the process of becoming embedded.</p> <p>Work continues to uplift Council's awareness and monitoring of legislative obligations.</p> <p>Previous internal audits undertaken to review specific areas of compliance (notably Swimming Pool compliance in 2023) resulting in Management undertaking significant programs of work to uplift Council's Compliance functions.</p>
Risk Management	<p>Work in this area has been hampered by staff vacancies, however important foundation work has been undertaken to define Council's Risk Appetite, establish Business Continuity and Emergency Response plans and formulate a road map for Risk Management uplift.</p> <p>Although the Enterprise Risk Management Framework is currently at an emergent level of maturity, a mature awareness of risks and a commitment by management to further develop a strong risk culture is evident.</p>
Fraud Control	<p>Fraud and corruption prevention controls are at an intermediate level of maturity.</p> <p>Annual Fraud and Corruption Control plans are set each year, with all actions for the 2023-2024 plan completed by July 2024.</p> <p>Management has demonstrated a commitment to act upon reports of potential fraud swiftly.</p> <p>Council's Fraud and Corruption Control Policy and Strategy are scheduled for review in 2024-25 and an Internal Audit of Council's Fraud Control Framework is also scheduled for that period.</p>

Financial Management	<p>Council has a proactive approach to financial management, evidenced by it conducting a detailed review of its long-term financial sustainability, including the drivers and determinants of its financial position and options for the future.</p> <p>The ARIC notes that Council is facing cost increase pressures, particularly in relation to some of its major projects. Council is taking steps to manage these budgetary pressures, with enhanced reporting on project budgets to inform good decision making. Projects are scheduled to match available funds and the use of Council's reserves, in accordance with legislation and Council's Reserves Strategy Framework.</p> <p>Financial processes are sound, with identified deficiencies being addressed in a timely manner by Management.</p> <p>A series of service reviews is also planned to assist in managing the situation</p>
Governance	<p>Governance processes in place and at an emergent to intermediate level of maturity, with improvements noted during the year, particularly in the areas of (1) legislative compliance, (2) improved reporting on complaints, investigations and referrals and (3) litigation involving Council.</p> <p>There is program in place for a regular review of the Governance Framework, with the next scheduled review in FY24-25 (deferred from FY23-24)</p>
Strategic Plan, Delivery Program and Strategies	Strategic plans, delivery program and strategies implemented. Work done to ensure alignment between the plans and delivery programs to create a more holistic planning and delivery program noted by the ARIC.
Service Reviews	A Service Review Framework has been established and the 2 initial Service Review areas identified (Financial Sustainability and Lifeguard Services). The Financial Sustainability review will inform the next round of service review areas.
Performance Measurement Data	Council has in place a program to allow it to comply with its Integrated Planning and Reporting Requirements. Specific areas of uplift in data collection and reporting have been identified and actioned, with current reporting on target-related data being comprehensive and robust.
Internal Audit	Council has a well established and effective Internal Audit Function, which is performed by Council's contracted auditors. Grant Thornton.

Overall	<p>Council has worked diligently to establish and embed frameworks and progress has been made in further developing the Risk Management, Compliance and Governance Frameworks.</p> <p>The ARIC notes progress in development of robust governance systems and the commitment of Council to this activity. It expects there will be continued progress in 2025.</p>
---------	--

### Committee Dashboard

#### Participation in meetings during 2024

The Committee had five scheduled normal meetings during the calendar year and one special meeting for the review and endorsement of the financial statements (8 October 2024). There was a quorum for each of the meetings held in 2024.

Attendance at meetings for the calendar year is as follows:

Name	Role	Eligible*	Attended
Elizabeth Gavey	Independent Chair	6	6
Sheridan Dudley	Independent	6	6
John Gordon	Independent	6	6
Tim Murray	Councillor (to September 2024)	3	1
Joshua Spicer	Councillor (appointed October 2024)	1	1
Sally Betts	Councillor (Alternate) (to September 2024)	2	1
<b>Non-Committee Regular Attendees</b>			
NSW Audit Office	NSW Audit Office	5	5
Emily Scott	General Manager	5	4
Grant Thornton Australia	Internal Auditor	5	5
Tara Czinner	Director Corporate Services	6	6
Sharon Cassidy	Director, Assets and Operations and Acting General Manager for the September 2024 meeting	5	5
Nik Zervos	Acting Director, Assets and Operations for the September 2024 meeting	1	1
Fletcher Rayner	Director, Planning Sustainability and Compliance	5	5
Alistair Graham	Acting Director, Community Culture and Customer Experience for the August 2024 meeting	1	1

Ben Thompson	Director Community Culture and Customer Experience	5	4
Chirag Sachdeva	Manager Audit and Risk (from August 2024 to December 2024)	2	1
Richard Coelho	Executive Manager, Governance and Risk	5	5
Teena Su	Executive Manager Finance	6	6
Al Johnston/Yeva Gershberg	Committee Secretary	5	5

\*Attendance at the October 2024 meeting for the review of the draft financial statements was limited to the independent ARIC members, the Director Corporate Services, the Chief Audit and Risk Officer and the Executive Manager Finance.

In addition to the meetings above;

- The Committee received presentations covering the following areas:
  - February 2024 – Management Restructure
  - May 2024 – Council’s response to the incident at Westfield Bondi Junction and the support provided to staff and the Community following the event
  - September 2024 – Council’s Financial Sustainability
  - November 2024 – Review of Payroll systems and processes
- The ARIC had a confidential in camera meeting with the Audit Office of NSW in October 2024.

#### ARIC Business Papers and Reports reviewed

Meeting Date	Number of Papers/Reports reviewed and discussed
15 February 2024	13
2 May 2024	14
1 August 2024	12
18 September 2024	13
8 October 2024 (Review of FY 23-24 draft Financial Statements)	1
21 November 2024	15

#### Committee Actions Register

The Committee Actions Register includes items raised by ARIC members for action/re-submission

Number of actions raised – 43

Number of actions completed – 36

Number of actions due to next/future meeting – 7



### Audit Reports/Reviews & Recommendations considered

Audit/Review Name	No. of Recommendations	Overall Assessment	ARIC Meeting Date
Billings and Collections (Rates)	9 Recommendations (6 Moderate, 3 Low)	Minor Improvement Required -	15 February 2024
Records Management	17 Recommendations (9 High; 8 Moderate)	Improvement Required	2 May 2024
Privacy Review	18 Recommendations (13 High; 5 Moderate)	Significant Improvement Required	2 May 2024
Asbestos Management	5 Recommendations (5 Moderate)	Minor Improvement Required-	1 August 2024
S10.7 Certificates	8 Recommendations (5 Moderate, 3 Low)-	Minor Improvement Required.	1 August 2024
Cyber Security – Essential 8 Maturity Assessment*	9 Recommendations (5 Moderate, 2 Low and 2 Performance Improvement)		18 September 2024
Total Recommendations Reviewed	66		

\*The Cyber Security - Essential 8 Maturity Assessment assessed Council's Cyber Security maturity against the Essential 8 Maturity Model developed by the Australian Signals Directorate and, as such, did not provide an overall rating.

The ARIC monitors the implementation of all recommendations raised by Internal and External Audit, paying particular attention to high and medium rated recommendations, or recommendations not implemented by their due date. Council has worked diligently to implement recommendations, noting that some are reliant on the completion of the ICT Modernisation Project.

### ARIC Effectiveness

An assessment of the ARIC's effectiveness was conducted in 2024 via a questionnaire issued to ARIC members and regular attendees to the ARIC meetings. The overall feedback received was positive and, in many areas, rated higher than in the previous year, with an "overall contribution" rating of 5 (2023 – 4.7). A summary of the results set out below.

Criteria	Average Response (1 Strongly disagree – 5 Strongly agree)
<b>Independent Assurance -</b> I have confidence that the Committee provides independent assurance and assistance to Council in the effective discharge of its responsibilities in relation to the following areas	
Compliance	4.7
Risk Management	4.3
Fraud Control	4.4
Financial Management	5
Governance	4.9
Implementation of Strategic Plan, Delivery Program and Strategies	4.3
Service Reviews	4.1
Collection of Performance Measurement Data by Council	4.1
Internal Audit	5
<b>Promotion of Governance</b>	
The Committee facilitates and promotes sound governance procedures throughout Council.	5
The roles/responsibilities of the Committee are clear and are carried out in accordance with the Audit, Risk and Improvement Committee Terms of Reference	4.7
<b>Communication</b>	
The Committee is an effective forum for communication between stakeholders i.e. Council, the General Manager, Senior Management, and Internal and External Audit	4.9
<b>Meetings</b>	
Committee agendas are consistent with the Committee's Terms of Reference	4.7

<b>Criteria</b>	<b>Average Response (1 Strongly disagree – 5 Strongly agree)</b>
Committee meetings are well structured	4.9
Committee decisions are made after appropriate discussion/consideration	4.7
Committee papers are generally sufficiently informative, succinct and timely	4.3
An appropriate amount of time is spent at meetings on Council's financial management risks	5
An appropriate amount of time is spent at meetings on Council's non-financial risks	4.7
The current frequency of meetings is appropriate	5
<b>Committee Members' Contribution</b>	
Committee Members come to meetings prepared and ready to contribute	5
Committee Members collectively have the expertise and skill set required to fulfil the goals and purpose of the Committee	5
<b>Overall Contribution</b>	
Overall, the Committee has made a positive contribution to the achievement of Council's objectives and greater assurance and/or improvements in governance	5

Key areas of focus for the ARIC identified in the questionnaire in 2024 are:

- managing agenda size and priorities and the length of ARIC meetings. This can be partly achieved by updating the 4 year ARIC strategic workplan to cover the ARIC responsibilities as outlined in its Terms of Reference, being mindful of the timing and cycle of reporting.
- ensuring that the ARIC's focus remains strategic, prioritised based on risk profiles and not operational
- Continued improvement on reporting to the ARIC by management

- A stronger focus on Internal Audit, Service Reviews and Risk Management.
- Clearer articulation of actions arising from meetings and a shared understanding of required deliverable
- Review desired approach to engagement with the new Council.
- Effectively manage any transition in the composition and/or roles on the ARIC.

### Internal Audit

In July 2020 Grant Thornton was engaged by Council to provide outsourced Internal Assurance to support the Chief Audit Executive deliver on a four-year Strategic Internal Audit Program. The ARIC reviewed and endorsed the Internal Audit Charter in May 2024 to ensure alignment with the OLG Risk Management and Internal Audit Guidelines.

### Internal Audit Plan

The 2023-2024 Internal Audit Plan endorsed by the ARIC in 2023 and was completed on schedule.

The 2024-2025 Internal Audit Plan endorsed by the ARIC in May 2024 and was devised to touch on key strategic risks for Council, namely:

- Safeguarding Operations, Data and Financial Integrity – ensuring the establishment of processes and controls to protect Council from potential breaches and prevent the exploitation of Council’s vulnerabilities
- Talent Management and Retention – the current scarcity of talent coupled with the rising cost of living has affected the retention of high performing employees which are critical to the success of Council; and
- Safety and Wellbeing of the Community – Council’s people and the community are at the centre of everything Council does, and their wellbeing is paramount.

The 2024-2025 Annual Internal Audit Plan covers the following areas:

- Cybersecurity
- Early Education Centres
- Fraud and Corruption Assessment
- Crisis Management
- People/Performance Management
- Data analytics – Payroll and Accounts Payable

The rolling four-year and annual internal audit plans have been designed taking into consideration both Council’s strategic risks as well as emerging pressures and opportunities. The ARIC will continue to review the internal audit plans to ensure that they take into account the changing environment and key aspects of Council’s operations

## The NSW Audit Office

Since becoming the external auditor for local government in NSW in 2016, the NSW Audit Office has become more robust and targeted in the conduct of its financial and performance audits. The ARIC monitors reports issued by the NSW Audit Office that may not directly relate to Waverley Council to identify recommendations that may assist Council to improve its control environment and operations.

Upon the expiration of Nexia Australia's engagement as the Audit Office's contracted auditor in 2023, the audit of Council's financial statements was undertaken in-house by the NSW Audit Office. In 2024 Council and the NSW Audit Office worked cooperatively with the financial audit proceeding smoothly and on time.

## ARIC Activities for 2025

Key areas for the ARIC to focus on in 2025 are:

- remaining informed of Council's significant ICT and Information Management Modernisation Programs, which are key pillars in driving financial benefits for Council in the future and essential for its service delivery and stakeholder satisfaction commitments.
- with cyber risks remaining inherently high across the globe, the Committee will continue to monitor Council's uplift of its cyber security position
- monitoring management's approach to ensuring the long term financial sustainability of Council
- continuing to support incremental improvements in Enterprise Risk Management, Compliance and Governance Frameworks and Fraud and Corruption Prevention controls
- maintain oversight of the Internal Audit Function as it complies with the revised Global Internal Audit Standards effective January 2025.

## Conclusion

The ARIC has fulfilled its responsibilities under the Audit Risk & Improvement Committee Terms of Reference for the period and has a plan to continue to do so, via the adoption of the rolling forward responsibility calendar and four-year strategic plan. The Committee has operated cooperatively and values the open, honest and constructive discussions it has with management, the Internal Audit function and the External Auditors at every ARIC meeting.

I take this opportunity to thank the other Committee members both past and present; the General Manager, management and staff for their valuable contribution and support; and the internal and external audit teams for their forthrightness. All these people have contributed to the

Committee's success.

It is a privilege to serve on the Committee and to have been its Chair for the past 5 years. I look forward to working with the incoming Chair and assisting Council in the coming year.

**Elizabeth Gavey**

**Chair, Waverley Council Audit, Risk and Improvement Committee**

**January 2025**

**REPORT**  
**CM/7.6/25.03**

**Subject:** Strategy to Combat Antisemitism - Adoption

**TRIM No:** A25/0307

**Manager:** Annette Trubenbach, Executive Manager, Community Services

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

**RECOMMENDATION:**

That Council adopts the Strategy to Combat Antisemitism attached to the report in response to the increase in antisemitism in Waverley.

**1. Executive Summary**

Following consultation with key stakeholders, a draft Strategy to Combat Antisemitism has been prepared. Practical tools and strategies have been identified and developed to protect Jewish communities, promote social cohesion and ensure that individuals are safe from discrimination, prejudice, hatred and violence. This report seeks the adoption of the strategy.

**2. Introduction/Background**

Following the 7 October 2023 attacks in Israel, there has been an unprecedented rise in antisemitism globally and locally, prompting Council to move several motions to address rising incidents of vilification and hatred directed towards Jewish community members. This strategy outlines practical steps to address this.

**3. Relevant Council Resolutions**

Meeting and date	Item No.	Resolution
Council 26 November 2024	CM/6.1/24.11	<p>That Council:</p> <ol style="list-style-type: none"><li>Notes the adoption of the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism (CM/8.4/21.10).</li><li>Further notes that officers have been progressing work on a Local Government Antisemitism Strategy that can be utilised by Council and other local governments across Australia (CM/8.4/23.12).</li><li>Hosts a Mayoral roundtable with the Sydney Jewish Museum, NSW Jewish Board of Deputies and other stakeholders in early 2025 to seek input and feedback on the proposed strategy and action plan.</li></ol>

		<ol style="list-style-type: none"> <li>4. Officers present the strategy to Council for formal adoption following the consultation.</li> <li>5. Writes to the Sydney Jewish Museum and the NSW Jewish Board of Deputies informing them of this resolution and inviting them to immediately commence discussions with Council on the format and form of the Mayoral roundtable.</li> </ol>
Council 12 December 2023	CM/8.4/23.12	<p>That Council:</p> <ol style="list-style-type: none"> <li>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.'</li> <li>2. Condemns the dramatic and unprecedented increase in antisemitism occurring in Australia.</li> <li>3. Continues to commit to removing any antisemitic graffiti and/or posters immediately upon it being reported.</li> <li>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.</li> <li>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</li> </ol>



		<p>sourced from the General Manager's operational budget.</p> <p>6. Writes to the Sydney Jewish Museum to identify opportunities to partner with the Museum and to raise awareness of the increase in antisemitism.</p> <p>7. Notes that:</p> <p class="list-item-l1">(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.</p> <p class="list-item-l1">(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.</p> <p>8. Congratulates the NSW Premier, the Hon. Chris Minns MP, for strengthening laws in section 93Z of the <i>Crimes Act</i> 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.</p> <p>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.</p> <p>10. Prepares a media release of this motion to be placed on Council's website.</p> <p>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.</p>
--	--	--

#### 4. Discussion

Extensive research was conducted in 2024 to:

- Review community activities conducted by private organisations and public institutions based in Australia and overseas to combat antisemitism.
- Develop a gap analysis specifically for Waverley and local government based on the above.
- Seek to clarify and improve our understanding how organisations/institutions have implemented the IHRA working definition of antisemitism in a practical way.

