



COUNCIL MEETING

A meeting of WAVERLEY COUNCIL will be held at the Boot Factory, Spring Street, Bondi Junction at:

7.00 PM, TUESDAY 19 AUGUST 2025

A handwritten signature in black ink, appearing to read 'Emily Scott', is positioned above the printed name.

Emily Scott
General Manager

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Statement of Ethical Obligations

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

Live Streaming of Meetings

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

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

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager will read the following Opening Prayer:

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

The Mayor will read the following Acknowledgement of Indigenous Heritage:

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

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There are no matters proposed to be dealt with in closed session.

12. Meeting Closure

OBITUARIES

CM/3/25.08

Subject: Obituaries

Author: Emily Scott, General Manager



The Mayor will ask Councillors for any obituaries.

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

CONFIRMATION AND ADOPTION OF MINUTES CM/5.1/25.08



Subject: Confirmation of Minutes - Council Meeting - 15 July 2025

TRIM No: A25/0081

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That Council confirms the minutes of the Council meeting held on 15 July 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 - 15 July 2025 .



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT THE BOOT FACTORY, SPRING STREET, BONDI JUNCTION ON
TUESDAY, 15 JULY 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

Staff in attendance:

Ben Thompson	Acting General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czinner	Director, Corporate Services
Fletcher Rayner	Director, Planning, Sustainability and Compliance

At the commencement of proceedings at 7.00 pm, those present were as listed above.

Cr Westwood attended the meeting by audio-visual link.

At 7.36 pm, during the consideration of item CM/6.1/25.07, the meeting adjourned due to technical issues. At 7.47 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

Apologies were received from Cr Dominic Wy Kanak, who was unable to attend the meeting by audio-visual link due to technical issues.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

3. Obituaries

There were no obituaries

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

4. Addresses by Members of the Public

4.1 G Naher – CM/7.20/25.07 – Waverley Cemetery Writers' Centre – Feasibility.

4.2 L Brandon – CM/8.2/25.07– Bondi Park Fitness Station.

4.3 I Purchas – CM/8.2/25.07 – Bondi Park Fitness Station.

4.4 J Pamment (on behalf of the Murph Group) – CM/8.2/25.07 – Bondi Park Fitness Station.

4.5 C Bringham (on behalf of Accessible Beaches Australia) – CM/8.4/25.07 – Beach Accessibility.

4.6 B Miley (on behalf of Lets Go Surfing) – CM/11.1/25.07 – CONFIDENTIAL REPORT – Bondi Beach Surf School – Licence.

ITEMS BY EXCEPTION**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconded: Cr Stephenson

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

- CM/5.1/25.07 Confirmation of Minutes – Council Meeting – 17 June 2025.
- CM/7.1/25.07 Access and Inclusion Panel Meeting – 14 May 2025 – Minutes.
- CM/7.2/25.07 Arts, Culture and Creativity Advisory Committee Meeting – 22 April 2025 – Minutes.
- CM/7.3/25.07 Multicultural Advisory Committee Meeting – 8 April 2025 – Minutes.
- CM/7.4/25.07 Rates and Charges Policy – Adoption.
- CM/7.6/25.07 Code of Meeting Practice – Adoption.
- CM/7.7/25.07 Councillor Expenses and Facilities Policy – Exhibition.
- CM/7.8/25.07 Councillor Expenses and Facilities – Annual Report.
- CM/7.10/25.07 Petitions Policy – Adoption.
- CM/7.11/25.07 Community Engagement Strategy – Adoption.
- CM/7.12/25.07 Community Services and Cultural Grants – 2025-26.
- CM/7.13/25.07 Multicultural Advisory Committee – Membership.
- CM/7.14/25.07 Homelessness and Emergency Response Plans.
- CM/7.15/25.07 Head On Photo Festival – 2025-2027.
- CM/7.17/25.07 Planning Agreement Policy (Amendment No. 6) – Adoption.
- CM/7.18/25.07 Planning Agreement – 92 Ramsgate Avenue, Bondi Beach.
- CM/7.22/25.07 Bondi Pavilion Internal Courtyard – Shade and Grass.
- CM/7.24/25.07 Tender Evaluation – SSROC – Transactional Banking Services.
- CM/8.2/25.07 Bondi Park Fitness Station.
- CM/8.3/25.07 Development Contributions Plan.
- CM/11.4/25.07 CONFIDENTIAL REPORT – Tender Exemption – Cleaning and Hygiene Services.

5. Confirmation and Adoption of Minutes

CM/5.1/25.07 Confirmation of Minutes - Council Meeting - 17 June 2025 (A25/0081)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh

Seconder: Cr Stephenson

That Council confirms the minutes of the Council meeting held on 17 June 2025 as a true record of the proceedings of that meeting.

6. Mayoral Minutes

CM/6.1/25.07 NSW Planning Reform (A11/0500)

MOTION / DECISION

Mover: Cr Nemesh

That Council:

1. Acknowledges that the NSW planning system and environmental planning instruments (EPIs) have over time become overly complex and require immediate and urgent reform to ensure housing can be delivered and be delivered well.
2. Notes that the NSW Government has endeavoured to make planning reform a priority.
3. Urgently calls for the NSW Government to undertake a review of the *Environmental Planning and Assessment Act 1979* (EP&A) to ensure:
 - (a) It is fit for purpose now and into the future.
 - (b) There is a clear relationship between the NSW Government's strategic vision for NSW and Greater Sydney.
 - (c) A reduction in complexity, cost and delays while improving transparency and facilitating investment, including much needed housing delivery.
4. Advocates for the Minister of Planning and Public Spaces, the Hon Paul Scully MP, and the Shadow Minister for Planning and Public Spaces, the Hon Scott Farlow MLC, to work together to:
 - (a) Review the objects of EP&A Act to ensure they are fit for purpose and consistent with and not contrary to housing and infrastructure delivery while retaining the importance of community participation.
 - (b) Undertake reforms to improve the development assessment (DA) process including (but not limited to):
 - (i) A framework for deemed approvals rather than deemed refusals.
 - (ii) Greater delegation to councils to determine low-impact DAs instead of current referrals to local planning panels.
 - (iii) A reduction in documentation required at the DA stage with detailed documentation

more appropriately undertaken at the construction certificate stage (CC).