Following this research, in late 2024 a draft Strategy to Combat Antisemitism was prepared. The first draft of the strategy was reviewed by the NSW Jewish Board of Deputies and the Australian Jewish Museum, with feedback incorporated. This updated draft was then shared with a range of stakeholders at the Mayoral Roundtable on Antisemitism on 7 February 2025.

The Mayoral Roundtable was a facilitated process to receive feedback from stakeholders and hear directly the impact of antisemitism and work being undertaken by local Jewish organisations.

Ideas and suggestions addressed a range of topics covered in the Strategy. There was strong agreement around the need to strengthen social cohesion to build community understanding and connection, and to ensure the Jewish community, instead of being singled out, is supported by a community of allies. Stakeholder feedback was incorporated into the final draft, along with suggestions from the Multicultural Advisory Committee.

#### 5. Financial Impact

Some activities can be covered in operational budgets. Funding opportunities (grants) may become available and will be actively pursued to support implementation. Some actions rely on coordination of existing resources or can be implemented through partnerships with relevant groups and organisations with current commitments, resources, targeted programs or supports. Where additional resources are required, assistance can be sought through Council processes.

#### 6. Risks/Issues

Implementation of the strategy will need to be managed carefully. Actions will need to be responsive and adaptive to address current and emerging developments impacting on Waverley's community and make use of every opportunity to strengthen social cohesion and community connectedness.

#### 7. Attachments

1. Strategy to Combat Antisemitism [↓](#)



# Strategy to Combat Antisemitism

[waverley.nsw.gov.au](http://waverley.nsw.gov.au)



Department	Community Programs
Approved by	<Council>
Date approved	March 2025
File reference	A25/0307
Next revision date	March 2029
Relevant legislation	Anti-Discrimination Act (1977) Multicultural NSW Act (2000) Multicultural NSW Strategic Plan (2021-2025) Racial Discrimination Act (1975) Human Rights and Equal Opportunity Act (1986) Australian Human Rights Framework (2010) Australian Multicultural Policy, The People of Australia (2011) The Universal Declaration of Human Rights (1948) The International Convention on the Elimination of all Forms of Racial Discrimination (1975) Crimes Amendment (Inciting Racial Hatred) Bill 2025
Related policies/ procedures/guidelines	Cultural Diversity Strategy 2021-2031

# Acknowledgement and our reconciliation vision

Waverley Council acknowledges the Bidiagal, Birrabirragal and Gadigal people, who traditionally occupied the Sydney coast.

We also acknowledge Aboriginal and Torres Strait Islander Elders both past and present.

Our vision for reconciliation is for Waverley to be a vibrant, resilient, caring, and inclusive community where Aboriginal and Torres Strait Islander peoples:

- Practice and celebrate their culture and heritage proudly
- Are honoured for their survival and resilience, and supported to continue to overcome adversity
- Are respected and acknowledged as First Nations peoples with the right to determine their own futures.

Council will continue to value and protect our environment with respect to Aboriginal and Torres Strait Islander peoples' intrinsic relationship with the land and waters.





# Mayor's Introduction

Waverley is home to a thriving Jewish community that can trace its history back to the start of European settlement in Australia. Over many decades the Jewish community has enriched our local area through arts and culture, business, education, and communal and civic leadership. Despite this long and enduring connection, the Jewish community has been subjected to an alarming rise in hate known as antisemitism taking the form of targeted vandalism, hate speech, and violence.

Antisemitism has no place in our society.

This strategy outlines our commitment to combat all forms of antisemitism. We are dedicated to ensuring that Waverley remains a place where Jewish residents and the Jewish community are respected, valued and safe.

Like many local government areas in Sydney, Waverley is proudly diverse, home to people of many backgrounds, languages, faiths, and cultures. This diversity is our strength, fostering a welcoming, connected and engaged community.

Combatting antisemitism requires a coordinated effort across all tiers of government – local, state, and federal. Each level has a unique role to play in addressing social cohesion, ensuring public safety, and fostering inclusive communities.

As the level of government closest to the people, local councils have a crucial role in creating a safe, inclusive environment where every resident can thrive. That is why we are launching the first Antisemitism Strategy at the local government level – a clear, coordinated framework to strengthen our community's resilience against hatred and extremism.

By working together, we can overcome these challenges and ensure that Waverley remains a place of harmony and respect for all.

I look forward to Waverley Council making this vision a reality.

**Will Nemesh**  
Mayor of Waverley



# Contents

Mayor's Introduction	
1. Background	6
2. Purpose	7
3. Scope	7
4. Content	8
4.1 What is antisemitism	8
4.2 What are hate crimes and hate incidents	9
4.3 Why have a strategy specifically addressing antisemitism	9
4.4 Who are the Jewish people - Waverley's Jewish community, Judaism and identity	10
4.5 What is social cohesion and why it matters	11
4.6 Council's efforts in combating antisemitism and strengthening social cohesion	12
4.7 Council's position on antisemitism	13
5. Review	14
6. Definitions	14
7. Action planning & toolkit	15
7.1 Clearly define the roles of Council, its partner agencies and other stakeholders	15
7.2 Frameworks and plans boosting Council's response capabilities	16
7.3 Collaboration with specialist organisations to support meaningful activities	16
7.4 Strengthening existing mechanisms and initiatives and measuring impact	16
7.5 Themed community activities	17



# 1. Background

Waverley is home to a diverse multicultural community that includes people from all around the world who speak different languages and adhere to various beliefs. It is a popular destination for local, national and international visitors.

Waverley is also home to a large Jewish population with an extensive local history. It is a community which has built a vibrant presence through established businesses, schools, synagogues, and community organisations.

Within Waverley, there are:

- 12 faith based organisations including synagogues.
- Two Jewish Schools (Pre-school – 12) an early education centre, and family day care providers.
- Multiple community organisations that provide services and support to the Jewish and broader community including sporting and recreation opportunities, education, and social services.
- Jewish businesses which provide products and services that assist the community maintain cultural practice.

All of Waverley falls within the Sydney Eruv, which allows people to push a pram, to use a wheelchair or walking frame, or simply to carry house keys, reading glasses or food during Shabbat.

Judaism is Waverley's second largest religion, representing 16% of Waverley's total population (more than 11,000 residents).

Unfortunately, the Jewish community has been subject to a significant increase in antisemitism locally and toward the Jewish community more broadly. As stated by the Sydney Jewish Museum, 'prejudice against Jewish people is one of the oldest forms of hate, so pervasive it has its own name: antisemitism'.

Waverley Council has long been committed to strengthening and nurturing a welcoming, cohesive and resilient community where people of all cultural backgrounds can belong and participate in Waverley's social, cultural, economic and civic life. Council's Cultural Diversity Strategy 2021-2031 demonstrates this strong commitment. One focus area, No Place for Racism, outlines Council's vision of "a community where racial and religious discrimination and prejudice have no place, and those vulnerable to these threats are protected."

As part of these efforts, Waverley Council has been proactive in supporting the Jewish community and celebrating Jewish life by hosting initiatives including

- the Sydney Jewish Writers Festival every year
- celebrating Jewish festivals
- providing grant opportunities for socio-cultural events
- in 2021, formally adopting in full the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism, including all IHRA examples of antisemitic behaviour in contemporary life.

These examples serve as a powerful demonstration of Council's unwavering support of its local Jewish community. While antisemitism most directly and intensely affects the Jewish community, antisemitism also threatens the democracy, values, safety, and rights of all Australians.

Following the 7 October 2023 attacks in Israel, there has been an unprecedented rise in antisemitism globally and locally, prompting Council to move several motions to address rising incidents of vilification and hatred directed towards the Jewish community. This strategy outlines practical steps to address this.





## 2. Purpose

**Waverley's vision is for a community where Jewish residents feel welcome, safe, valued and included through delivering practical actions which increase people's sense of safety, confidence and trust.**

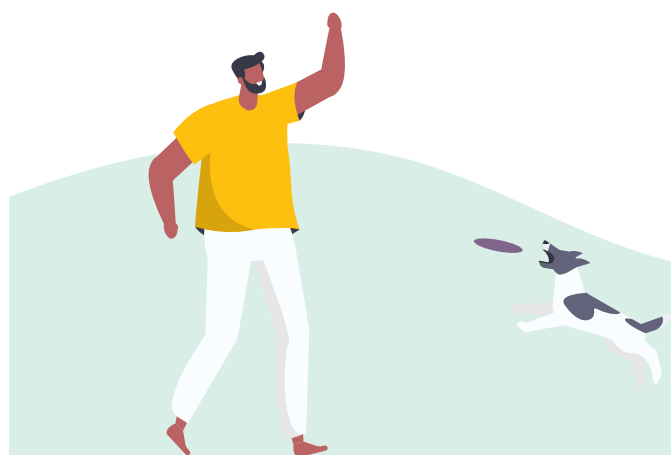
This strategy was developed in response to the rise of antisemitism in the local community and aims to ensure Waverley Council helps create a community where there is no tolerance for any form of antisemitism and racism more generally.

The strategy builds a shared understanding of how antisemitism arises and how it must be fought by empowering, leading, and supporting a whole of community approach to strengthen social cohesion.

## 3. Scope

This strategy primarily articulates Council's scope of influence and strengthens its focus on core responsibilities: maintaining and promoting peace, security, and inclusion at the local level, while collaborating with regional, state and national agencies and organisations to bolster and consolidate joint efforts in the fight against prejudice, discrimination and hate crimes.

The strategy complements and should be read in conjunction with Council's Cultural Diversity Strategy 2021-2031. In the face of rising antisemitism globally, it is hoped the strategy, along with related policies and action plans developed by Waverley Council, can be used as a template for other local government areas more broadly within NSW and across Australia.



## 4. Content

### 4.1 What is antisemitism

Antisemitism is often called “the oldest hatred” and manifests in many ways including hate speech, destruction of property, graffiti and physical violence.

For over 2,000 years, Jews have been targets for persecution and racism for their practices, their beliefs, their identity—even their very existence. They have been expelled from their homes and denied the ability to practice certain occupations or jobs. Jews have systemically been denied citizenship or had their citizenship revoked. Antisemitism has enabled some of the darkest moments in history, including the Nazi campaign to exterminate the Jewish people during the Holocaust in which 6 million Jews were murdered, with 1.5 million of those children.

Antisemitism arises in many forms and its definition has been the subject of extensive discussion. Australia is a member of the International Holocaust Remembrance Alliance (IHRA), which has provided a working definition touching on the various ways antisemitism arises.

In 2021, Waverley Council endorsed and formally adopted in the full the IHRA working definition of antisemitism, including all IHRA examples of antisemitic behaviour in contemporary life.

The IHRA working definition of antisemitism begins as follows:

‘Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.’

The IHRA’s working definition is supplemented with contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, demonising, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
- Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.

Other examples relate to criticism of Israel. However, the IHRA emphasises that criticism of Israel, within the same framework as criticism of other states, cannot be regarded as antisemitism.

## 4.2 What are hate crimes and hate incidents

According to NSW Police, a hate crime is any crime motivated by hate, prejudice or bias towards a person or group of people because of their:

- Race Religion or Faith
- Ethnic/National Origin
- Sex or Gender
- LGBTQA+
- Mental or Physical Disability
- Political
- Homelessness
- Age (discrimination)
- HIV/AIDS Status

Hate Crime and hate incidents happen daily in New South Wales, but studies show they are under reported. The New South Wales Police Force takes all crimes seriously including hate motivated crimes. The New South Wales Police Force has a dedicated Engagement and Hate Crime Unit that oversees and works with all Police Area Commands and Police Districts, to investigate hate motivated incidents<sup>1</sup>.

Using this definition, the antisemitic incidents that have been taking place in New South Wales including offensive graffiti, the use of prohibited symbols and destruction of property would be considered as 'hate crimes' and referred to New South Wales Police.

The NSW Jewish Board of Deputies also assists individuals and organisations to respond to antisemitic incidents. The Board of Deputies offers an online reporting portal to make it easier to report antisemitic bullying and choose whether to provide details or be anonymous.

In December 2024, the Australian Federal Police set up Special Operation Avalite to investigate threats, violence and hatred towards the Australian Jewish community and parliamentarians.

Strike Force Pearl was established in December 2024 by officers attached to the Counter Terrorism and Special Tactics Command, with support from the Central Metropolitan Region, to investigate hate crimes with an antisemitic focus across Sydney.

<sup>1</sup> [https://www.police.nsw.gov.au/crime/hate\\_crimes](https://www.police.nsw.gov.au/crime/hate_crimes)

<sup>2</sup> <https://www.adl.org/>

<sup>3</sup> <https://www.ecaj.org.au/wordpress/wp-content/uploads/ECAJ-Report-Anti-Jewish-Incidents-Australia-2024-1.pdf>

## 4.3 Why have a strategy specifically addressing antisemitism

The figure below referred to as the pyramid of hate by the Anti-Defamation League describes how biased attitudes can progressively lead to acts of violence<sup>2</sup>.



© 2018 Anti-Defamation League

Waverley Council has a resilient and proud Jewish community with a long and deep connection to our local government area. Approximately 11,000 Waverley residents identified Judaism as their religion in the 2021 ABS Census, representing 16% of Waverley's population, the largest proportion in NSW. Additionally, many Jewish residents identify culturally as Jewish rather than religiously.

Despite Waverley's reputation and global attractiveness as a safe and welcoming community, Jewish residents have at times reported isolated local incidences of antisemitism. However, recently there has been an alarming rise in antisemitism (more than 300% in the period between October 2023 and September 2024)<sup>3</sup>, reigniting fear and trauma for the local community.

Many of the recent antisemitic attacks that have occurred in Sydney have occurred in the Eastern Suburbs. These attacks impact the whole community and weaken our social fabric. Reporting does not include the increased incidence of online hate speech.

#### 4.4 Who are the Jewish people - Waverley's Jewish community, Judaism and identity

Jewish people have been part of Australia's history since 1788 when the First Fleet arrived. Migration continued from Britain and Europe and was heightened following the horrors of the Holocaust and displacement of hundreds of thousands of Jewish people during World War II<sup>4</sup>. Throughout Australian history, Jews from around the world have arrived on our shores in search of sanctuary. Jewish people have found a home here and continue to shape the story of our Australia through invaluable and ongoing contributions to the arts, culture, law, justice, business, medicine, sports, science, freedom, equality, and so much more. Further information about Waverley's Jewish history can be found in Appendix 1.

27% of people practicing Judaism in NSW are based in the Waverley LGA, with a large proportion residing in Dover Heights (50% of residents), Rose Bay (39%), Vaucluse (32%) and North Bondi (22%). It is important to remember that, in addition, many Jewish residents identify culturally as Jewish rather than religiously.

Waverley is also home to many Jewish community organisations, synagogues, service providers, religious and education institutions, and businesses, many of which provide services to residents beyond the Waverley community.