- (iv) A potential reduction in notification of minor or non-impactful DAs and modification applications.
 - (v) Supporting councils to enable DA notifications through digital channels and not just hard copy.
 - (vi) Further refining the Planning Portal, which can be cumbersome for both applicants and councils.
 - (vii) Standardising key documents, such as the Development Control Plan structure (but not detailed contents), DA conditions and endeavour to reduce the complexity of consent conditions.
 - (viii) Enabling flexibility in the application of the Apartment Design Guidelines (ADG) to incentivise more modest housing being built within developments.
- (c) Review the planning panel framework including their delegations, noting that planning panels are unaccountable and unelectable.
- (d) Requests consideration that planning decisions may come before Council in limited circumstances for determination.
- (e) Ensure greater accountability and transparency by the NSW Government through:
- (i) More in-depth and detailed notification of complying development certificates (CDCs) to both landowners and residents and a requirement for CDCs to be published and accessible via Councils websites in the same way DAs are published.
 - (ii) All planning panels to have performance measures published similar to those imposed on councils.
 - (iii) Reviewing and amending the building information certificate (BIC) framework to ensure existing loopholes are closed and that respective works should not adversely impact surrounding residents either through design or construction.
 - (iv) Clarifying minor and major works under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP), which in practice imposes more burdensome and rigorous conditions on Class 2 buildings, which are already subject to the *Design and Building Practitioners Act 2020* than for other classes of buildings.
 - (v) Reviewing the private certification framework to ensure accountability especially in the context of the introduction of the *Design and Building Practitioners Act*.
- (f) Strengthening strategic planning and sustainability for councils by:
- (i) Ensuring that any uplift from rezonings is able to be value captured to fund infrastructure.
 - (ii) Updating conditions that trigger State Significant Development, noting that capital investment values have significantly increased in recent years.

- (iii) Ensuring that assessment of planning proposals aligns with Local Strategic Planning Statements to reduce ad hoc development.
 - (iv) Ensuring that housing productivity contributions (HPC) collected from development should be spent locally and not regionally.
 - (g) Provide greater resourcing to the Land and Environment Court.
5. Writes to the following stakeholders informing them of this resolution:
- (a) Premier of NSW, the Hon Chris Minns MP.
 - (b) Minister for Planning and Public Spaces, the Hon Paul Scully MP.
 - (c) Shadow Minister for Planning and Public Spaces, the Hon Scott Farlow MLC.
 - (d) Member for Coogee, Marjorie O'Neill MP.
 - (e) Member for Vaucluse, Kellie Sloane MP.
 - (f) Member for Wentworth, Allegra Spender MP.

Background

The *Environmental Planning and Assessment Act 1979* (EP&A Act) in NSW is the overarching legal instrument that governs planning and development in NSW. Its purpose is to manage and regulate how land is used and developed, balancing development with environmental protection and community needs. It does this by establishing a system for creating planning instruments, assessing development applications and ensuring that development considers environmental impacts. When introduced, the Act was groundbreaking and signalled a shift away from a fragmented approach to planning and introduced a more integrated system. However, in the almost four decades since the EP&A Act was passed, it has been amended over 150 times and grown from 137 pages to over 300 pages in length. Excessive regulation has been an impediment to good development and has been a contributing factor to the current housing crisis.

Previous attempts to reform the planning system have fallen short. A new planning system for NSW was proposed by the NSW Government in April 2013, when it released a White Paper titled *A New Planning System for NSW*. This proposal included draft legislation to replace the existing EP&A Act. Changes to this Act included a shift in focus from development assessment to strategic planning, with community engagement envisaged to be more focused on upfront policy development, with a streamlining development assessment. These reforms did not eventuate.

The consequences of constant ad hoc planning reform, particularly over recent years, has created substantial issues for councils and our communities more generally. Rules that were designed to improve oversight of the development assessment process have had the unintended outcome of creating unnecessary delays and added complexity, resulting in perverse outcomes. Excessive intervention and regulation have created a two-tier planning system that lacks integration and effective management.

The EP&A Act should be holistically reviewed and amended to reduce reliance on piecemeal changes and to provide an updated fit for purpose planning framework for the modern age. We cannot delay further if we are to address the housing crisis that if left unaddressed will create the largest form of intergenerational inequity in last past 100 years.

Division

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

Against the Motion: Cr Masselos.

7. Reports**CM/7.1/25.07 Access and Inclusion Panel Meeting - 14 May 2025 - Minutes (A21/0096)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Stephenson

That Council notes the minutes of the Access and Inclusion Advisory Panel meeting held on 14 May 2025 attached to the report.

CM/7.2/25.07 Arts, Culture and Creativity Advisory Committee Meeting - 22 April 2025 - Minutes (A23/0398)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Stephenson

That Council notes the minutes of the Arts, Culture and Creativity Advisory Committee meeting held on 22 April 2025 attached to the report.

CM/7.3/25.07 Multicultural Advisory Committee Meeting - 8 April 2025 - Minutes (A25/0221)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Stephenson

That Council notes the minutes of the Multicultural Advisory Committee meeting held on 8 April 2025 attached to the report.

CM/7.4/25.07 Rates and Charges Policy - Adoption (A25/0951)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Stephenson

That Council adopts the Rates and Charges Policy attached to the report.

CM/7.5/25.07 Code of Conduct - Adoption (SF25/333)**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis
Seconder: Cr Nemesh

That Council:

1. Adopts the Code of Conduct attached to the report (Attachment 1).
2. Adopts the Procedures for the Administration of the Code of Conduct attached to the report (Attachment 2), subject to the following amendments:
 - (a) Page 80 of the attachments under separate cover, clause 7.44 – Amend to read as follows:

‘Where the investigator has determined that there has been a breach of the code of conduct (including where the investigator makes a recommendation under clause 7.37) and makes a recommendation under clause 7.37, the complaints coordinator must, where practicable, arrange for the investigator’s report to be reported to the next ordinary council meeting for the council’s consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.’
 - (b) Page 81 of the attachments under separate cover, clause 7.46 – Amend to read as follows:

‘The role of the council in relation to a final investigation report is to consider a final investigation report and impose a sanction if the investigator has determined that there has been a breach of the code of conduct and has made a recommendation in their final report under clause 7.37.’
 - (c) Page 82 of the attachments under separate cover – Add the following clause 7.62:

‘For the avoidance of doubt, where the respondent was a councillor at the time of the complaint but ceased to be a councillor at the time when the final investigation report is to be considered by council under clause 7.44, the fact that the respondent is no longer a councillor does not prevent the council from considering the final investigation report.’
3. Officers prepare a report to Council once the new model Code of Conduct and Procedures are released by the Office of Local Government.

CM/7.6/25.07 Code of Meeting Practice - Adoption (SF25/332)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council:

1. Adopts the Code of Meeting Practice attached to the report.
2. Officers prepare a report to Council once the new model Code of Meeting Practice is released by the Office of Local Government.

CM/7.7/25.07 Councillor Expenses and Facilities Policy - Exhibition (SF25/1958)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconded: Cr Stephenson

That Council:

1. Publicly exhibits the draft Councillor Expenses and Facilities Policy attached to the report for 28 days.
2. Officers prepare a report to Council following the exhibition period.

CM/7.8/25.07 Councillor Expenses and Facilities - Annual Report (SF23/170)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconded: Cr Stephenson

That Council notes the annual report on Councillor expenses and facilities for the period 1 October 2024 to 30 June 2025 attached to the report.

CM/7.9/25.07 Local Government Conference 2025 (A13/0314)**MOTION**

Mover: Cr Nemesh
Seconded: Cr Stephenson

That Council, in respect of the Local Government NSW (LGNSW) Annual Conference to be held on Sunday, 23 November, to Tuesday, 25 November 2025:

1. Nominates the Mayor, Deputy Mayor and Crs Westwood, Stephenson and Frazer to attend the Conference as voting delegates for motions and the LGNSW Board election.
2. Nominates Crs Merten and Fabiano to attend the Conference as reserve voting delegates for motions and the LGNSW Board election.
3. Approves the attendance of the General Manager or nominee at the Conference.
4. Considers any motions for submission to the Conference at the September Council meeting.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF A NEW CLAUSE AS FOLLOWS:

‘Approves the attendance of Cr Masselos as an observer at the Conference.’

AMENDMENT

Mover: Cr Lewis
Seconded: Cr Fabiano

That clause 1 be amended to read as follows:

‘Nominates the Mayor, Deputy Mayor and Crs Westwood, Fabiano and Merten to attend the Conference as voting delegates for motions and the LGNSW Board election.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council, in respect of the Local Government NSW (LGNSW) Annual Conference to be held on Sunday, 23 November, to Tuesday, 25 November 2025:

1. Nominates the Mayor, Deputy Mayor and Crs Westwood, Stephenson and Frazer to attend the Conference as voting delegates for motions and the LGNSW Board election.
2. Nominates Cr Merten and Cr Fabiano to attend the Conference as reserve voting delegates for motions and the LGNSW Board election.
3. Approves the attendance of Cr Masselos as an observer at the Conference.
4. Approves the attendance of the General Manager or nominee at the Conference.
5. Considers any motions for submission to the Conference at the September Council meeting.

CM/7.10/25.07 Petitions Policy - Adoption (SF25/1018)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council adopts the Petitions Policy attached to the report.

CM/7.11/25.07 Community Engagement Strategy - Adoption (A24/0110)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council adopts the Community Engagement Strategy attached to the report.

CM/7.12/25.07 Community Services and Cultural Grants - 2025-26 (A20/0375)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council:

1. Under the Community Services and Cultural Grants Program 2025-26, grants a total of \$315,261 to the organisations set out in the attachment to the report.
2. Includes Wairoa School as a nominated organisation under the Community Services and Cultural Grants Program for a further three years until June 2028.

CM/7.13/25.07 Multicultural Advisory Committee - Membership (A25/0221)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconded: Cr Stephenson

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 report 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 members to the Multicultural Advisory Committee for a term of two years from August 2025 to August 2027:
 - (a) Community representatives/residents:
 - (i) Angela Wong.
 - (ii) Anna Friedman.
 - (iii) Elena Saikova.
 - (iv) Emmanuel Desproges.
 - (v) Florence Kolb.
 - (vi) Katrina Wong.
 - (vii) Raphael Crowe.
 - (viii) Rozy Dorizas.
 - (b) Subject matter experts/service representatives:
 - (i) Jingmin Ren.
 - (ii) Lana Kofman.
 - (iii) Robert Gregory.

CM/7.14/25.07 Homelessness and Emergency Response Plans (SF22/4968)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconded: Cr Stephenson

That Council:

1. Endorses the amendments to the Homelessness in Public Places Protocol relating to extreme weather events, as set out in the report.
2. Notes the existing Emergency Management Planning Frameworks for identifying, coordinating

and responding to extreme weather events, and recognises Eastern Suburbs Homelessness Assertive Outreach Collaboration (ESHAC) as the primary local network providing operational responses for people experiencing homelessness in Waverley, Woollahra and Randwick.

3. Notes the recent updates to the Climate Risk and Resilience Plan, as set out in the report, that included operational responses during extreme weather events in relation to vulnerable people.

CM/7.15/25.07 Head On Photo Festival - 2025-2027 (A25/0489)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council:

1. Approves the annual Head On Photo Festival as a High Impact 2 event in November for the period 2025–2027.
2. In accordance with section 356 of the *Local Government Act 1993*, grants \$60,313 (including GST) of in-kind support and \$20,750 (including GST) in cash to Head On Foundation Ltd each year to support the delivery of Head On Photo Festival in 2025, 2026 and 2027, with:
 - (a) The value of in-kind support to increase in line with Council’s annual fees and charges in 2026 and 2027.
 - (b) The value of cash support to be capped at \$20,750 in 2025, 2026 and 2027.
3. Authorises the General Manager or delegate to execute an event licence with Head On Foundation to deliver Head On Photo Festival for the period 2025–2027.

CM/7.16/25.07 Planning Proposal - Council Chambers (A25/0637)

MOTION / DECISION

Mover: Cr Nemesh
Seconder: Cr Spicer

That Council:

1. Prepares a planning proposal to rezone the Council Chambers site from SP2 Infrastructure to RE1 Public Recreation, listing ‘public administration building’ as an additional permitted use under schedule 1 of the *Waverley Local Environmental Plan 2012*.
2. Officers prepare a report to Council by October 2025 with a planning proposal suitable for seeking a Gateway determination from the NSW Department of Planning, Housing and Infrastructure.
3. Defers the decision on changing the reserve purpose and preparing a plan of management pending the outcome of initial consultation with the community on the future of the site.

Division

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

Against the Motion: Crs Fabiano and Masselos.

CM/7.17/25.07 Planning Agreement Policy (Amendment No. 6) - Adoption (SF25/1774)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council adopts the Planning Agreement Policy (Amendment No. 6) attached to the report.

CM/7.18/25.07 Planning Agreement - 92 Ramsgate Avenue, Bondi Beach (DA-387/2023)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council:

1. Approves the planning agreement attached to the report applying to land at 92 Ramsgate Avenue, Bondi Beach, offering a total monetary contribution of \$256,602, with \$192,451.50 (75%) to be allocated to Bondi Park improvements in accordance with the Bondi Park, Beach and Pavilion Plan of Management and \$64,150.50 (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.