**Jewish identity** is complex and diverse and, as a result, very often misunderstood.

While some communities and organisations such as the Pew Research Centre, consider religion as a core part of Jewish identity, many Jewish people who are not observant Jews have a strong Jewish identity connected to their ancestry, ethnicity and cultural background. It is important to acknowledge the diversity that exists within Waverley's local Jewish community, giving rise to vastly different expectations, experiences, opinions and perspectives, all of which need to be recognised and valued as expressions of Waverley's rich cultural heritage.

**Jewish ethnicities** include the Ashkenazi Jews, the Sephardi Jews, and the Mizrahi Jews as noted by the Sydney Jewish Museum<sup>5</sup>. The term Ashkenazi Jews is used to describe Jewish people from the Caucasus and Europe. From Europe, Ashkenazi Jews spread their customs to other parts of the world, especially North and South America. Nowadays, most Australian Jews have Ashkenazi heritage.

Mizrachi and Sephardi Jews are those who came largely from the Iberian peninsula which included modern day Spain and Portugal and also from Arab and Muslim countries. Many of these communities were expelled from those countries in 1948 after the creation of the State of Israel.

**Judaism** is practiced in various ways, ranging from strict accordance with the Torah, to those attending a Shabbat dinner or celebrating some Jewish holidays such as Chanukah. Food often plays a key role in maintaining these cultural practices

A recent Monash University Survey - Australian Jews in the Shadow of War (2024) highlighted that a very large proportion (82%) of Jewish people have personal social connections to Israel through close family members and friends who live there.

The vast majority (93%) of Jewish people in Australia have visited Israel. Indeed, most have visited more than once and one in five (20%) has either lived there or was born there<sup>6</sup>.

The Australian Jewish Community Survey, known as Gen17, a nationwide study of nearly 9,000 people conducted by JCA and the Australian Centre for Jewish Civilisation (ACJC) at Monash University in 2017, explores the concept of Jewish identity in more detail, including 'remembering the Holocaust,' and 'combating antisemitism' as a shared Jewish experience.

<sup>4</sup> <https://www.naa.gov.au/help-your-research/fact-sheets/jewish-experience-australia>

<sup>5</sup> <https://thejewishindependent.com.au/im-not-exotica-im-jewish-just-like-anyone-from-central-synagogue>

<sup>6</sup> [www.monash.edu/?a=3695768](http://www.monash.edu/?a=3695768)

## 4.5 What is social cohesion and why it matters

The Scanlon Foundation defines social cohesion as ‘the willingness of members of a society to cooperate with each other in order to survive and prosper’. A cohesive society values the contributions of all its members, rejects prejudice and inter-group hostility, and builds commitment to core democratic values and wide participation in decision making. Put simply, based on the Resilient Cities Network handbook, there are three key factors for social cohesion to exist:

- Relationships across community groups
- Trust between community members
- Trust in public institutions.

Where antisemitism and other forms of hatred are pervasive, democracy and Australian values are at risk. So too are freedom, security, and stability. Antisemitism, like numerous forms of hate, seeks to divide Australians from one another. It undermines our democracy and erodes trust in government, social institutions, and the basic values of our society. Antisemitism is not only a threat to Jewish people - it is a threat to us all.

### Current threats to social cohesion

Social cohesion in Australia is seen to be under pressure - violence in the Middle East has sparked protests at home and strained interfaith relations (Chamas & Ford, 2023), compounding an already fragile context related to other domestic pressures such as economic divides, the COVID lockdowns, and the Voice to Parliament Referendum.

### What is Council's role in fostering social cohesion?

As the level of government closely connected to the community, with knowledge about and existing connections to the community, local government has a significant role to play in facilitating social cohesion through place-based initiatives that address local challenges and build stronger, more resilient communities<sup>7</sup>.

In February 2025, Waverley Council co-hosted a Social Cohesion roundtable. 20 Mayors and Deputy Mayors attended, including the co-hosts Liverpool Council, Inner West Council, Randwick Council and Woollahra Council. Participants unanimously supported a joint statement of commitment which unites councils in the fight against violence, hatred, and extremism through collaboration and partnerships.

<sup>7</sup> [https://credconsulting.com.au/wp-content/uploads/2022/06/Cred-Consulting\\_Social-Cohesion-Local-Government-Resource.pdf](https://credconsulting.com.au/wp-content/uploads/2022/06/Cred-Consulting_Social-Cohesion-Local-Government-Resource.pdf)



4.6 Council’s efforts in combating antisemitism and strengthening social cohesion

Council has long been committed to combating discrimination and promoting inclusion and social cohesion for everyone in Waverley, including Jewish community members.

Examples of Council’s efforts in combating antisemitism include:

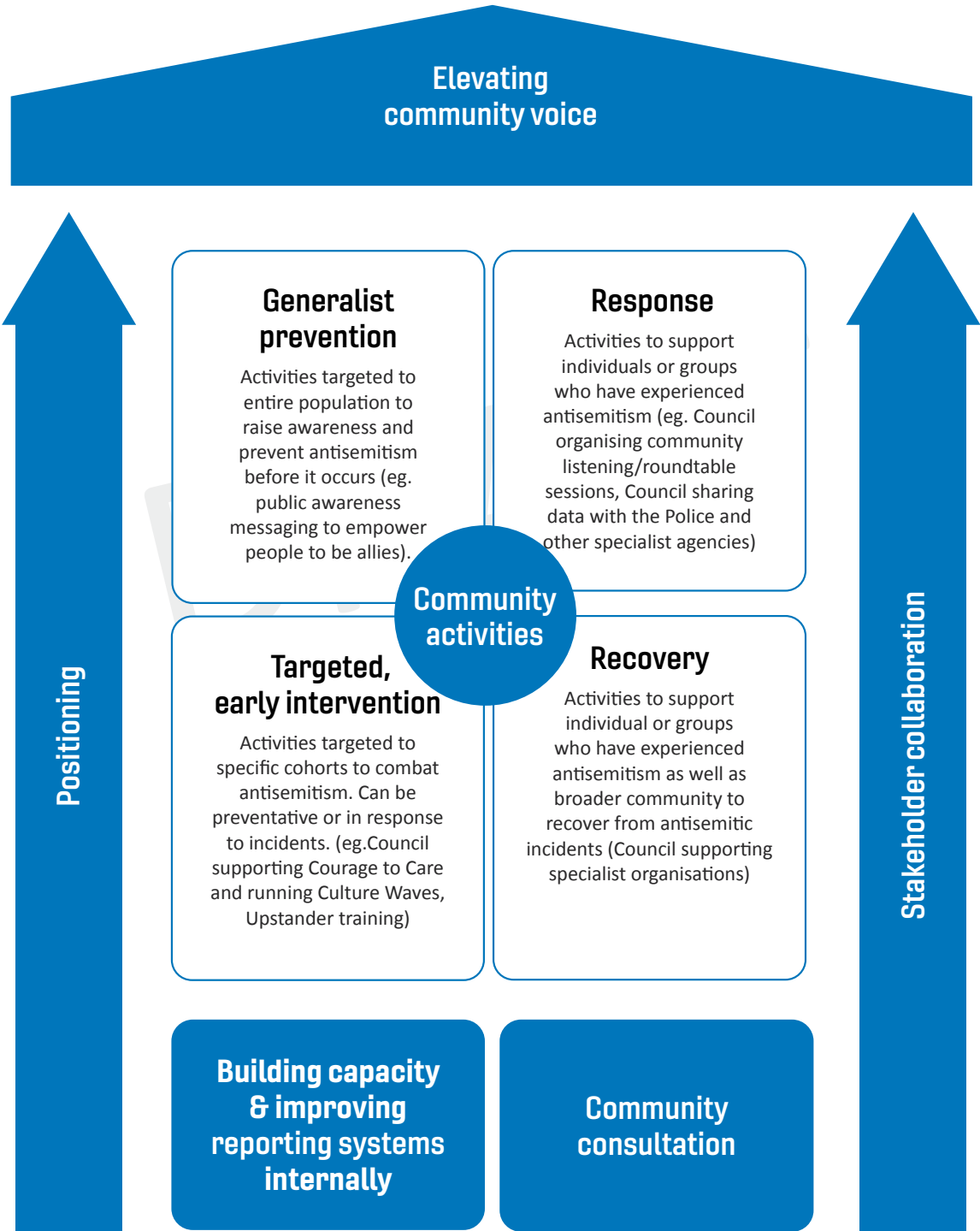
Community activity

Leadership, planning and advocacy	Adoption of the IHRA definition of antisemitism
	Council motions and media releases
	Providing grants and in-kind support to Jewish community organisations for social and cultural community events.
	Supporting Jewish organisations to deliver mental health services following Hamas’ attacks on Israel on 7 October 2023.
Public education and awareness	Hosting the Shalom Institute’s Annual Sydney Jewish Writers Festival at the Bondi Pavilion
	Delivery of and support for public programs raising awareness of antisemitism, including 2024 Anti-racism author talk (Simon Tedeschi in conversation with Sheila Ngoc Pham)
	Developing resources and materials highlighting the history and contributions of our Jewish community. (e.g. celebration of Jewish community milestones in Waverley, Eat Pray Naches, 26 feature stories now also featured in the Bondi Story Room, Eat Pray Naches school activity kit.)
	Babi Yar Massacre Plaque at Waverley Park
Intercultural and interfaith understanding	Council has received a NSW Government social cohesion grant to develop and implement a youth program entitled ‘Culture Waves’ that tackles racism and antisemitism in a broader context
	Hosting the annual Menorah Lighting Ceremony and installation of a giant public Menorah to mark Chanukah
Community Engagement	Maintaining various sections of the Sydney Eruv which are situated in the Waverley LGA, including the railings and flag posts along Bondi Beach Promenade. As orthodox Jewish people are prohibited to carry outside of their homes on the Sabbath, this virtual fence is a practical means of extending the area within which orthodox Jewish people are allowed to undertake various activities on the Sabbath (Saturday).
	Raising awareness about contributions by Jewish organisations to the local community through internal and external events and communications (e.g. meals prepared with Our Big Kitchen, staff induction, volunteer expo).
Monitoring and tracking	Facilitating reporting of antisemitic incidences through established channels including the NSW Police and National Graffiti Register

4.7 Council’s position on antisemitism

Council has been clear that antisemitism will not be tolerated and has taken steps to combat it.

In summary, the approach taken follows the outline below:





## 5. Review

This document will be reviewed in 2029, or sooner, depending on the local context, as directed by Waverley Council.

## 6. Definitions

TERM	DEFINITION
Antisemitism	<p>Antisemitism is one of the oldest forms of racism that has taken many forms over time. A working definition of antisemitism has been developed and adopted by many governments around the world through the International Holocaust Remembrance Alliance (IHRA), of which Australia is a member.</p> <p>Currently, Australia accepts the IHRA definition as legally non-binding but of important influence in decision making. Waverley Council adopted the IHRA definition, as outlined in this Strategy: <b>“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></p>
Holocaust	<p>The Holocaust (in Hebrew, Shoah) refers to the organised, bureaucratic, state sponsored persecution and murder of approximately six million Jews by Nazi Germany and its collaborators between 1933 and 1945 across Europe and North Africa.</p> <p>During the Holocaust, German authorities also targeted other groups because of their perceived ‘racial inferiority’ including Roma and Sinti communities, people with disability, LGBTQIA+ people, ‘perpetual’ criminals, Jehovah’s Witnesses and Communists. The Holocaust was an unprecedented genocide, total and systematic, with the aim of annihilating the Jewish people.</p>
Jewish People	<p>The Jewish People are an ethno-religious group whose origins lie in the ancient Middle East, roughly coming from the territory of modern Israel, also known as the Levant or ancient Canaan, sometime before 1000 BCE. Upon examining the history and heritage of the Jewish people through DNA, archaeology and other historical primary sources it is found that Jews have one of the longest continuously recorded histories of any people in the world. In the modern world, a Jewish person can be defined as someone who is born Jewish or who has converted to Judaism, as outlined in this strategy.</p>
Social cohesion	<p>Social cohesion is ‘the willingness of members of a society to cooperate with each other in order to survive and prosper’. A cohesive society values the contributions of all its members, rejects prejudice and inter-group hostility, and builds commitment to core democratic values and wide participation in decision making.</p>
Torah	<p>The Hebrew Bible or Old Testament (called the Tanakh in Hebrew) is the foundational text of Judaism. It is made up of the Torah (Teachings), Nevi’im (Prophets), and Ketuvim (Writings).</p>
Zionism	<p>A movement advocating for Jewish self-determination, through the re-establishment and support of Jewish people on their ancestral homeland.</p>



# 7. Action planning & toolkit

## 7.1 Clearly define the roles of Council, its partner agencies and other stakeholders.

Countering antisemitism demands a whole of society effort that responds to current threats of escalating hatred and lays the foundation for reducing antisemitism over time, addressing the challenge of antisemitism as both urgent and enduring.

A broad range of activities that local governments could deliver and/or support are possible to help to combat antisemitism. These range from activities that aim to prevent antisemitism for the whole population, through to targeted early intervention programs identifying specific cohorts such as young people, through to activities to respond to and support communities to recover from antisemitic incidents after they occur (Figure 1).

Local governments are well placed to deliver and support generalist community activities, as typically they lack the in-house expertise, skills and experience

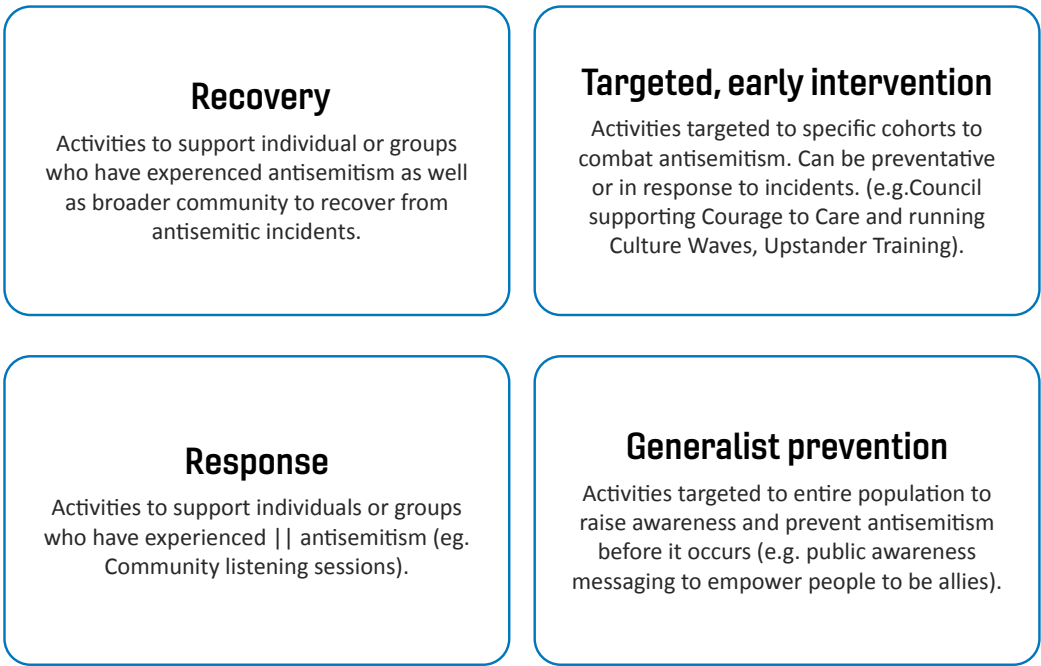
to deliver targeted, specialised activities which may be better delivered by, or in partnership with, external groups and organisations.

The strategy includes the following aspects:

1. Increase understanding and awareness of antisemitism.
2. Improve the safety and security for the Jewish community.
3. Reverse the normalisation of antisemitism and racism of any kind.
4. Build community solidarity and collective action to combat hate.