Division

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

Against the Motion: Nil.

CM/7.19/25.07 Explanation of Intended Effect - Changes to Deter Illegal Tree and Vegetation Clearing - Submission (A22/0383)

MOTION

Mover: Cr Frazer
Seconder: Cr Spicer

That Council:

1. Approves the submission to the Department of Planning, Housing and Infrastructure attached to the report (Attachment 2) on the Explanation of Intended Effect: Changes to Deter Illegal Tree and Vegetation Clearing, with Council supporting reforms to introduce higher penalties and improved investigatory powers for councils, subject to the following amendment:
 - (a) Page 239 of the agenda, last paragraph – Amend to read as follows:

‘Waverley Council supports tightening the exemptions under sections 2.7(4) and (5) of the BC SEPP so that a landowner can only remove a minimum amount of vegetation if there is a clear and present risk to human life or property, not just a subjective risk, and that

hollows or other habitat features should be retained as much as possible. Removing loopholes to limit the removal of dead or dying trees is suggested. A Council permit or Native Vegetation Panel approval should be sought in cases where the dead or dying tree is considered by Council to be significant. As this may increase resourcing requirements for councils, the State Government should provide additional support to councils to provide qualified (arborist or ecologist) review before removal.'

2. Continues to promote local action, communication and awareness initiatives and proactive enforcement to protect local trees and vegetation.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 1(a).

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

UNANIMOUS DECISION

That Council:

1. Approves the submission to the Department of Planning, Housing and Infrastructure attached to the report (Attachment 2) on the Explanation of Intended Effect: Changes to Deter Illegal Tree and Vegetation Clearing, with Council supporting reforms to introduce higher penalties and improved investigatory powers for councils, subject to the following amendment:

- (a) Page 239 of the agenda, last paragraph – Amend to read as follows:

'Waverley Council strongly supports tightening the exemptions under sections 2.7(4) and (5) of the BC SEPP so that a landowner can only remove a minimum amount of vegetation if there is a clear and present risk to human life or property, not just a subjective risk, and that hollows or other habitat features should be retained as much as possible. Removing loopholes to limit the removal of dead or dying trees is suggested. A Council permit or Native Vegetation Panel approval should be sought in cases where the dead or dying tree is considered by Council to be significant. As this may increase resourcing requirements for councils, the State Government should provide additional support to councils to provide qualified (arborist or ecologist) review before removal.'

2. Continues to promote local action, communication and awareness initiatives and proactive enforcement to protect local trees and vegetation.

CM/7.20/25.07 Waverley Cemetery Writers' Centre - Feasibility (A25/0564)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconded: Cr Merten

That Council:

1. Agrees in principle to trial the use of the Cemetery residence building at Waverley Cemetery as a Writers' Centre for two years, as set out in the report, subject to the budget review at Q1.
2. Notes that the refurbishment of the amenities building and the relocation of staff from the Cemetery residence is already programmed and budgeted for in the 2025–26 SAMP Buildings Capital Renewal Program for the reasons set out in the report.

- Names the writers' centre the 'Henry Lawson Writers' Centre.'

G Naher addressed the meeting.

CM/7.21/25.07 Bronte House - Future Use and Public Accessibility (A02/0250-06)

MOTION

Mover: Cr Westwood
Seconder: Cr Townsend

That Council:

- Treats Attachment 2 of 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 attachment contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- Notes that 90% of the 469 responses were in favour of Bronte House being open to the public, with over 70% agreeing that Bronte House should be used as a tearoom, gallery with garden and for tours.
- Approves in principle the Council-operated community access model for the future use of Bronte House, as set out in the report (Option 2).
- Officers prepare a report to Council on the Council-operated community access model for both the house and the garden, including a detailed program and budget implications.
- Prior to the expiry of the current tenant lease in February 2026, undertakes an audit of the garden to update the significant vegetation register in the Bronte House Conservation Management Plan 2014.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 4.

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

UNANIMOUS DECISION

That Council:

- Treats Attachment 2 of 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 attachment contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- Notes that 90% of the 469 responses were in favour of Bronte House being open to the public, with over 70% agreeing that Bronte House should be used as a tearoom, gallery with garden and for tours.
- Approves in principle the Council-operated community access model for the future use of Bronte House, as set out in the report (Option 2).

4. Officers prepare a report to Council on the Council-operated community access model for both the house and the garden, including a detailed program and budget implications (akin to a business case).
5. Prior to the expiry of the current tenant lease in February 2026, undertakes an audit of the garden to update the significant vegetation register in the Bronte House Conservation Management Plan 2014.

Division

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

Against the Motion: Nil.

CM/7.22/25.07 Bondi Pavilion Internal Courtyard - Shade and Grass (A15/0272)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council:

1. Does not install additional tree plantings and vegetation to increase tree canopy and shade within the Garu (northern) and Guya (southern) Courtyards at Bondi Pavilion due to planning constraints and the impact this will have on the operations of the Pavilion.
2. Does not utilise temporary (unfixed) shade structures and planter boxes due to operational and storage constraints.
3. Amends Council's event application process to encourage event organisers to consider the use of temporary shade structures when planning their events.

CM/7.23/25.07 North Bondi Surf Life Saving Club and Forecourt - Lease and Licence - Exhibition (A25/0714)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council defers this item to the August Council meeting.

CM/7.24/25.07 Tender Evaluation - SSROC - Transactional Banking Services (SF17/2878)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconder: Cr Stephenson

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. Under section 178(1)(a) of the *Local Government (General) Regulation 2021*, accepts the preferred tenderer, Commonwealth Bank of Australia Ltd, for the supply of transactional banking services, as per the schedule of rates attached to the report.
3. Authorises the General Manager or delegate to enter into contract on behalf of Council with the preferred tenderer for three years with two two-year options at the discretion of SSROC and Council.
4. Notes that SSROC will notify unsuccessful tenderers of the decision in accordance with section 179 of the *Local Government (General) Regulation 2021*.

8. Notices of Motion

CM/8.1/25.07 Aboriginal Rock Carvings at Bondi Golf Course - Preservation (A03/2567)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Lewis

That Council defers this item to the August Council meeting.