The strategy recommends that Council should work in partnership with external organisations, including the State Government, New South Wales Police and community organisations such as the NSW Jewish Board of Deputies and Sydney Jewish Museum, to clearly define roles and remit against each of these levels of intervention.

Figure 1 Community activities to combat antisemitism, from prevention to recovery



## 7.2 Frameworks and plans boosting Council's response capabilities

Knowing that Council has a proactive approach to combatting antisemitism can help to build trust and confidence within the Jewish community and among the broader population. It sends a clear message that discrimination will not be tolerated and that the Jewish community is an important and valued part of the Waverley community.

One of the reasons to develop a framework or plan, is because antisemitic incidents can escalate quickly and may require immediate action. There is a growing number of cities and countries with antisemitism frameworks or plans in place. This draft strategy is intended to provide this kind of framework, alongside the state and federal government, as well as Council's own Cultural Diversity policies.

Having a framework or plan in place allows Council and partners to respond swiftly and effectively to crises, providing support to those affected and taking measures to prevent further escalation

## 7.3 Collaboration with specialist organisations to support meaningful activities

There is a risk of being performative or tokenistic in the delivery of community activities designed to combat anti-racism and antisemitism. Particularly when forced to respond to crisis situations quickly or when there is a lack of accountability.

The draft strategy recommends that Council collaborates or partners with specialist organisations, such as the Sydney Jewish Museum, to understand what type of evidence-based activities they can support that will have meaningful change in attitudes and behaviours.

### All of Council Area Call to Action

All Waverley Councillors will complete an awareness training session at the Sydney Jewish Museum.

Schools that fall into the Waverley catchment area will be encouraged to take their students to the Sydney Jewish Museum for awareness training, and to engage in programs including 'Courage to Care'.

## 7.4 Strengthening existing mechanisms and initiatives and measuring impact

Waverley Council is already delivering a range of community activities that aim to combat racism and discrimination in all its forms. Many social, arts and culture events and initiatives, from Council's small grants funded programs to the Jewish Writers' Festival invite the community to come together to celebrate and support Waverley's Jewish community.

There is opportunity for Council and partner agencies to review and track how existing initiatives could be strengthened, modified or enhanced.



7.5 Themed community activities

Table 1 provides an overview of community activities by theme.

Table 1 Community Activities

COMMUNITY ACTIVITY	TYPE (SEE FIGURE 1)	TARGET GROUP(S)
<b>Leadership, planning and advocacy</b>		
Antisemitism community forums	Prevention Early intervention	Stakeholders
Antisemitism frameworks and plans	Prevention Early intervention	General community
Antisemitism statements	Response	General community Stakeholders
Build awareness and capacity of Council leadership and staff	Prevention and response	Council staff
<b>Public education and awareness</b>		
Public awareness campaigns (posters, podcasts)	Prevention	General community
Educational programs and workshops on how to identify and respond to antisemitism for service providers and community	Prevention	Service providers
Educational resources to promote respectful dialogue following crises and practical ways to be allies and upstanders	Prevention Early intervention	Young people & General community
Celebrating Jewish life (e.g. short films, marking Jewish holidays etc)	Prevention	General community

Table 1 Community Activities continued...

COMMUNITY ACTIVITY	TYPE (SEE FIGURE 1)	TARGET GROUP(S)
<b>Intercultural and interfaith understanding</b>		
Interschool exchange programs	Prevention Early intervention	Young people
Intercultural social and recreational programs	Prevention	Targeted cohorts
Intercultural food exchange programs	Prevention	Targeted cohorts
<b>Community engagement</b>		
Targeted listening sessions with impacted communities	Response	Targeted cohorts
<b>Monitoring and tracking</b>		
Facilitating reporting of antisemitic incidences through established channels	Response	Targeted cohorts
Reporting on antisemitism through established channels		
Measuring community sentiment related to community safety	Prevention	Targeted cohorts

Focus areas for combating antisemitism

FOCUS AREA	ACTIVITY	ACTIONS
Positioning Council	<p>Waverley Council’s adoption of the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism has strengthened its role to demonstrate leadership and commitment in maintaining peace, security, and inclusion for everyone. Given the impacts of global events on local communities and the threat this poses for social cohesion, educating the community and raising awareness of the various forms through which antisemitism manifests itself is crucial.</p> <p>Keeping information easily accessible and public facing on key channels will help demonstrate Council’s commitment to combating antisemitism, maintain open dialogue about the role of Council, and refer the community to reporting and referral helplines.</p>	<ul style="list-style-type: none"><li>• Build awareness and capacity of Council leadership and staff</li><li>• Promote Social cohesion frameworks and plans</li><li>• Publicise statements condemning Antisemitism</li><li>• Promote the IHRA definition of antisemitism</li><li>• Take on leadership roles during crisis</li><li>• Promote information and public education on antisemitism</li><li>• Work with police around safety and public infrastructure including security assessments</li></ul>
Consolidating Internal Mechanisms	<p>To effectively tackle antisemitism, it is suggested that Waverley Council keeps track of racist and antisemitic incidents that occur within its Local Government Area. This would include internal teams maintaining a register based on existing information reported to Council. This will enable Waverley Council to monitor trends, intervene promptly, and develop data-driven policies that respond to emerging challenges.</p>	<ul style="list-style-type: none"><li>• Facilitate and improve reporting of antisemitic incidences including keeping a record and reporting to Council every six months</li><li>• Report on antisemitism</li><li>• Promote public awareness on reporting antisemitism and resources such as the New South Wales Board of Deputies antisemitism portal</li><li>• Establish pathways and facilitate easy community access to connect with the Community Security Group, NSW Police, e - safety commissioner, NSW Jewish Board of Deputies and the Australian Human Rights Commission around monitoring incidents</li><li>• Understand and monitor protest compliance</li><li>• Prepare emergency response plan for responding to antisemitism</li></ul>

## Focus areas for combating antisemitism continued...

FOCUS AREA	ACTIVITY	ACTIONS
<b>Internal Engagement and Capacity Building</b>	<p>Waverley Council recognises that education and awareness are key to addressing antisemitism at its root.</p> <p>As part of its commitment to inclusion, Council's staff induction will include information about the local Jewish community, and antisemitism and social cohesion more broadly.</p> <p>Additionally, relevant information on combating antisemitism will be shared through the internal newsletter, keeping staff informed and equipped to contribute to a more inclusive environment.</p>	<ul style="list-style-type: none"> <li>• Review and improve induction materials including Senior Management and Councillors visiting the SJM and Synagogue at the beginning of each Council term</li> <li>• Continue implementation of Cultural Diversity Strategy with reference to antisemitism</li> <li>• Prepare materials for targeted communication and engagement</li> <li>• Review cultural learning needs with Organisational Development team</li> <li>• Assess additional training needs for frontline staff related to prohibited terms and symbols that should not be displayed at protests or reproduced/disseminated</li> <li>• Provide community information about approval processes relating to protests/community gatherings in public spaces</li> <li>• Review library collections and HSC study materials, as well as generalist educational resources supporting learning and engagement with Jewish topics (ie Suzanne Rutland and Jonathon Sacks)</li> </ul>
<b>Engagement in local networks and specialist organisations</b>	<p>Waverley Council understands that combating antisemitism requires collective action and collaboration. We are actively strengthening ties with local Jewish organisations and ensuring their voices are heard in planning and policy discussions.</p> <p>Waverley Council will continue to refer community members to subject-matter experts and engage with networks at all levels to canvass engagement and support options for Jewish residents.</p> <p>Opportunities may exist to work with neighbouring councils (Woollahra, Randwick City and City of Sydney Council) to form a resilience/ preparedness working group alliance. This group would develop shared information/resources in support of incident response/prevention in collaboration with other authorities and build on the lessons learnt of other councils.</p>	<ul style="list-style-type: none"> <li>• Convene targeted networks</li> <li>• Strengthen partnerships and collaborative actions</li> <li>• Keep a database of Jewish community organisations</li> <li>• Host meetings between the Mayor and NSW JBD at the beginning of each term</li> <li>• Support community efforts by providing grants and resources</li> <li>• Design public awareness campaigns and educational resources to promote respectful dialogue</li> <li>• Review and update actions under Council's 'United to End Racism' campaign and anti-racism strategies (eg bystander action against racism and allyship training)</li> <li>• Support educational programs and workshops on how to identify and respond to antisemitism for service providers and community utilising expertise of organisations including the Sydney Jewish Museum</li> <li>• Connect with schools and the Department of Education in support of educational programs and locally available opportunities for school engagement</li> <li>• Identify opportunities for place-based collaboration</li> <li>• Explore formation of resilience/preparedness alliance</li> </ul>

## Appendices

### Appendix 1 – Jewish People, Places and Stories in Waverley

In 1828, Barnett Levey built a two-storey Georgian-style house called 'Waverley' on 60 acres of land near Bondi Junction. Thirty years later, it gave the municipality its name.

Barnett was the first Jewish free settler in the colony. He followed his convict brother Solomon to NSW in 1821 and within seven years had built the colony's first permanent performing arts venue, the Theatre Royal – behind his Royal Hotel on George Street, where the Dymocks building stands today. Proceeds from the pub helped finance the theatre.

Sydney Hakoah Football Club was established by German and Austrian refugees in 1938 who were keen to resume soccer. During the 1950's, Hakoah was instrumental in forming the NSW Federation of Soccer Clubs, and in the 70's the National Soccer League. Between 1975 and 2009, the Hakoah Club, one of Bondi's important cultural hubs, was in Hall St, Bondi.

Sydney David Einfeld (1909–1995), was a Jewish community leader and politician, who was a founding member of the Sydney Young Men's Hebrew Association in 1929, and the NSW Jewish Board of Deputies in 1945. In 1952 he became president of the Australian Jewish Welfare Society (AJWS) in Sydney for 27 years. In 1952 he commenced the first of four terms as president of the Executive Council of Australian Jewry. By the 1960s his reputation for leadership led to his appointment to several national and worldwide organisations, including the Australian Council for International Development and the International Council of Voluntary Agencies. He received the Maurice Ashkanasy award for Australian Jew of the Year in 1969.

Einfeld also entered parliamentary politics in the 1960s. In November 1965 he stood successfully for Bondi (Waverley from 1971). Shortly after Einfeld's retirement, Rabbi Raymond Apple stated that the Sydney Jewish community owed 'more to him than it does to any other man' (Andgel 1988, 208). Syd Einfeld Drive at Bondi Junction, and the Syd and Billie Einfeld Forest in Israel, commemorate him.

The Eze Moses spice shop in North Bondi is fondly remembered as a local business established in the mid-20th century and flourished for 50 years. Eze's (Ezekiel's) father Kelly Moses had opened a spice 'market' in his family garage at 113 Brighton Boulevard during the early 1950s, but it had soon outgrown its

premises, and Eze had decided to take it over and move it to 108 Brighton Boulevard. It remained there till 2001, known throughout Sydney and beyond, and in the 1950s it was one of the few shops – possibly the only shop – at which Sydneysiders could buy fresh spices. The business's official name was Eze & Son, but almost everyone knew it as Eze Moses. At its height, it was reportedly so popular that on Sundays, customers double parked on Brighton Boulevard just to get inside.

The only Harry Seidler religious building – a Synagogue in Flood St Bondi was built between 1958 and 1961. The synagogue is recognised as a ground-breaking building for its time and displays architect Seidler's distinctive interpretation of the Bauhaus style. It also has strong historical significance for the development of Jewish religion in NSW because it is the first Talmudical school with integral synagogue.

In the 1960s and '70s, the Bondi Pavilion steps became an increasingly popular meeting place at which people could relax, play chess or cards, and drink coffee. Groups of people who were growing up at the time gave the steps various names, such as the Jerusalem Steps. For Waverley's many Jewish immigrants, Bondi Beach was a haven, and when socialising on the Jerusalem Steps, they felt liberated, free and secure and enjoyed a sense of belonging.

The Sydney Eruv became operational on Shabbat Shelach, 28 Sivan 5762 - 8 June 2002. It is constructed in accordance with the direction and halachic approval of Rabbi Shimon Eider, the world-renowned authority on Eruvin. The Sydney Eruv is unique in that it is one of the few Eruvin in the world that has many solid boundaries, 'mechitzot'. The Sydney Eruv help makes Shabbat observance more pleasant especially for families with young children, by enabling them to move around the area more easily.

In 2014, the Executive Council of Australian Jewry hosted a memorial event and the unveiling of a monument at Council's Memorial Gardens in Waverley Park, in honour of the victims of the Babi Yar Massacre in Kiev, one of the largest single massacres of Jews during the Holocaust. The development of and launch of the monument demonstrates the commitment of all levels of government in combatting antisemitism and support for Holocaust commemoration and education.



WAVERLEY  
COUNCIL

GET IN TOUCH

9083 8000

[info@waverley.nsw.gov.au](mailto:info@waverley.nsw.gov.au)

[waverley.nsw.gov.au](http://waverley.nsw.gov.au)

CUSTOMER SERVICE CENTRE

55 Spring St, Bondi Junction, NSW 2022



## REPORT

### CM/7.7/25.03



**Subject:** Planning Agreement - 141-155 Curlewis Street, Bondi Beach

**TRIM No:** SF24/5748

**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 141-155 Curlewis Street, Bondi Beach, offering a total monetary contribution of \$573,680, with \$430,260 (75%) to be allocated to Our Liveable Centres streetscape upgrades and \$143,420 (25%) to be allocated to the Waverley 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 approval to execute the attached planning agreement associated with the approved development application DA-472/2022/A at 141-155 Curlewis Street, Bondi Beach. The application was approved as set out in the table below.

*Table 1. Approval for DA-472/2022/A.*

Item	Approved DA-472/2022/A
Development description	Demolition of buildings and amalgamation of lots and construction of a new part three, part 4 storey shop top housing development with two levels of basement parking and modification to alter internal layout, ceiling heights, basement level
Maximum permissible GFA and FSR	4,158sqm GFA, equating to an FSR of 2:1
Approved GFA and FSR	4,300sqm GFA, equating to an FSR of 2.06:1
GFA exceedance	142sqm GFA, equating to a variation of 3.42% over the permissible GFA

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

Council's Planning Agreement Policy provides a framework for managing the voluntary planning agreement (VPA) process. The policy is founded on the principle of 'value sharing' or 'value capture', which reflects the expectation that developers benefiting from a value 'uplift' through increased development rights should share a portion of this uplift with the community.

In instances where a development exceeds established planning standards and can proceed without resulting in unacceptable impacts, the value sharing mechanism enables the community to derive a net benefit in the form of additional infrastructure and enhanced amenity.

VPAs are legal documents facilitated by the *Environmental Planning and Assessment Act 1979* (the EP&A Act) between developers and government agencies (including councils and the NSW State Government) for the provision of funds or works by the developer for infrastructure, services, or other public amenities. In Waverley, a VPA can be offered by a developer in conjunction with a DA that exceeds the maximum floor space ratio (FSR) permitted for a site.

If the consent authority is satisfied that the proposal is acceptable on planning grounds, a VPA offer will be received and a condition of development consent included in the determination requiring that the VPA be prepared and executed by Council prior to the commencement of work. Council will not approve a development application with a VPA unless it is satisfied that the proposed development is acceptable on planning grounds, having regard to the general heads of consideration set out in section 4.15 of the EP&A Act 1979. These considerations include 'the likely impacts of the development', 'whether a planning agreement has been entered into,' and 'the public interest'. Development that is unacceptable on planning grounds (i.e. creates additional adverse overshadowing impacts from the extra FSR) will not be approved because a developer has offered a VPA.

In Waverley, the VPA contribution amount is determined by the amount of floor space ratio (FSR) exceedance and the suburb of the development site and is intended to reflect 50% of the profit of the additional floor space that exceeds Council's controls. The contribution can include a monetary contribution to Council to fund a public benefit, or a physical in-kind public benefit.

Development standards outlined in the *Waverley Local Environmental Plan 2012* include matters such as maximum building height and maximum FSR. The EP&A Act permits an applicant to exceed their site's maximum building height or FSR (also known as obtaining development 'uplift') for a DA if the consent authority (typically the Council, Local Planning Panel, or NSW Land and Environment Court) considers that the variation does not have an unacceptable impact and meets the objectives of the FSR standard (clause 4.6 variation).

Council is not unique in dealing with variations (non-compliances with development standards) and VPA offers. All councils in NSW are required by the EP&A Act to assess and determine DAs that involve both.

## 3. Relevant Council Resolutions

Nil.

#### **4. Discussion**

##### **Planning agreement under DA-472/2022/A at 141 – 155 Curlewis Street, Bondi Beach**

DA-472/2022/A has been approved with a 142 sqm gross floor area exceedance above the maximum permissible floor space ratio for the site, equating to a variation of 3.42% over the permissible gross floor area (GFA). With reference to Council's benchmark rates listed in the VPA Policy, a total monetary contribution of \$573,680 applies. The original and modified applications were determined by the NSW Land and Environment Court.

##### **Planning agreement's monetary contribution to a public purpose**

Section 7.4 of the EPA 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 \$573,680, with \$430,260 (75%) to be allocated towards Our Liveable Centres streetscape upgrades and \$143,420 (25%) to be allocated towards the Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy.

The recommended public purpose allocated towards Our Liveable Centres streetscape upgrades is expected to support the streetscape upgrades on Curlewis Street directly adjacent to this development.

##### **Public exhibition of the draft planning agreement**

The draft planning agreement was drafted in accordance with section 7.5 of the EPA Act, which requires an agreement to be exhibited for a period of 28 days. The draft planning agreement and explanatory note were exhibited from Wednesday, 5 February 2025, to Wednesday, 5 March 2025, and included:

- Advertising on Council's Have Your Say website.
- Inclusion in the Waverley Weekly email newsletter.
- Email notice to Precincts and Councillors.

##### **Submissions**

Three submissions were received during the exhibition period.

One submission from a resident of Curlewis Street critiqued the public purpose dedication amounts and instead recommended that 75% of the contribution amount should be dedicated to affordable housing and only 25% be dedicated to streetscape upgrades. The resident noted in their submission that the price of apartments in this development is out of reach for most residents and the need for affordable housing.

Another submission recommended that the public purpose dedication instead be spent on shade structures in the Bondi Pavilion courtyard.

One submission expressed disagreement with the general principle of VPAs.

Issues raised in the submissions were reviewed and considered in the context of the proposed public purpose, with the outcome being that the exhibited public purpose remains recommended as being the most appropriate use of funds.

## **5. Financial Impact**

Once the planning agreement has been executed, the applicant will be required to pay a total monetary contribution of \$573,680, in accordance with Council's Planning Agreement Policy.

## **6. Risks/Issues**

The Planning Agreement Policy guides the VPA process to recognise and mitigate risks such as ensuring planning agreements are underpinned by proper strategic land use and infrastructure planning carried out on a regular basis; do not improperly rely on its position in order to extract unreasonable public benefits from developers; and are not used as a means of general revenue-raising or to overcome revenue shortfalls.

The planning agreement document itself, as a contract between Council and the developer, also mitigates the risks associated with levying a development contribution, making provision for scenarios where the developer is unable to satisfy the contribution amount.

Should Councillors propose to amend the public purpose of the agreement, it would need to be re-exhibited and reported back to Council for adoption.

## **7. Attachments**

1. Planning agreement [↓](#)

---

**WAVERLEY COUNCIL**

**(Council)**

**AND**

**CLUTCH DEVELOPMENTS PTY LTD  
(ACN 654 818 497)**

**(Developer)**

---

## **PLANNING AGREEMENT**

**(Development Contribution)**

---

**WAVERLEY COUNCIL  
Council Chambers  
55 Spring 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

2025

**PARTIES**

**WAVERLEY COUNCIL** of 55 Spring Street, Bondi Junction NSW 2022 ABN 12 502 583  
608 ("**Council**")

**CLUTCH DEVELOPMENTS PTY LTD (ACN 654 818 498)** of Level 4, 68 – 72 Waterloo Road,  
Macquarie Park NSW 2113 ("**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 20 December 2023 the Developer caused the Development Application to be made to Council to modify DA-472/2022.
- D.** The Developer subsequently caused the lodgment of an appeal with the Land and Environment Court in respect to the Development Application.
- E.** On 21 August 2024 the Developer offered to enter into this Agreement to make the Development Contribution towards a public purpose in accordance with Council's Planning Agreement Policy if development consent was granted.
- F.** The Development Consent was granted by the Land and Environment Court on 19 September 2024.
- G.** This Agreement is consistent with the Applicant's offer referred to in Recital E.

**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 that relates to any building work, 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-472/2022/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 which is described in Item 4 of the Schedule;

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

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

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

**“Development Contribution Date”** means the time the Development Contribution is to be paid as referred 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 of subdivision thereof;

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

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

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

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

**“Schedule”** means the schedule to this Agreement.

#### 4.2 Interpretation

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



- (a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement;
- (b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney, New South Wales;
- (c) If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day;
- (d) A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars;
- (e) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision;
- (f) A reference in this Agreement to any agreement, Agreement or document is to that agreement, Agreement or document as amended, novated, supplemented or replaced;
- (g) A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement;
- (h) An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency;
- (i) Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning;
- (j) A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders;
- (k) References to the word 'include' or 'including' are to be construed without

limitation;

- (l) A reference to this Agreement includes the agreement recorded in this Agreement;
- (m) A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns; and
- (n) Any schedules and attachments form part of this Agreement.

## **5 DEVELOPMENT CONTRIBUTION TO BE MADE UNDER THIS AGREEMENT**

- 5.1 The Developer agrees to make, and the Council agrees to accept, the Development Contribution to be applied for the Public Purpose.
- 5.2 The Developer must pay the Development Contribution to the Council by bank cheque on or before the Development Contribution Date and time is essential in this respect.
- 5.3 Notwithstanding any other provision herein, the Development Contribution herein, being as set out in condition 13A(a)(ii) of the Development Consent is subject to increase in accordance with paragraph 7 of the offer made by the Developer referred to in Recital E.

## **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 that relates to any building work, 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-472/2022/A, the Developer will at their cost arrange and effect registration of this Agreement under s7.6 upon the title to the Land and as soon as possible will:
- (a) deliver to the Council the Registration Application in registrable form noting the Council as applicant and executed by the owner of the Land and any other person the subject of the warranty in clause 8.3;
  - (b) provide the Council with a cheque in favour of NSW Land Registry Services, or deliver funds electronically as Council may direct, for the registration fees for registration of this Agreement;
  - (c) provide the Council with a cheque in favour of the Council, or deliver funds electronically as Council may direct, 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 that relates to any building work, 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-472/2022/A.
- 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 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 a Construction Certificate that relates to any building work, 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-472/2022/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's obligations herein to provide 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 the Schedule 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 amount payable. In those circumstances, the Developer will be required to pay to the Council the 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 10 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 5 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 5 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 5 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 5 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 Schedule 1;
  - (b) faxed to that Party at its fax number set out below in Item 8 of Schedule 1;
  - (c) emailed to that Party at its email address set out below in Item 8 of Schedule 1.
- 13.2 If a Party gives the other Party 3 business days' notice of a change of its address, fax number or email address, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted, faxed or emailed to the latest address, fax number or email address.
- 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.
  - (d) If delivered by email, when received by the recipient's email server, unless the sender receives an automated notice that delivery has failed.
- 13.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

### **14 APPROVALS AND CONSENT**

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

**15 ASSIGNMENT AND DEALINGS**

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

**16 COSTS**

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

**17 ENTIRE AGREEMENT**

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

**18 FURTHER ACTS**

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

**19 GOVERNING LAW AND JURISDICTION**

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

**20 JOINT AND INDIVIDUAL LIABILITY AND BENEFITS**

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

**21 NON FETTER**

The Developer acknowledges and agrees that:

- (a) in addition to its obligations under this Agreement the Council is also responsible for the conduct and administration of local government in the Waverley Local Government Area;
- (b) this Agreement in no way affects Council's statutory obligations, functions or powers, including without limitation, its obligations, functions or powers in respect of the Development Application, Development Consent and any other approvals required in respect of the works to be carried out under the Development Consent;
- (c) nothing which the Council does or fails to do under this Agreement will limit or otherwise affect the Developer's obligations under the Development Consent; and
- (d) nothing which the Council does, fails to do or purports to do in performing the Council's statutory functions or powers will constitute or amount to a breach of this Agreement.

**22 REPRESENTATIONS AND WARRANTIES**

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

**23 SEVERABILITY**

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

**24 MODIFICATION**

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

## 25 WAIVER

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

## 26 GOODS & SERVICES TAX

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

## 27 EXECUTION IN TRIPLICATE

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

**SCHEDULE**

<u>Item Number</u>	<u>Particulars/Description</u>	
1	Developer	CLUTCH DEVELOPMENTS PTY LTD (ACN 654 818 498)
2	Land	Lot A in DP 955097, Lot 1 in DP 724290, Lot 1 in DP 102895 and Lot 1 in DP 724793, known as 141 – 155 Curlewis Street, Bondi Beach
3	Development Application	DA-472/2022/A
4	Development (description)	Demolition of buildings and amalgamation of lots and construction of a new part three, part 4 storey shop top housing development with two levels of basement parking and modification to alter internal layout, ceiling heights, basement level
5	Development Contribution	\$573,680
6	Public Purpose	Waverley's Affordable Housing Program (25%) and Our Liveable Centres Streetscape Upgrades (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	Level 4, 68 – 72 Waterloo Road, Macquarie Park NSW 2113
	Developer Fax	Not Applicable
	Developer Email	nmccarthy@createdbyclutch.com.au

Council Address	55 Spring Street, Bondi Junction NSW 2022
Council Fax	(02) 9387 1820
Council Email	info@waverley.nsw.gov.au

DRAFT

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

---

**EMILY SCOTT**

General Manager

---

**CLR WILLIAM NEMESH**

Mayor

**EXECUTED by CLUTCH DEVELOPMENTS  
PTY LTD (ACN 654 818 498)**

In accordance with section 127 of the  
Corporations Act 2001

---

**NICHOLAS JOHN ROSS**

Sole Director/Secretary

**REPORT**  
**CM/7.8/25.03**

**Subject:** 2A Edmund Street, Queens Park - Refurbishment

**TRIM No:** A24/0298

**Manager:** John Andrews, Acting Executive Manager, Property and Facilities

**Director:** Sharon Cassidy, Director, Assets and Operations

---

**RECOMMENDATION:**

That Council:

1. Undertakes a full refurbishment of 2A Edmund Street, Queens Park, as set out in the report, for the building to be used as affordable housing.
2. Reviews the Affordable Housing Tenancy Policy to clearly define 'key worker' to refine the targeting of the policy.

**1. Executive Summary**

Following the Council meeting held on 26 November 2024, Council officers have further investigated the feasibility of a full renovation of 2A Edmund Street, Queens Park. A project budget has been estimated at \$2.5m with a program of 12 months. Council officers also recommend the Affordable Housing Tenancy Policy should be updated to better reflect current market conditions and better target key workers.

**2. Introduction/Background**

The current 2A Edmund Street building has been vacant since late 2022, with the social housing tenants being relocated to dwellings elsewhere in the local government area.

In early 2021, Council lodged a development application (DA-63/2021) to construct a new social affordable housing building to provide five purpose built social housing units, with development consent being received in October 2021.

Following three tender processes in 2022, 2023 and 2024, Council received a submission from Momentum Built Pty Ltd, which was identified as a capable contractor to deliver the works. However, Council resolved not to proceed with entering a construction contract and formally rejected all tenders (see resolution CM/11.1/24.11).

In accordance with clause 5 of resolution CM/11.1/24.1, officers have investigated option 2 of the confidential report. Option 2 involved changing the use from social to affordable housing and to undertake a full renovation of the existing building. Officers estimated that a full renovation of the existing building would cost in the range of \$2,200,000 to \$2,700,000. This option would retain the current gross floor area of 377 m2 and provide six newly renovated affordable housing units into Council's portfolio.



### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 26 November 2024	CM/11.1/24.11	<p>That Council</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.</li> <li>3. Notes the outcome of the negotiation phase of the tender for construction services for the 2A Edmund Street Social Housing Project, as set out in the report.</li> <li>4. Declines to enter into contract for the construction of a social housing building at 2A Edmund Street, Queens Park.</li> <li>5. Officers investigate Option 2, as set out in the report, for the future of the site, with a report to be prepared to Council no later than March 2025, which also considers key worker housing for Council staff at the site as part of the Affordable Housing Program.</li> </ol>

### 4. Discussion

#### Building renovations

A property condition assessment, including a ten-year program of expenditure report, was undertaken by Asset Technologies Pacific (ATP) in 2018. At the time the estimated total expenditure required to maintain 2A Edmund Street in a fair condition throughout 2018 to 2028 was \$1.1m.

It is proposed the renovation would include new bathrooms, floors, finishes, kitchens and appliances to all units. Utilising the ATP information, including escalation as well as benchmarking the rates provided within Rawlinson's construction cost guide 2025 for a project of a similar scale and location, a budget estimate of \$2.5m has been developed.

It is expected these works would be delivered within 12 months.

#### Planning considerations

Following initial investigation, it has been determined that the refurbishment of 2A Edmund Street would be classified as exempt development and that the building could be offered as part of Council's Affordable Housing Program without the need to submit a development Application. This will be confirmed.

## **Affordable Housing Policy**

Council officers also recommend there is a need to update the Affordable Housing Tenancy Policy to better reflect current market conditions and better target key workers.

The Affordable Housing Tenancy Policy, adopted by Council in July 2023, does not specify 'key workers' as its target group. It gives priority to women escaping family violence and expressly excludes Council staff and their families.

To date, policy objectives for affordable housing broadly have lacked a clear definition of 'key workers.' The demographic consultancy company ID has recently undertaken work towards a definition that builds on descriptions used during the COVID-19 lockdowns to identify workers who cannot undertake their role from home. This approach includes many low to moderate income workers upon whom a functional city relies: cleaners, care workers, ambulance drivers, supermarket staff.

Council will seek expert assistance to develop a clear definition of 'key workers' for the local government area (LGA) and use this to refine its affordable housing policy to include everyone whose work is essential.

## **5. Financial Impact**

Based off current cost estimates, proceeding with a renovation of 2A Edmund Street in lieu of a knockdown rebuild will be approximately 50% less expensive while providing six new affordable housing units to the community. The proposed renovation would see six units made available for approximately \$416,000 per unit. This compares to five units for \$1,000,000 per social housing units if the project were to proceed as a knockdown rebuild, per the 2024 tender pricing. Due to the reduced scope of proceeding with a renovation, the units could also be made available to residents earlier than a knockdown rebuild.

Additionally, the approximately \$2,500,000 saved in the Affordable Housing Reserve by proceeding with a renovation in lieu of a knockdown rebuild can be utilised for other affordable housing projects and initiatives.

## **6. Risks/Issues**

Due to the age of the building, there is a risk of latent conditions impacting the budget. However, officers believe the budget estimate provided is realistic and would allow for the rectification latent conditions should they arise. As the renovation would not include significant structural works, the likelihood and costs of latent conditions is also significantly reduced.