CM/8.2/25.07 Bondi Park Fitness Station (A13/0520)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council:

1. Notes that during the COVID-19 pandemic and up to April 2025, free weights and other equipment types were informally allowed at the Bondi Park Fitness Station.
2. Permits the use of free weights and other fitness items at Bondi Park Fitness Station, subject to:
 - (a) The location of the free weights and other fitness items being restricted to an area within the fitness station boundary.
 - (b) No more than two of each type of fitness equipment being left within the area.
 - (c) In the case of weight-bearing equipment (e.g. dumbbells and kettlebells), no more than two of the same weight being allowed.
 - (d) The tethering and anchoring off existing trees remaining prohibited.
3. Allocates funds from existing signage budgets to replace the signage to permit this use.
4. Notes that commercial activities will continue to be prohibited.
5. Will impound equipment it deems to be unsafe.

L Brandon, I Purchas and J Pamment (on behalf of the Murph Group) addressed the meeting.

CM/8.3/25.07 Development Contributions Plan (A23/0030)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Stephenson

That:

1. Commences a review of the capital works program within the Waverley Development Contributions Plan 2006 (section 7.12 contributions plan) to ensure it accurately reflects Council-endorsed capital works and relevant adopted strategies.
2. Reviews the current fixed rate levy to ensure it remains appropriate, is economically feasible and is capable of providing a sustainable source of developer contributions to fund future works.
3. Officers prepare a report to Council no later than October 2025.

CM/8.4/25.07 Beach Accessibility (A21/0205)

MOTION

Mover: Cr Spicer
Seconder: Cr Townsend

That Council:

1. Prioritises beach accessibility at Bondi Beach by reinstating beach access matting in time for summer 2025.
2. Undertakes an operational and safety review to identify safe and practical options for the regular deployment of beach access matting.
3. Notes that until 2023, beach access matting was regularly deployed at the northern end of Bondi Beach to support access for all users, including wheelchair users
4. Collaborates with the Access and Inclusion Advisory Panel and the Surf Life Saving Committee and relevant community volunteer organisations and not-for-profits to establish a volunteer support program to assist wheelchair users with beach access and water safety.
5. Promotes these improvements once implemented and ensures information about beach wheelchairs, the booking process and the location of accessible and ambulant facilities is made widely available to the community.
6. Writes to all surf life saving clubs in Waverley to inform them of Council's accessibility initiatives and to request their support and involvement in the delivery of the volunteer support program.
7. Further writes to the following stakeholders to inform them of this motion:
 - (a) Member for Wentworth, Allegra Spender MP.

- (b) Member for Coogee, Marjorie O'Neill MP.
- (c) Member for Vaucluse, Kellie Sloane MP.
- (d) The Minister for Families and Communities and Minister for Disability Inclusion, the Hon Kate Washington MP.
- (e) All Precincts.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF A NEW CLAUSE AND AN AMENDMENT TO CLAUSE 7.

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

UNANIMOUS DECISION

That Council:

1. Prioritises beach accessibility at Bondi Beach by reinstating beach access matting in time for summer 2025.
2. Undertakes an operational and safety review to identify safe and practical options for the regular deployment of beach access matting.
3. Notes that until 2023, beach access matting was regularly deployed at the northern end of Bondi Beach to support access for all users, including wheelchair users
4. Collaborates with the Access and Inclusion Advisory Panel and the Surf Life Saving Committee and relevant community volunteer organisations and not-for-profits to establish a volunteer support program to assist wheelchair users with beach access and water safety.
5. Promotes these improvements once implemented and ensures information about beach wheelchairs, the booking process and the location of accessible and ambulant facilities is made widely available to the community.
6. Officers prepare a report to Council by March 2026 evaluating the reinstated access matting and volunteer support program, including feedback from users and partner organisations.
7. Writes to all surf life saving clubs in Waverley to inform them of Council's accessibility initiatives and to request their support and involvement in the delivery of the volunteer support program.
8. Further writes to the following stakeholders to inform them of this motion:
 - (a) Member for Wentworth, Allegra Spender MP.
 - (b) Member for Coogee, Marjorie O'Neill MP.
 - (c) Member for Vaucluse, Kellie Sloane MP.
 - (d) Minister for Families and Communities and Minister for Disability Inclusion, the Hon Kate Washington MP.
 - (e) Minister for Seniors, the Hon Jodie Harrison MP.

- (f) All Precincts.

C Brigham (on behalf of Accessible Beaches Australia) addressed the meeting.

CM/8.5/25.07 Bondi Pavilion - Community Spaces Consultation (A15/0272)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconded: Cr Masselos

That Council defers this item to the August Council meeting.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

There was no urgent business.

11. Closed Session

CM/11/25.07 Closed Session

MOTION

Mover: Cr Nemesh
Seconded: Cr Masselos

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/11.1/25.07 CONFIDENTIAL REPORT - Bondi Beach Surf School - Licence

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

CM/11.2/25.07 CONFIDENTIAL REPORT - 63A Wairoa Avenue, North Bondi - Lease

This matter is considered to be confidential in accordance with section 10A(2)(c) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if

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

CM/11.3/25.07 CONFIDENTIAL REPORT - 422 Oxford Street, Bondi Junction - Lease

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

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 8.53 pm, Council moved into closed session.

CM/11.1/25.07 CONFIDENTIAL REPORT - Bondi Beach Surf School - Licence (A25/0283)

MOTION / UNANIMOUS DECISION

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 information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Approves Option 1, one licence, as the operating model for the surf school at Bondi Beach, as set out in the report.
3. Undertakes an open tender process for the operation of the surf school.
4. Officers prepare a report to Council to grant a licence to the preferred tenderer(s).

B Miley (on behalf of Lets Go Surfing) addressed the meeting.

CM/11.2/25.07 CONFIDENTIAL REPORT - 63A Wairoa Avenue, North Bondi - Lease (A25/0282)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Stephenson

That Council defers this item to the August Council Meeting.

CM/11.3/25.07 CONFIDENTIAL REPORT - 422 Oxford Street, Bondi Junction - Lease (A03/1334)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconded: Cr Townsend

That Council defers this item to the August Council meeting.

CM/11.4/25.07 CONFIDENTIAL REPORT - Tender Exemption - Cleaning and Hygiene Services (A20/0274)

Council dealt with this item in open session.

MOTION / UNANIMOUS DECISION

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)(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. In accordance with section 55(3)(i) of the *Local Government Act 1993*, approves an exemption to tender to engage Solo Cleaning Services for the supply of cleaning and hygiene services across Council's facilities portfolio from 1 April 2025 to 30 March 2026, due to the extenuating circumstances of needing additional time to tender and the risks associated with potentially transitioning out the existing contractor and mobilising a new contractor over the end of year period.
3. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

12. Resuming in Open Session

CM/12/25.07 Resuming in Open Session

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconded: Cr Spicer

That Council resumes in open session.