Given a renovation would see Council opting to proceed with a reduced spend towards 2A Edmund Street rather than a full knockdown rebuild, there could be some reputational risk to Council as being seen to be reducing the quality of the affordable housing provided to the community. However, this risk could be managed by highlighting that a lesser spend on the building will allow for more funding to be spent on other affordable housing projects and initiatives, as well as the fact that the renovation results in a net gain of one unit compared to the knockdown rebuild scope. The most critical issue with affordable housing in the LGA is supply, and proceeding with Option 2 will provide Council with a better opportunity to address the supply issue.

As three separate tenders have been released for 2A Edmund Street, and all have resulted in Council rejecting all submissions, there is a risk that contractors will not submit tenders through the RFT process as they fear the project will not proceed. However, the reduced scope should attract a

different level of contractor that targets smaller refurbishment projects rather than larger knockdown rebuilds as the original three tenders did.

## **7. Attachments**

Nil

## REPORT CM/7.9/25.03



**Subject:** Tender Evaluation - Waverley Cemetery - Quinn Road Memorialisation Walls

**TRIM No:** A24/0824

**Manager:** Rodhan Haughton, 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(s) who supplied it.
2. Declines to accept any of the tenders for head contractor services for the Waverley Cemetery Quinn Road Memorialisation Walls Project, 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.
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 the top ranked tenderers with a view to entering into a contract for the head contractor services, as these tenderers scored highly and had quality submissions, with the issues of program, scope and price to be clarified during negotiations.
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*.
7. Lodges an integrated development application and an application under section 60 of the *Heritage Act 1977* for the project.
8. Approves a procurement exemption to pay Gosford Quarries a deposit for the required sandstone.

## 1. Executive Summary

The purpose of this report is to seek Council approval to decline all tenders and negotiate with a shortlist of top ranked tenderers for head contractor services for the Waverley Cemetery Quinn Road Memorialisation Walls Project. Additionally, this report seeks Council approval to submit an integrated development application and section 60 heritage application based on Heritage NSW advice, and a procurement exemption to enable payment of the security deposit for the sandstone.

## 2. Description of Service or Product being Tendered

The purpose of this request for tender (RFT) was to seek proposals from suitably qualified organisations to provide head contractor services for the supply, installation and construction of twenty columbarium walls for watertight ash interments and associated landscaping in Quinn Road, Waverley Cemetery.

The Cemetery Land Use Masterplan 2018 and Cemeteries Strategic Business Plan 2020 have identified opportunities for new high-quality memorials along Quinn Road to:

- Provide high quality interment opportunities for the community.
- Compliment the significant heritage value of the site.
- Provide additional amenity through improved landscaping and new places for contemplation.
- Provide an ongoing long-term income stream to ensure the financial sustainability of Council cemeteries.

A preliminary concept design was presented at a Councillor briefing in July 2022 as part of the Cemeteries Strategic Business Plan progress update. In 2023, Taylor Brammer Landscape Architects were engaged as head consultant, and the concept design was approved by Council in December 2023 (FC/5.6/23.12). Community consultation was completed in March 2024. Councillors were notified via email of the outcomes of the community consultation outcomes in June 2024. Minor design considerations were raised and were accommodated into the detailed design where appropriate. The niche plaques will be able to be customised, and the sandstone colour will be complementary. Flower holders have been included on columbarium wall between niches. Single flower capacity is considered appropriate to maintain sight line of niche plaques.

Based on initial planning advice, a successful application for a local heritage exemption certificate was undertaken, as well as completion of an approved Review of Environmental Factors. In December 2024, Heritage NSW advised that due to the extent of proposed works that further approvals in the form of a development application (DA) and section 60 heritage approval are required. Heritage NSW advised that an integrated DA and section 60 heritage approval will provide the most efficient approach to obtaining the required approvals in a timely manner. DA and section 60 documentation have been prepared. Council approval is also sought to submit the integrated application.

Given the project timeline, high demand and dwindling supply, Gosford Quarries has requested a \$340,000 deposit for the specified sandstone, extracted from 200 George Street, Sydney. This local sandstone is considered the most appropriate colour match and robustness for Waverley Cemetery. Securing the sandstone will ensure Council can proceed with construction once DA/s60 approval is received. Any substitute sandstones will have darker orange/brown tones and risk triggering further heritage approvals. The General Manager can currently only approve a procurement exemption up to \$150,000. Therefore, a Procurement Exemption is required to be approved by Council to pay the security deposit for the sandstone. This deposit and sandstone supply would then be novated to the successful head contractor.

### 3. Scope of Tender

The RFT for head contractor services requested proposals from suitably qualified firms to provide construction services for the twenty columbarium walls for watertight ash interments and associated works including:

- Repointing of the existing sandstone wall.
- Resurfacing the existing bitumen road in accordance with the Conservation Management Plan while retaining the existing kerb and gutter.
- Installing seating for contemplation.
- Incorporating heritage interpretation referencing Waverley Cemetery poets and writers.
- Soft landscaping in accordance with the tender design documentation.

Detailed requirements were outlined in the tender.

### 4. Reason for Tender

There is no suitable panel in place for delivery of these works. Therefore, an open RFT was required to engage a specialist head contractor to deliver the works.

### 5. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Finance, Operations and Community Services Committee 5 December 2023	FC/5.6/23.12	That Council: <ol style="list-style-type: none"> <li>1. Publicly exhibits the concept design for the Waverley Cemetery Quinn Road Memorialisation Wall Project attached to the report, as well as the Review of Environmental Factors once finalised.</li> <li>2. Notes that the community consultation outcomes will be circulated to Councillors following the exhibition period with an update on the revised concept design, in accordance with Step 6 of the Councillor Engagement Process for Capital Works Projects.</li> </ol>
Council 17 November 2020	CM/7.8/20.11	That Council: <ol style="list-style-type: none"> <li>1. Endorses the Cemetery Services Strategic Business Plan attached to the report.</li> <li>2. Investigates the establishment of a foundation that aims to:               <ol style="list-style-type: none"> <li>(a) Raise awareness of the historical and heritage value of both Waverley Cemetery and South Head Cemetery.</li> <li>(b) Raise funds to assist in their maintenance.</li> </ol> </li> </ol>

		<p>3. Receives a report on the options for the establishment of a foundation at the May 2021 Council meeting.</p> <p>4. Reopens the front gates during normal business hours.</p>
--	--	---

## 6. Discussion

### Invitation to tender

A Tender Evaluation Panel was established to evaluate the tenders. The Panel consisted of the following voting members:

- Ken Shelston – Manager, Cemetery Services, Properties and Facilities.
- Cody Woodgate – Cemetery Operations Supervisor, Properties and Facilities.
- Sajjad Zico – Project Officer, Major Projects.
- Genevieve Wilson – Senior Project Manager, Major Projects.

The Tender Evaluation Panel meeting was also attended by Fernando Carrillo, Procurement Business Partner.

Tenders for Waverley Cemetery Quinn Road Memorialisation Walls Project were called on 18 October 2024. Advertisements for the tender were placed in the Council's website on 18 October 2024.

Tenders closed on 15 November 2024.

An RFT Evaluation and Probity Plan was developed and approved by the Panel on 22 November 2024.

The Panel used the RFT Evaluation and Probity Plan to determine which tenders offered the best value for money.

### Tenders received

The following tenders were received:

- Ally Civil (Ally Civil Property Services Pty Ltd)
- Australia Pave Pty Ltd
- Civil constructions Pty Ltd
- Engineering Building and Infrastructure Pty Ltd
- GJs Landscapes Pty Ltd
- Gough and Co Pty Ltd
- Growth Civil Landscape Pty Ltd
- Saha Projects Pty Ltd
- Sydney Stone Masons Pty Ltd
- Tazman Constructions Pty Ltd

### Late tenders

Nil.

**Non-conforming tenders**

The following tenders were determined to be non-conforming:

- Engineering Building and Infrastructure Pty Ltd due to lack of sufficient returnable schedules.
- Saha Projects Pty Ltd due to lack of required insurances.

**Alternative tenders**

Nil.

**Tender evaluation**

Eight tenders met the mandatory requirements and proceeded to a detailed evaluation. The conforming tenders are listed below:

- Ally Civil (Ally Civil Property Services Pty Ltd).
- Australia Pave Pty Ltd.
- Civil constructions Pty Ltd.
- GJs Landscapes Pty Ltd.
- Gough and Co Pty Ltd.
- Growth Civil Landscape Pty Ltd.
- Sydney Stone Masons Pty Ltd.
- Tazman Constructions Pty Ltd.

Conforming tenders were evaluated in accordance with the RFT Evaluation and Probity Plan signed by the Tender Evaluation Panel.

The Panel agreed on the following selection criteria:

- Work Health and safety.
- Financial and commercial trading integrity including insurances.
- Environmental and social sustainability.
- Understanding/methodology.
- Relevant experiences (organisation).
- Key personnel, qualifications, skills and experience.
- Program.
- Price.

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 scoresheet attached to the report.

**Evaluation Panel's recommendation**

The first and second ranked tenderers scored well in the technical criteria and had competitive prices. The remaining tenderers scored below the minimum technical threshold outlined in the RFT Evaluation and Probity Plan. Reference checks and financial checks have been undertaken on the two top ranked tenderers.

The tender evaluation recommends declining all tenders and negotiating with the top two scoring tenderers. This will allow negotiation to resolve the risk items:



- Revised program due to funding being deferred to financial year (FY) 2025-26 and additional approval process required as advised by Heritage NSW.
- Completion of additional approval process and any potential resulting design changes prior to contract execution to avoid costly variations.
- Requirement to obtain procurement exemption to pay deposit to secure sandstone and resulting need to amend contract conditions to reflect potential novation of sandstone.
- Clarifications on financial checks, assumptions and insurances.

### **Time frame**

Following Council approval, the integrated DA and section 60 application will be submitted and the sandstone security deposit paid. It is anticipated that four to six months will be required for approval of the DA and section 60 application. Concurrently, negotiations will commence with the top two ranked tenderers and will be finalised following receipt of the development approval to enable incorporation of any conditions of consent into the tender price.

Construction will commence in early FY 2025-26 and is anticipated to take five to six months including the 10-week lead time for preparation of the sandstone.

### **Consultation**

Consultation has been undertaken throughout this project. The project is now at 100% detailed design. Council officers will continue to provide regular communication updates throughout the construction period.

## **7. Financial Impact**

The budget for Waverley Cemetery Quinn Road Memorialisation Walls project is from the Long Term Financial Plan Cemetery Renewal and Enhancements budget, which is funded via the Cemeteries Reserve.

The top two ranked tenderer's price is included in the confidential tender evaluation attached to this report.

The cost of construction of the project is estimated to be \$2,600,000 with the funding being available in the Cemeteries Reserve. It is proposed to deliver the project in FY 2025-26 to ensure the niche walls are constructed of the specified sandstone in order to meet heritage requirements.

The total budget allocation for the Waverley Cemetery Quinn Road Memorialisation Walls project is currently \$100,000 in FY 2024-25 and \$2,100,000 in FY 2025-26. The draft 2025-26 budget currently being prepared is making allowance for the tendered price plus contingency.

Following this, there will be sufficient funds to cover the price tendered by the top two ranked tenderer. A Q3 adjustment would be required to bring forward funds into FY 2024-25 to cover costs of the sandstone supply deposit.

The provision of 720 niche walls through the delivery of the project provides a significant new revenue source for Council. Based on the sale of up to 40 niche per year for the next 20 years, it is estimated that the project will provide revenue of \$8,879,000. This revenue would assist in ensuring financial sustainability of the cemetery in the medium-term.

**8. Risks/Issues**

Securing the specified sandstone via the security deposit already manages the risk of needing to seek substitute sandstone and further approvals should the sandstone reserve be exhausted.

Construction activities will be managed to not impact on funerals and other Cemetery activities and/or projects.

Submission of an integrated DA and section 60 application already addresses Heritage NSW feedback regarding the approval process.

**9. Attachments**

1. Tender evaluation (confidential)

## NOTICE OF MOTION

### CM/8.1/25.03



**Subject:** Charing Cross Multilevel Car Park

**TRIM No:** A02/0147

**Submitted by:** Councillor Masselos  
Councillor Spooner

---

#### MOTION:

That Council:

1. Notes:
  - (a) That Charing Cross Village is a vibrant shopping and retail high street that sustained more than 90% business occupancy rates during COVID and beyond.
  - (b) The high degree of support for the Charing Cross Street Upgrade by both business and the community, which will beautify the street, provide increased public amenity and attract high visitation to the area.
  - (c) The vibrancy of this local shopping precinct is, in part, reliant upon the quick turnover of limited parking spaces.
  - (d) The requests from businesses for Council to provide more parking for both customers and employees.
2. Investigates the technical and financial feasibility of building a three to four storey car park on the existing car park site situated behind Charing Cross Village, which has ingress/egress via Victoria Street, with officers to prepare a project plan for the June 2025 Council meeting, including community consultation, heritage impacts and implications, time frame and budget allocation to undertake the investigation.

#### Background

The Charing Cross Shopping Precinct is becoming increasingly popular as more residents opt out of going to Bondi Junction to undertake regular and specialty shopping.

Charing Cross Village has consistently had above average business occupancy rates, and visitation continues to grow as more key anchor tenants trade. However, the demand for parking continues to increase with increased visitation. The introduction of free 15 minute parking was introduced to help alleviate some of the demand and allow people to quickly drop in to collect a takeaway or do a quick shop for essentials.

Business owners have also been requesting access to a parking scheme that provides them and/or their staff with parking.

A multi-storey car par on the site of the existing Victoria Street car park would provide a welcome solution while also providing a revenue stream for Council.

An investigation into the feasibility in the first instance will help provide the foundations of the business case for building this important piece of infrastructure.

**General Manager's comment**

Should this motion be supported, officers will investigate the technical and financial feasibility of building a multi-level car park on the existing car park site situated behind Charing Cross Village and report back to Council in June 2025.

**Sharon Cassidy**  
**Director, Assets and Operations**

## NOTICE OF MOTION

### CM/8.2/25.03



**Subject:** Public Artwork - Dion Horstmans

**TRIM No:** A25/0485

**Submitted by:** Councillor Stephenson  
Councillor Nemesh

---

#### MOTION:

That Council:

1. Notes the artistic legacy of renowned Bondi artist Dion Horstmans.
2. Investigates:
  - (a) Costings to acquire a sculptural artwork by Dion Horstmans.
  - (b) Locations for the placement of the artwork within the Bondi area.
3. Officers prepare a report to the Arts, Culture and Creativity Advisory Committee with options to then provide a recommendation to Council.

#### Background

The death of the larger-than-life figure Dion Horstmans has left the art world as well as the Bondi community in mourning. Dion had a long career in film and television, crafting props for iconic productions including *The Matrix* and *Star Wars* and even appearing in *The Matrix* sequels. However, it was as a sculptor that he truly made his mark. His distinctive metalwork adorns walls and public spaces across Australia, including large installations outside Harris Farm.

But to the Bondi community, Dion was more than an artist—he was part of the fabric of this place. A familiar figure on the south end of the beach, swimming or running the soft sand, his tall, muscular frame, striking blue eyes, bald head and beard made him instantly recognisable.

Dion touched countless lives with his kindness and generosity. During COVID, he started a kettlebell fitness and mental health group for men in his street—a community that continues to thrive today. He offered support to many, from elderly neighbours to young children, always there through difficult times with a helping hand or a listening ear.

Following his death, it seems only appropriate that Council recognises his contribution to the community through his artwork as well his presence, unwavering generosity and commitment to the place he loved so dearly.

**General Manager's comment**

If this motion is adopted by Council, officers can undertake the process to explore options, costings and potential locations for acquiring an artwork and report back to the Arts, Culture and Creativity Advisory Committee and Council.