At 9.00 pm, Council resumed in open session.

Resolutions from closed session made public

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

13. Meeting Closure

THE MEETING CLOSED AT 9.02 PM.

.....
SIGNED AND CONFIRMED
MAYOR
19 AUGUST 2025

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/25.08



Subject: Confirmation of Minutes - Extraordinary Council Meeting - 5 August 2025

TRIM No: A25/0081

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That Council confirms the minutes of the extraordinary Council meeting held on 5 August 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 - 5 August 2025 .



**MINUTES OF THE WAVERLEY EXTRAORDINARY COUNCIL MEETING
HELD AT THE BOOT FACTORY, SPRING STREET, BONDI JUNCTION ON
TUESDAY, 5 AUGUST 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 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 8.00 pm, those present were as listed above.

Cr Wy Kanak 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

Apologies were received from Cr Paula Masselos.

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. Reports

CM/4.1/25.08E 49 Mitchell Street, Bondi Beach - Land Classification (A25/0571)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh

Seconder: Cr Stephenson

That Council classifies 49 Mitchell Street, Bondi Beach (Lot 1 DP 14454), as operational land in accordance with section 31 of the *Local Government Act 1993*.

5. Urgent Business

There was no urgent business.

6. Meeting Closure

THE MEETING CLOSED AT 8.03 PM.

.....
SIGNED AND CONFIRMED
MAYOR
19 AUGUST 2025

MAYORAL MINUTES

CM/6/25.08



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.

REPORT

CM/7.1/25.08



Subject: Capital Works Review Committee Meeting - 29 May 2025 - Minutes

TRIM No: SF25/2135

Manager: Marija Torbarina, Acting Executive Officer

Director: Emily Scott, General Manager

RECOMMENDATION:

That Council notes the minutes of the Capital Works Review Committee meeting held on 29 May 2025 attached to the report.

1. Executive Summary

This report provides information about the Capital Works Review Committee meeting held on 29 May 2025. The minutes of the meeting are attached to this report.

2. Introduction/Background

On 29 October 2024, Council established the Capital Works Review Committee to provide strategic advice and oversight of Council's Capital Works Management Plan for infrastructure and building projects and the Information and Communication Technology (ICT) Modernisation Program.

3. Relevant Council Resolutions

Nil.

4. Discussion

This report updates Councillors on items discussed at the Capital Works Review Committee meeting held on 29 May 2025. The minutes, once noted, will be placed on Council's website.

5. Financial Impact

The support provided to facilitate Capital Works Review Committee meetings is covered in Council's operational budget.

6. Risks/Issues

Nil.

7. Attachments

1. Capital Works Review Committee - 29 May 2025 - Minutes [↓](#) .

Capital Works Review Committee Meeting



Minutes & Action Items

Date: Thursday, 29 May 2025
Meeting commenced: 6:01pm
Meeting closed: 7:01pm
Venue: Hybrid / Boot Factory, Cloud Room, Level 2, 27-33 Spring Street, Bondi Junction

Attendees	
Councillors	
Councillor	Will Nemesh (Chair)
Councillor	Margaret Merten (Deputy Chair)
Councillor	Katherine Westwood
Councillor	Dov Frazer
Councillor	Paula Masselos
Councillor	Joshua Spicer (Non-voting)
Councillor	Michelle Stephenson (Non-voting)
Staff	
Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czinner	Director, Corporate Services
Rodhan Haughton	Executive Manager, Special Projects
Nikolaos Zervos	Executive Manager, Infrastructure Services
Marija Torbarina	Administrative Support (Minutes)
Apologies	
Councillors	
Councillor	Margaret Merten
Councillor	Dov Frazer
Staff	
Rodhan Haughton	Executive Manager, Special Projects
Nikolaos Zervos	Executive Manager, Infrastructure Services

Page 2 of 5

Item No:	Item	Responsible Officer
	<ul style="list-style-type: none"> The overall health rating in the project status report remains green, with ratings unchanged. One amber rating remains against Schedule acknowledging that the schedule has been delayed per original tender program due to the Ausgrid Industrial Action in late 2024, however this does not lead to significant community, organisational or grant funding impacts. <p>Clifftop Walkway Upgrade</p> <ul style="list-style-type: none"> The overall health rating in the project status report remains green. Schedule has changed to green now that project works are completed. <p>Waverley Cemetery Quinn Road Memorialisation Wall</p> <ul style="list-style-type: none"> The overall risk rating in the project status report remains green, with ratings unchanged. <p>Curlewis Streetscape Upgrade</p> <ul style="list-style-type: none"> The overall risk rating in the project status report has changed from red to amber, with Cost / Budget changing to green. This is subsequent to the announcement that the project was successful in obtaining approximately \$3.075m in grant funding via the NSW Government Get NSW Active FY 25/26 program. <p>Charing Cross Streetscape Upgrade</p> <ul style="list-style-type: none"> The overall risk rating in the project status report remains amber, with ratings unchanged. Resolution of remaining funding for Stage 2 Separable Portion 2 construction works would convert the health rating to green. <p>SAMP Road Infrastructure Renewal</p> <ul style="list-style-type: none"> The overall risk rating in the project status report remains green. Resources has changed to amber to acknowledge that the Program's Project Manager will be on approximately four months of Parental Leave. An agency Project Manager has been brought on board to assist in delivery during this period. <p>SAMP Building Renewal</p> <ul style="list-style-type: none"> The overall risk rating in the project status report remains green. Resources has changed to amber noting that one Facilities Officer is on restricted work duties. 	