**Ben Thompson**

**Director, Community, Culture and Customer Experience**

## NOTICE OF MOTION

### CM/8.3/25.03



**Subject:** New Year's Eve Event at Bondi Beach

**TRIM No:** A25/0280

**Submitted by:** Councillor Stephenson  
Councillor Nemesh  
Councillor Frazer

---

### MOTION:

That Council:

1. Undertakes an expression of interest (EOI) process to grant a licence for a New Year's Eve event at Bondi Beach to a suitably qualified organisation.
2. Includes assessment criteria for impact on the local community, stage placement and build, transport planning and the feasibility of holding the event this year.
3. Officers assess an appropriate fee for the holding of the event, which will support arts, culture, events and place activation in Waverley.
4. Investigates support from Destination NSW for the proposed event.
5. Officers assess the EOI responses and prepare a report to Council.
6. Writes to the following stakeholders informing them of this motion:
  - (a) The Minister for Arts, Music and Night-Time Economy, John Graham MP.
  - (b) The Member for Vaucluse, Kellie Sloane MP.
  - (c) The Member for Coogee, Marjorie O'Neill MP.
  - (d) The Member for Wentworth, Allegra Spender MP.
  - (e) Destination NSW.
  - (f) Bondi and Districts Chamber of Commerce.
  - (g) All Precincts.

### Background

Bondi Beach has long been a focal point for New Year's Eve celebrations, attracting both locals and international visitors with its unique blend of beach culture and festive atmosphere. Notably, on 31 December 1999, renowned DJ Carl Cox made history by performing at Bondi Beach to welcome the new millennium before flying across the international dateline to perform again in Hawaii, effectively celebrating the New Year twice in different countries. This, and following events like Shore Thing,

cemented Bondi's reputation as a premier destination for year-end festivities. However, this has been less prominent in recent years.

Community feedback indicates a desire for Bondi to be enlivened, with more fun and events. Local businesses including bars and restaurants are also looking for increased visitation and patronage during a difficult economic climate. The Mardi Gras Bondi Beach Dance Party has demonstrated that Council and the industry have put in place actions and plans to minimise impact to residents, have a strict curfew time for the event, cleaning and waste disposal and effective transport management to ensure revellers are transported immediately from the beach.

Such an event also provides an opportunity for revenue to Council to invest in arts, culture, events and place activation to further enhance Council's offerings to the local community. This also provides further opportunities for local creatives to support the thriving local arts community in Bondi and Waverley.

Continuing the tradition of New Year's Eve parties at Bondi Beach not only upholds the area's cultural heritage but also enhances Sydney's global image as a lively and attractive tourist destination. These celebrations draw international attention, showcasing Australia's vibrant lifestyle and scenic beauty. Moreover, they provide memorable experiences for attendees, encouraging repeat visits and positive promotion cementing Bondi's iconic global reputation.

**General Manager's comment**

If this motion is adopted by Council, officers can commence an EOI process in accordance with the motion, undertake an evaluation and report back to Council.

**Ben Thompson**

**Director, Community, Culture and Customer Experience**



## NOTICE OF MOTION

### CM/8.4/25.03



**Subject:** Bronte House

**TRIM No:** A02/0250-06

**Submitted by:** Councillor Westwood  
Councillor Townsend

---

#### MOTION:

That Council:

1. Notes the rich history of Bronte House and its significant historical, architectural and cultural significance to Waverley.
2. Notes that the property is currently tenanted, with the current residential lease due to expire in 2026.
3. Notes that Bronte House and gardens are currently only accessible to the public four times a year.
4. Officers prepare a report to the July Council meeting on options to:
  - (a) Increase public accessibility and use of Bronte House.
  - (b) Investigate the ability for a social enterprise to use Bronte House and gardens.
  - (c) Other potential uses for public enjoyment and benefit, including but not limited to a tea room and art and historical tours.
  - (d) Examine the financial implications and feasibility of not having a residential tenancy and how income could be offset by community or social enterprise use.
  - (e) Recommend changes if required to the Bronte House Plan of Management.
5. Seeks community feedback, including a Have Your Say survey on Council's website, on increasing public accessibility to Bronte House and incorporates this feedback into the report to Council.
6. Informs the following stakeholders of this motion:
  - (a) The Member for Wentworth, Allegra Spender MP.
  - (b) The Member for Coogee, Marjorie O'Neill MP.
  - (c) All Precincts.
  - (d) The Waverley Historical Society.

**Background**

Bronte House is one of Sydney's most historically significant colonial homes, known for its picturesque location and rich heritage. Built in the 1840s, the house is a fine example of Gothic Revival architecture, featuring intricate detailing, steeply pitched roofs, and elegant verandas that overlook the stunning Bronte Park and coastline. It was originally designed by the architect Mortimer Lewis and later completed by Georgiana Lowe, who played a key role in shaping its gardens and landscape. Over the years, Bronte House has been home to various notable residents, each contributing to its evolving history and charm.

Beyond its architectural significance, Bronte House holds cultural and environmental importance. The gardens, carefully cultivated over decades, showcase a mix of exotic and native plant species, making them a cherished green space in Sydney's Eastern Suburbs. These gardens are opened to the public four times a year, offering local residents and visitors a rare glimpse into a beautifully preserved colonial estate. Bronte House has also served as a backdrop for artistic and literary inspiration, with its scenic beauty and historical ambiance attracting creatives who find inspiration in its surroundings.

As one of the oldest surviving homes in the area, Bronte House serves as a link to the past, reminding visitors of our early colonial history. Today, it remains a landmark that enhances the character of Bronte Beach and the wider Waverley community. Bronte House has been tenanted for many years, with Council fortunate to have tenants who have lovingly cared for the house and magnificent gardens. This, however, has limited community access to this historical site with the last fully open access to the public being 50 years ago. An investigation into options available to Council to consider will ensure that future generations can continue to appreciate its beauty, significance and enduring legacy.

**General Manager's comment**

If resolved by Council, Council can prepare a report as requested and provide options for Council's consideration. Council can also undertake a survey through Have Your Say and prepare correspondence as requested.

**Ben Thompson**

**Director, Community, Culture and Customer Experience**

## NOTICE OF MOTION

### CM/8.5/25.03



**Subject:** E-Waste Recycling

**TRIM No:** A11/0635

**Submitted by:** Councillor Fabiano  
Councillor Wy Kanak

---

#### MOTION:

That Council:

1. Notes the recent Productivity Commission report *Australia's Circular Economy: Unlocking the Opportunities*, which recognises that Australia generates e-waste three times the global average.
2. Notes the recent decision by Microsoft to discontinue its Windows 10 operating system and the potential impact this will have on increased e-waste in the Waverley local government area.
3. Notes the increase in the use of e-bikes and lithium batteries within Waverley and the impact this will have on the Council's waste stream.
4. Notes that it currently has four e-waste collections throughout the year.
5. Improves communication of e-waste collection services via a range of measures, including rate notices, Precinct notices, stickers and its social media channels.
6. Investigates the feasibility and costings of providing an e-waste pick-up collection for residents, especially for those with accessibility issues or without private transport, with officers to prepare a report to Council.

#### Background

Recently Microsoft announced that after 14 October 2025, Windows 10 PCs will no longer receive security updates and Microsoft will no longer be available to provide Windows 10 technical support. This will inevitably require many residents to upgrade their obsolete computer devices.

Also, the recent Productivity Commission report *Australia's Circular Economy: Unlocking the Opportunities* notes that, despite some uptake, Australia's progress towards a circular economy has been slow. It is seeking further information on what barriers (such as public awareness or infrastructure) are currently limiting the collection and recycling of different types of small electronics, and how these barriers differ by product.

The Waverley community has started to notice an increase of e-waste (TVs, computer screens, laptops, printers etc) being left outside on footpaths.

To improve e-waste collection in Waverley, a pick-up service for residents who are unable to drop off their e-waste due to a range of accessibility issues should be provided.

**General Manager's comment**

Council currently promotes its quarterly waste drop off events via social media channels, Council's website and the waste calendar. Should this motion be supported, Council will investigate opportunities to improve communication, including the suggestions in the motion.

Council is currently investigating a problem waste recycling collection service for residents. Funds have been allocated within the draft 2025-26 to commence a trial of the service.

**Sharon Cassidy**  
**Director, Assets and Operations**

## NOTICE OF MOTION

### CM/8.6/25.03



**Subject:** Bondi Pavilion Internal Courtyard - Shade and Grass

**TRIM No:** A15/0272

**Submitted by:** Councillor Fabiano  
Councillor Wy Kanak

---

#### MOTION:

That Council:

1. Allocates budget in 2025–26 to:
  - (a) Investigate the retrofitting of well-designed shade in Bondi Pavilion’s internal courtyard, considering a mix of both natural and built forms.
  - (b) Investigate the retrofitting of additional natural grass in Bondi Pavilion’s internal courtyard in place of the large areas of concrete landscaping.
2. Officers prepare a report to Council by October 2025 with options for the retrofitting of shade and additional natural grass areas, including time frames and costings.

#### Background

Members of the community have raised concerns about the lack of sunshade and the minimal grass areas while attending events in Bondi Pavilion’s internal courtyard during the day.

They believe that the current tree palms do not provide enough shade, and the large amount of concrete landscaping reflects the sun’s rays, thus creating overheating of the surrounding environment.

The Cancer Council NSW states the following:

*The major cause of skin cancer is exposure to UV radiation from the sun. With good protection against UV radiation, most cases of skin cancer can be prevented.*

*Shade is one of the easiest ways to protect against UV radiation. Good-quality shade can reduce UV exposure by up to 75%.*

*The provision of shade is also an important component in the design and creation of safe and healthy communities.*

*Well-designed and correctly positioned shade provides protection from UV radiation where it is needed, at the right time of day and at the right time of year.*

*Well-designed shade ensures that:*

- *The outdoor space is comfortable to use in all seasons.*

- *A barrier protects users from direct and indirect sources of UV radiation.*
- *The shade is attractive, practical and environmentally friendly.*

*Shade can be natural or built:*

- *Natural shade: trees with a canopy that is dense and close to the ground.*
- *Built shade: stand-alone, portable or add-on structures positioned to provide shade during the middle of the day when UV is highest, or positioned to provide shade when the area is in highest use.*

**General Manager's comment**

Should this motion be supported, Council will allocate funds in the draft 2025-26 Capital Works Program to assess the feasibility of reconfiguring the Bondi Pavilion internal courtyard to have more grasses or soft landscape areas, as well as additional shade structure and/or trees.

**Sharon Cassidy**  
**Director, Assets and Operations**

## NOTICE OF MOTION

### CM/8.7/25.03



**Subject:** Bondi Beach Streetscape Revitalisation

**TRIM No:** A25/0484

**Submitted by:** Councillor Merten  
Councillor Spooner

---

#### MOTION:

That Council:

1. Notes the dilapidated and unattractive state of Hall Street, Campbell Parade and Gould Street, Bondi Beach.
2. Notes that Council will receive the Bondi Local Area Traffic Management Study's recommendations for safety and amenity upgrades in a separate report.
3. Prepares a comprehensive Bondi Basin Streetscape Delivery Program, incorporating:
  - (a) Mapping of current and future development works to identify gaps and ensure comprehensive coverage.
  - (b) Integration of relevant Bondi Local Area Traffic Management Study recommendations.
  - (c) Consideration of 'high street' design principles and night-time economy needs, including identifying new:
    - (i) Seating.
    - (ii) Lighting.
    - (iii) Planting.
    - (iv) Outdoor dining.
    - (v) Public art.
  - (d) Consult the community, shop-owners and relevant Precincts on opportunities identified.
  - (e) An allocation of \$500,000 in the 2025-26 financial year for Hall Street and Campbell Parade streetscape upgrades, with further funding as per the upcoming Long Term Financial Plan.
4. Identifies State and Federal government grant funding that can assist to further expand the capital available for the program.

5. Seeks advice from the Committee for Sydney, the NSW 24 Hour Commissioner and other relevant government and non-government organisations with expertise in high street revitalisation in developing the program.
6. Officers prepare a report to Council in June 2025 on the draft Bondi Basin Streetscape Delivery Program, including the outcomes of consultation.
7. Identifies ideas for an immediate visual improvement to the concrete barrier at the Campbell Parade roundabout, with officers to prepare a report to the April 2025 Council meeting.

## **Background**

Bondi Beach is one of the most iconic tourist destinations in Australia. The beach is a shared space for locals, businesses and visitors. But Bondi is more than a beach. It's a commercial and retail centre, a lifestyle hub and a local community.

Enjoying fun, vibrant and interesting main streets is one of the key elements that make Bondi Beach such a great place to visit and live.

But our streets, and the main Bondi Beach CBD area, are in a poor state of repair. Footpaths are uneven and constantly being dug up and are very unsafe; traffic congestion is getting serious; we have lost numerous street trees due to major developments on Hall Street; we have lost sunshine and we have lost shade. We have few areas where people can sit and relax. The approach to Bondi Beach, on Campbell Parade, includes an ugly concrete barrier at the main roundabout.

While we have had some streetscape works such as the Glenayr Avenue and Curlewis Street upgrades, these have been done in isolation and do not create a contiguous streetscape throughout the Bondi Beach CBD.

Hall Street, Campbell Parade and Gould Street have seen rapid residential and commercial development, with hundreds more residents joining the Bondi Beach community. With the increase in population living in and around these streets, we need to futureproof these areas to ensure Bondi remains liveable. We need well-designed 'third spaces' that locals and visitors can enjoy.

To futureproof Bondi Beach by generating new economic activity, pedestrian traffic and third spaces for locals and visitors on our main streets, Council must work together with local businesses, property owners, residents, chambers of commerce, community and local arts organisations to implement a wholistic strategy.

The delivery of the actions to be presented to Council for the Bondi Local Area Traffic Management Study should be included and planned in a coordinated manner with the streetscape enhancement plans.

To help bring these stakeholders together, Council should make available an initial capital investment amount as an incentive for these organisations to work together to come up with a plan of revitalisation within which they are invested and will support to completion. The Long Term Financial Plan should include renewal and expansion funding to further cover these revitalisations.

By providing an incentive for these organisations to work together, through specific funding for improved infrastructure, public art and street furniture, Council can facilitate community-led proposals for revitalising the Bondi Beach CBD streets.

Through this consultation, Council can commit to a phased process, with Stage 1 delivering a set of quick wins that improve amenity and prepare plans and funding for a larger Stage 2 of the project.



**General Manager's comment**

Should this motion be supported, officers would develop a comprehensive Bondi Basin Streetscape Delivery Program, incorporating mapping of current and future development works, integration of relevant Bondi Local Area Traffic Management Study recommendations, and consideration of high street design principles and other factors listed in the motion.

A report on the draft Bondi Basin Streetscape Delivery Program, including consultation strategy, would be presented to Council in June 2025.

Additionally, ideas for an immediate visual improvement to the concrete barrier at the Campbell Parade roundabout would be identified and reported back to the April Council meeting.

**Sharon Cassidy**  
**Director, Assets and Operations**

## NOTICE OF MOTION

### CM/8.8/25.03



**Subject:** Hunter Ward - Local Area Traffic Management Study

**TRIM No:** A25/0474

**Submitted by:** Councillor Nemesh  
Councillor Frazer

---

#### MOTION:

That Council:

1. Notes that the Bondi Local Area Traffic Management (LATM) Study will be presented to Council for adoption this financial year.
2. Prioritises delivery of a Hunter Ward LATM Study for the 2025-26 financial year and allocates funds as part of the budget development process.
3. Defines the Hunter Ward LATM as the area between Old South Head Road and the coastline and Blake Street and Blair Street.
4. Considers the following scope as part of the LATM:
  - (a) Sightlines at intersections.
  - (b) Passing bays and street-widening options in narrow streets.
  - (c) Traffic congestion.
  - (d) Speeding and speed limit reduction options.
  - (e) Reducing cut-through traffic.
  - (f) Clearer signage within streets.
  - (g) Traffic directional flow.
5. Undertakes immediate line marking where road markings have faded within the scope area to reinforce current controls.
6. Officers prepare a report with the finalised Hunter Ward LATM Study in the 2025-26 financial year, including options and recommendations that have considered feedback from community consultation.
7. Refers this motion to the Waverley Traffic Committee for its consideration.
8. Informs the Hunter Ward Precincts of this motion.