Item No:	Item	Responsible Officer
6	<p>Charing Cross Streetscape Upgrade – Program Acceleration</p> <p>The Committee received and noted a briefing to provide an overview of the Charing Cross Streetscape Upgrade project and seek the Committee’s feedback on the program acceleration options for the remainder of the SP1 Civil Works.</p> <p>Noted:</p> <ul style="list-style-type: none"> • The project involves a streetscape upgrade to the commercial precinct of Charing Cross to enhance the sense of arrival, including improved safety and convenience for active and public transport modes. • Works are currently in construction with the status of the respective components of the Project noted. • The Committee noted Council Officers are continuing to engage with TfNSW regarding funding opportunities for SP2 and the detailed review of the signalised design proposal. • The Committee considered options for SP1 Civil Works Program Acceleration from the beginning of June 2025 until the completion of SP1 Civil Works. <p>Committee Recommendation:</p> <p>The Committee recommended to pause a decision on the options and cost for the SP1 Civil Works Program pending outcome of SP2 Civil Works and supported further discussions with contractors regarding actual costs.</p> <p>The Committee noted a report will be provided in July at the CRWC meeting providing an update of engagement with TfNSW in relation to design and grant funding to supplement the LTFP funding and allow delivery of the SP2 Civil Works.</p> <p>Action</p> <ul style="list-style-type: none"> • Officers to hold discussions with businesses that will be impacted and report back at the next CWRC meeting. 	Rodhan Haughton / Nik Zervos
7	<p>Grant Update FY 2025-2026</p> <p>The Committee received and noted a briefing to provide an update on grant funding for the financial year (FY) 2025-26 Capital Works Program.</p> <p>Noted:</p> <ul style="list-style-type: none"> • Additional and new grant income noted. • Included grant income confirmed noted. • Project / Programs with unconfirmed grant funding in the draft FY 2025-26 program noted. • The Committee considered options for Project / Programs with unconfirmed funding. <p>Committee Recommendation:</p> <p>The Committee recommended that unconfirmed grant funding is included with Council contributions until Q2, with a final decision to be made at Q2, noting Project / Programs will not commence unless they can be covered by Council funding.</p>	

8	<p>Any Other Business</p> <p>Variation for playground slide in Waverley Park raised for consideration by the Committee, in the amount of \$150K.</p> <p>Action</p> <p>Mayor Will Nemesh to write a letter to the Minister of Water, The Hon. Rose JACKSON, MLC on behalf of Council.</p>	<p>Cr Will Nemesh / Sharon Cassidy</p>
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MEETING CLOSED: 7:01pm

NEXT MEETING: Thursday, 24 July 2025.

REPORT

CM/7.2/25.08



Subject: Reconciliation Action Plan Advisory Committee Meeting - 10 June 2025 - Minutes

TRIM No: A25/0222

Manager: Annette Trubenbach, Executive Manager, Community Services

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

RECOMMENDATION:

That Council notes the minutes of the Reconciliation Action Plan Advisory Committee meeting held on 10 June 2025 attached to the report.

1. Executive Summary

This report provides information about the minutes of the Reconciliation Action Plan (RAP) Advisory Committee meeting held on 10 June 2025 for Council's noting. The minutes are attached to the report.

2. Introduction/Background

The RAP Advisory Committee was established to support implementation of Council's Innovate Reconciliation Action Plan.

The meeting held on 10 June was the last meeting for the committee term.

In April 2025, Council resolved to change the name of the committee to the First Nations Advisory Committee and updated its terms of reference incorporating the new name and broadened scope.

3. Relevant Council Resolutions

Nil.

4. Discussion

The Committee's objective to date has been to provide cultural advice, guidance, feedback and support around implementation and monitoring of actions, projects and commitments identified in the RAP.

For the new term, the objective of the Committee is to provide cultural advice, guidance, feedback and support around Council priorities relating to Aboriginal and Torres Strait Islander people and cultures.

As this was the last meeting of the term, participants had the opportunity to reflect on their achievements. Some of these included:

The Ruby Hunter Tribute concert.

- First Nations voices are front of mind and projects are being undertaken in a respectful way, embedding culture and knowledge.

- Councillors have worked in partnership with the committee to support its work.
- There have been public displays of support for the Aboriginal community.
- Recommendation for and uptake of a new Heritage Study.
- Great opportunity for Aboriginal people to get together, listen to each other, share meaningful dialogue, share knowledge and be heard.
- Cultural protocols were established and enacted.
- Jobs, mentoring and lifting young people, creating the space for growth.
- Early learning language programs in Council's early education and care services.
- Signage at the Pavilion.

The Councillors acknowledged the contribution of and thanked the committee for their commitment during the term.

5. Financial Impact

Nil

6. Risks/Issues

Nil

7. Attachments

1. RAP - 10 June 2025 - Minutes [↓](#) .



Reconciliation Action Plan Advisory Committee

Meeting Minutes

Tuesday 10 June 2025

6pm-7:15pm

The Assembly Room, Boot Factory 27 – 33 Spring St Bondi Junction

1. Welcome and Acknowledgement of Country

The meeting opened at 6:10 and the Chair acknowledged country.

Present

Councillors	
Clr Lauren Townsend	Councillor (Chair)
Clr Ludovico Fabiano	Councillor
Clr Dominic WY Kanak	Councillor
Council Officers	
Ben Thompson	Director, Community, Culture and Customer Experience
Annette Trubenbach	Executive Manager, Community Programs
Rebecca Rodwell	Manager, Community Planning & Partnerships
Community Member/Organisations	
Gene Ross	Member
Dr Sarah Jane Moore	Member
Brad Franks	Member
Walangari Karntawarra	Member

2. Apologies

Clr Westwood, Emily Scott, Matilda Brown, Kirsty Beller, Liz Tierney, Earl Weir

3. Acceptance of previous minutes and matters arising

There were no minutes from the previous minutes as there was no quorum.

4. Elsa Dixon Trainees – Progress and Experience

The 6 new trainees at Council are progressing well, and working in the following areas:

- Cert 2 in Horticulture x 3 with the Open Spaces team



- Cert 2 in Community Services with the Community Programs team
- Cert 3 in Events with the Art, Culture and Events team
- Cert 2 in Workplace Skills with the Library

The trainees are being exposed to a range of workplace opportunities, events and skills development.

We also have 2 trainees in their second year who are working in the following areas:

- Cert 2 in Horticulture with the Open Spaces team
- Cert 2 in Business Admin with the Customer Service team

On 20 June, one of our trainees will be attending the NSW Training Awards for the Sydney region, where he is a finalist for the 2025 Aboriginal & Torres Strait Islander Student of the Year for the Central & Northern Sydney region.

5. Cultural Audit

Renaming Update – The Geographical Names Board have rejected Council's application to rename Eora Reserve and Biddigal Reserve, on the basis that place names should be enduring. However, the Board noted that it would reconsider its decision if there was evidence that the local community regarded the existing name as offensive.

The committee recommended that we seek advice from the Gujaga Foundation and, if supported, would then pursue the name changes backed up by relevant evidence.

6. Event Planning and Feedback

- *National Reconciliation Week*

An art shop was held with Billy Reynolds (a Dharawal/Yuin man) in the library, with 20 kids in attendance. Feedback was positive, and a similar session will be held for adults around NAIDOC week.