**Background**

Council has made considerable progress with traffic assessments across the local government area (LGA). Council is finalising the Bondi Local Area Traffic Management (LATM) Study this financial year with tangible actions it can take to improve congestion, improve pedestrian safety and make our neighbourhoods more liveable.

Council intends to undertake similar LATM studies across the remaining areas of the local government area. Streets in the North Bondi, Rose Bay, Diamond Bay and Vaucluse areas are characteristically different to the rest of the LGA, with very narrow streets, no resident parking scheme areas and grid-style intersections that have not been upgraded.

This motion proposes to prioritise delivery of an LATM for the areas within Rose Bay and North Bondi for the 2025-26 financial year. It is important that these areas be assessed as a priority. This also addresses a number of existing Council resolutions and resident requests. As part of the process, consultation with the community will be undertaken to inform the project outcomes.

**General Manager's comment**

Delivery of the Bondi LATM Study is being presented to Council at the Finance, Operations and Community Services Committee meeting in April 2025. Should this motion be supported, a Hunter Ward LATM Study would be prioritised for the 2025-26 financial year and funds allocated during the budget development process. The defined Hunter Ward LATM area, between Old South Head Road and the coastline and Blake Street and Blair Street, would be adopted.

The LATM scope will include the points set out in the motion. Immediate line marking will be undertaken where road markings have faded within the scope area.

A report will be presented to Council in the 2025-26 financial year and will include options and recommendations addressing community consultation. This motion will be referred to the Traffic Committee for consideration, and Hunter Ward Precincts will be informed of the motion.

**Sharon Cassidy**  
**Director, Assets and Operations**

## NOTICE OF MOTION

### CM/8.9/25.03



**Subject:** Moore Park Golf Course Support

**TRIM No:** A03/0943

**Submitted by:** Councillor Nemesh  
Councillor Frazer  
Councillor Townsend  
Councillor Spicer  
Councillor Stephenson  
Councillor Westwood

---

### MOTION:

That Council:

1. Notes the recent representations made to Council by representatives of the Moore Park Golf Club regarding the NSW Government's proposal to repurpose up to 20 hectares of Moore Park South into green open space for community recreation, reducing the current 18-hole golf course to just nine holes.
2. Considers the following information:
  - (a) Of the more than 500,000 visits to the Moore Park Golf facilities each year, 82% are by people who live within 10 km.
  - (b) Around 14% of users of the Moore Park facilities reside within the Waverley local government area (LGA).
  - (c) A petition to retain the 18-hole course has been signed by 27,000 individuals, with over 5,000 signatories coming from the Waverley LGA.
3. Notes that Woollahra and Randwick Councils have passed similar resolutions.
4. Requests the Mayor to write to the following people, noting community support for retaining the 18-hole course and advocating for Moore Park Golf Collective's alternative proposal:
  - (a) NSW Premier, the Hon Chris Minns MP.
  - (b) Minister for Planning and Public Spaces, the Hon Paul Scully MP.
  - (c) Lord Mayor of Sydney, Cr Clover Moore AO.

### Background

In October 2023, NSW Premier Chris Minns announced a proposal to reduce the Moore Park Golf Course by 50%, with plans to repurpose around 20 hectares of the 45-hectare golf course into a park. The proposal will result in the course being reduced from an 18-hole course to a nine-hole course.

The current arrangement between the Moore Park Golf Course and the NSW Government is set to expire in June 2026, after which the transformation into a new park will occur. The planned area for repurposing is the western boundary and north of Dacey Avenue.

NSW Premier Chris Minns highlighted the rising housing density in Green Square, Zetland and Waterloo and the subsequent increase in demand for more open spaces and sporting facilities as the reason for the decision.

From February to April 2024, the NSW Government engaged the community to share their vision for a future park at Moore Park South, including how they would like to use the new park. From the results of the community survey, it was found that:

- 84% want a golf course.
- 55% specified that they wanted the 18-hole golf course retained.
- 30% wanted a place to get active.
- 7% opposed the presence of golf at Moore Park.

Of the 315 written submissions received, 238 submissions opposed the reduction of the golf course from 18 to nine holes, and only 57 submissions supported the conversion to community parkland.

A community petition supporting the retention of the current golf course was also submitted signed by 29,500 individuals, 5,000 whom were Waverley residents.

Moore Park is more than just a golf course; it's a community treasure. The course has welcomed Sydney residents since 1913, providing affordable and accessible golf for all the community. Of the more than 500,000 people who use the Moore Park Golf facilities each year, 82 percent live within 10 km. Around 34% of golf players reside in the City of Sydney, while 15% are from Randwick, 14% from Waverley and 10% from Woollahra. More than 100,000 rounds of golf are projected for 2025, with 18-hole rounds accounting for 80% of recorded rounds.

The Moore Park Golf Course is a critical recreational facility that serves the whole of Sydney, especially the Eastern suburbs. Reduction of the course will adversely impact playing opportunities at a time when the sport of golf is booming, and the much-loved course is at capacity. And unfortunately for Waverley residents, it will be them who miss out.

### **General Manager's comment**

If resolved by Council, officers will prepare the letters for the Mayor.

**Sharon Cassidy**  
**Director, Assets and Operations**

## NOTICE OF MOTION

### CM/8.10/25.03



**Subject:** Homelessness and Emergency Response Plans

**TRIM No:** SF22/4968

**Submitted by:** Councillor Nemesh  
Councillor Stephenson  
Councillor Spicer  
Councillor Westwood  
Councillor Townsend  
Councillor Frazer

---

### MOTION:

That Council:

1. Supports the development of uniform local emergency response plans in extreme weather events for individuals experiencing homelessness within the Waverley local government area and Eastern Suburbs, including and not limited to:
  - (a) Working with and across Eastern Suburbs councils including Eastern Suburbs Homelessness Assertive Outreach Collaboration (ESHAC) to formulate response procedures and guidelines plans.
  - (b) Reviewing Council's Homelessness in Public Places Protocol to reflect any updates to include the local emergency response plan.
2. Officers prepare a report to Council no later than November 2025 with:
  - (a) An update on the development of an Eastern Suburbs local emergency response plan.
  - (b) Any recommended changes to Council's Homelessness in Public Places Protocol.
3. Writes to the Federal and State Ministers for Homelessness indicating support for a nationally uniform approach to the roll-out of emergency response plans.
4. Informs the following stakeholders of this motion:
  - (a) Federal Member for Wentworth, Allegra Spender MP.
  - (b) State Member for Vacluse, Kellie Sloane MP.
  - (c) State Member for Coogee, Marjorie O'Neill MP
  - (d) The Mayor of Woollahra, Cr Sarah Swan.
  - (e) The Mayor of Randwick, Cr Dylan Parker.
  - (f) CEO of Jewish House, Mendel Kastel OAM.

- (g) All Waverley Precincts.

**General Manager's comment**

If resolved by Council, officers can undertake the review and report back to Council, noting that people experiencing homelessness is a State issue and the requested representations will be undertaken. The State Government recently undertook consultation on a ten-year NSW Homelessness Strategy, which includes improving responses to people experiencing homelessness during extreme weather.

**Ben Thompson**

**Director, Community, Culture and Customer Experience**

## NOTICE OF MOTION

### CM/8.11/25.03



**Subject:** Waverley Park Drainage Issues

**TRIM No:** A24/1060

**Submitted by:** Councillor Spicer  
Councillor Westwood

---

#### MOTION:

That Council:

1. Notes the ongoing drainage issues at Waverley Park, which have led to water pooling, surface damage and reduced usability of the park adjacent to the shared user path near sports fields 2 and 3 for recreational activities.
2. Assesses the drainage system at Waverley Park, identifying problem areas, determining the root causes and proposing solutions including cost estimates, with officers to prepare a report to Council no later than the August 2025 Council meeting.
3. Informs relevant stakeholders, including local sporting clubs, community groups and park users, of the findings and any proposed solutions once adopted by Council.

#### Background

Ongoing drainage issues at Waverley Park near the shared user path and sports fields 2 and 3 have led to water pooling, surface damage and reduced usability. Local organisations and park users have raised concerns about the impact on scheduled activities and general access after wet weather.

Improving drainage will help maintain the park's usability, reduce maintenance costs and enhance safety. This motion calls for a formal assessment to identify problem areas, determine root causes and propose solutions through a report to Council.

#### General Manager's comment

Should this motion be supported, officers will undertake the assessment as outlined and report back to Council in August 2025.

**Sharon Cassidy**  
**Director, Assets and Operations**



## NOTICE OF MOTION

### CM/8.12/25.03



**Subject:** Waverley Men's Shed - Relocation from War Memorial Hospital

**TRIM No:** A14/0392

**Submitted by:** Councillor Merten  
Councillor Spooner

---

### MOTION:

That Council:

1. Notes:
  - (a) The excellent work carried out by the Waverley Men's Shed in offering services to nearly 4,000 local residents in the local government area (LGA).
  - (b) That their membership is at capacity.
  - (c) That the Men's Shed is losing its current location at the War Memorial Hospital due to demolition and that it is a matter of urgency for a new location in Waverley to be identified.
  - (d) That an interim site in the Randwick LGA has been offered, for which the Men's Shed is very grateful.
  - (e) That the Men's Shed has deep roots within the Waverley LGA and that this is their preferred community for their work.
2. Writes to the Men's Shed acknowledging and thanking them for their outstanding community work.
3. Officers conduct an audit to identify potential locations for the Men's Shed in the Waverley LGA, including the option of a space at the old Council Chambers, and with the aim of allowing growth of membership and services by the Men's Shed.
4. Officers consider the Men's Shed as a potential tenant in any plans going forward for the Council Chambers site.

### Background

After over 12 months of uncertainty and Council not offering a suitable alternative site, the Waverley Men's Shed Board has accepted an offer from Randwick Council to relocate their Shed to Popplewell Park, South Coogee (off Malabar Road).

Although this provides a level of certainty for the Shed, the effect of the move is likely to have unintended consequences. It is a move to a different demographic area, away from the Waverley/Woollahra precinct where a large proportion of its members live.

The Men's Shed is a fast-growing movement. From humble origins in country South Australia in 1993, it has now flourished to 3,300 sheds worldwide. Its value to the 3,987 men 65+ who live in the Waverley LGA (4,905 in Woollahra) providing activity and interaction with the community cannot be ignored. Indeed, the Waverley Men's Shed is in need of expansion as its membership is currently full and they are wanting to expand the services they offer.

Council has the responsibility to provide connections for all cohorts within the LGA. The prime objective is for temporary premises to become available in the Waverley/Woollahra area in preparation for a permanent location to be identified. We now have a situation where this asset is likely be moved away in its entirety. Critically, to re-establish what has been achieved so far will be difficult in our area.

The empty Council Chambers appears to be an ideal place to create a temporary location for the Men's Shed until the building is demolished.

If not there, then other locations should be explored, such as Victoria Park (where a Scout Hall has existed and is currently in temporary use) and under Syd Einfeld Drive (acknowledging that the premises are not Council-owned, and negotiation would be required with a third party). Exploration of locations within the Woollahra LGA is also a necessity.

#### **General Manager's comment**

Council officers have discussed the Men's Shed requirements with the organisation, and should this motion be supported Council will document the potential locations and any issues with those locations. This would include the Council Chambers building.

**Sharon Cassidy**  
**Director, Assets and Operations**

## NOTICE OF MOTION

### CM/8.13/25.03



**Subject:** Beach Safety Signage - Design Contest

**TRIM No:** SF20/5526

**Submitted by:** Councillor Frazer  
Councillor Nemesh

---

#### MOTION:

That Council:

1. Undertakes a design competition with a cash prize to design new beach signage to develop creative alternatives to the current 'Swim between the Flags' and 'Dangerous Current – Do not Swim Here' signage.
2. Submits the winning designs to the Australian Water Safety Council, Surf Life Saving Australia and Royal Life Saving Society Australia, which are the authors of the National Aquatic Recreation Signage Manual.
3. Uses the winning design in Council's educational campaigns including the Summer Safe Program, comprising decals, A-frames on the beach, light pole banners and bus shelter advertising.
4. Urgently audits the beach signage at the access ramps at Bronte, Tamarama and Bondi and upgrades them as required as a priority.
5. Requests the Mayor to write to the following people, advising them of this initiative and urging them to consider improvements to the beach safety symbols included in the National Aquatic Recreation Signage Manual:
  - (a) Federal Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP.
  - (b) NSW Minister for Local Government, the Hon Ron Hoenig MP.
  - (c) NSW Minister for Emergency Services, the Hon Jihad Dib MP.

#### Background

Council beach signage is based on the National Aquatic Recreation Signage Manual developed by the Australian Water Safety Council and Royal Life Saving Society Australia in collaboration with all states and territories across Australia. There is opportunity for improvement in this signage; in particular, the 'Swim Between the Flags' and 'Dangerous Current – Do not Swim Here' signage.

A design contest with a cash prize will provide the opportunities for the Waverley community to input to this important safety signage. The winning designs would be submitted to the Australian Water Safety Council and Royal Life Saving Society Australia for consideration in updates to the signage manual and can also be used more immediately in Council's educational campaigns including the

Summer Safe Program, which includes decals, A-frames on the beach, light pole banners and bus shelter advertising.

In addition, due to storm damage and generally harsh coastal conditions, some of the permanent signage at the beach access ramps is in poor condition or damaged/removed during recent storm events. It is essential that Council urgently address this to ensure safety of beach users.

**General Manager's comment**

Should this motion be supported, Council can run a design competition. A modest cash prize could be accommodated within Council's operations budget. The winning designs would be submitted to Australian Water Safety Council, Surf Life Saving Australia and Royal Life Saving Society Australia, the authors of the National Aquatic Recreation Signage Manual, for their consideration and used as part of Council's Summer Safe Program.

Council officers are also prioritising replacement and upgrading of signage damaged in recent storms, as well as replacement of signs in poor condition. Council officers would also draft the letters as outlined in the motion.

**Sharon Cassidy**  
**Director, Assets and Operations**

**URGENT BUSINESS**  
**CM/10/25.03**

**Subject:** Urgent Business

**Manager:** 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/11/25.03

**Subject:** Moving into Closed Session

**Manager:** Emily Scott, General Manager



---

#### RECOMMENDATION:

That:

7. 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/11.1/25.03    CONFIDENTIAL REPORT - ICT Modernisation Program - Enterprise Resource Planning Project

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

CM/11.2/25.03    CONFIDENTIAL REPORT - CCTV Network Review Outcome

This matter is considered to be confidential in accordance with Section 10A(2)(e) 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, prejudice the maintenance of law.

CM/11.3/25.03    CONFIDENTIAL REPORT - Creative Partnership Agreement

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

CM/11.4/25.03    CONFIDENTIAL REPORT - Alexandria Integrated Facility - Part Lot 18 DP 270785 - Easement

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

CM/11.5/25.03    RESCISSION MOTION - CM/11.1/25.02 - CONFIDENTIAL REPORT - Code of Conduct Complaints

This matter is considered to be confidential in accordance with Section 10A(2)(i) of the *Local Government Act*, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with alleged contraventions of any code of conduct requirements applicable under section 440.

CM/11.6/25.03    CONFIDENTIAL MAYORAL MINUTE – General Manager’s Annual Performance Review

Treats the mayoral minute as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(a) of the *Local Government Act 1993*. The mayoral minute contains personnel matters concerning particular individuals (other than councillors).

8. 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*.
9. 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/12/25.03**

**Subject:** Resuming in Open Session  
**Manager:** 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.