Unfortunately, the regional councils advisory committee get together had to be postponed, and this will be scheduled in Spring. An option is to combine this with the completion of the Whale Dreaming Public Art at the Pavilion.

- *Cultural Protocols Session for Council Officers*

A cultural protocols session is being held with Ray Ingrey in late June for Council Officers. There are currently 50 staff who have RSVP'd for this workshop.

- *NAIDOC Week*
 - On 5 July, Mi-kaisha and Riah will be performing as part of the Bondi Festival.
 - On 6 July, the art class with Billy Reynolds will be held in the library.
 - On Sunday 13 June, NAIDOC in the Park will take place with Randwick Council and the Centennial Parklands.

Information about all of these events will be shared with the committee and promoted widely through Council's communication channels.

- *Dawn Reflection 2026*



The new First Nations Committee will provide input into the 2026 Dawn Reflection.

A suggestion was made to bring together a group of local Aboriginal young people and provide them an opportunity to get together and learn a dance to be performed at the Dawn Reflection. This will be further explored.

7. End of Term

Reflection – The committee discussed highlights of the term. These included:

- The Ruby Hunter Tribute concert – an amazing effort from Earl and Matilda.
- Progress within Council is evident, First Nations Voices are front of mind and projects are being undertaken in a respectful way, embedding culture and knowledge.
- Councillors have supported the work of the committee in partnership.
- There have been public displays of support for the Aboriginal community.
- Recommendation for and uptake of a new Heritage Study.
- Great opportunity for Aboriginal people to get together, listen to each other, share meaningful dialogue, share knowledge and be heard.
- Feeling supported, safe and secure.
- Cultural protocols established and enacted.
- Councillors have really showed up for the committee, listening and understanding.
- Jobs, mentoring and lifting young people, creating the space for growth.
- Early learning language programs in Council's early education and care services.
- Small steps need to move into bigger steps to make real change.
- Keep teaching our history
- Signage at the Pavilion.
- Changing the name of the committee to reflect the breadth of contribution.
- Feedback will be sought from the existing and former committee members about their experience.

Process and Timeframes for EOI

Council will shortly be seeking applications for a new committee. Information will be shared with the committee and promoted. Timeframes are as follows:

- Applications Open – 16 June – 13 July
- Review Applications – 14 July – 28 July
- Report finalised – Wed August 6
- Council Meeting – Tuesday August 19
- Notify new committee – August 22
- Meeting Date – Tuesday 9th September

8. Other Items

Heritage Study Update

We should have a first draft by early next year. We have the final wording for the cultural IP for the contract now to make sure information provided by the Elders is treated respectfully and carefully and that it remains their cultural property. Paul Irish and the Gujaga Foundation are working closely with the Elders and their voices are being prioritized and reported. The research team has begun their work and went through the Waverley local studies collection last Wednesday.



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

The Whale Dreaming Artwork Update

Materials testing is under way and installation is expected to occur late September.

A question was raised about how the art will be protected (ie the sand blasting). The team are hoping that the art will be incorporated into the function and use of the space, so the cultural history and stories are shared.

Thank you

Councillors thanked the committee for their contribution over the term

9. Meetings in 2025

The remaining dates for 2025 are:

- Tuesday 9 September
- Monday 24 November

Meeting closed 7:21

REPORT

CM/7.3/25.08



Subject: Strategic Property Review Committee Meeting - 29 May 2025 - Minutes

TRIM No: SF25/2126

Manager: Marija Torbarina, Acting Executive Officer

Director: Emily Scott, General Manager

RECOMMENDATION:

That Council notes the minutes of the Strategic Property Review Committee meeting held on 29 May 2025 attached to the report.

1. Executive Summary

This report provides information about the Strategic Property Review Committee meeting held on 29 May 2025. The minutes of the meeting are attached to this report.

2. Introduction/Background

On 29 October 2024, Council established the Strategic Property Review Committee to provide strategic advice and oversight to inform and enhance Council's strategies for delivering services and facilities for the community and the effective management of Council's property assets.

3. Relevant Council Resolutions

Nil.

4. Discussion

This report updates Councillors on items discussed at the Strategic Property Review Committee meeting held on 29 May 2025. The minutes, once noted, will be placed on Council's website.

5. Financial Impact

The support provided to facilitate Strategic Property Review Committee meetings is covered in Council's operational budget.

6. Risks/Issues

Nil.

7. Attachments

1. Strategic Property Review Committee - 29 May 2025 - Minutes [↓](#) .

Strategic Property Review Committee Meeting



Minutes & Action Items

Date: Thursday, 29 May 2025
Meeting commenced: 7:02pm
Meeting closed: 7:15pm
Venue: Hybrid / Boot Factory, Cloud Room, Level 2, 27-33 Spring Street, Bondi Junction

Attendees	
Councillors	
Councillor	Will Nemesh (Chair)
Councillor	Margaret Merten (Deputy Chair)
Councillor	Michelle Stephenson
Councillor	Keri Spooner
Councillor	Dov Frazer
Councillor	Joshua Spicer (Non-voting)
Councillor	Paula Masselos (Non-voting)
Staff	
Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Ben Thompson	Director, Community, Culture and Customer Experience
Tara Czinner	Director, Corporate Services
Fletcher Rayner	Director, Planning, Sustainability and Compliance
Andrew Best	Executive Manager, Property and Facilities
Marija Torbarina	Administrative Support (Minutes)
Apologies	
Councillors	
Councillor	Dov Frazer
Staff	
Ben Thompson	Director, Community, Culture and Customer Experience
Fletcher Rayner	Director, Planning, Sustainability and Compliance

Item No:	Item	Responsible Officer
1	Welcome and Acknowledgement of Country The meeting opened at 7:02pm and Acknowledgement of Country was conducted by Councillor Will Nemesh.	
2	Introductions and Apologies Apologies were received from Councillor Dov Frazer.	
3	Declaration of Conflict of Interests No Conflicts of Interest were declared for this meeting.	
4	Confirmation of Minutes dated 1 May 2025 UNANIMOUS DECISION <div style="float: right;"> Mover: Cr Stephenson Seconder: Cr Nemesh </div> That the minutes of the Strategic Property Review Committee meeting held on 1 May 2025 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.	
5	Strategic Property Updates The Committee received and noted a briefing to present status updates in relation to the active strategic property projects that have been approved by Council. Noted: Bondi Pavilion Space Optimisation <ul style="list-style-type: none"> A project brief is being developed with a Project Manager to be allocated to the project and the project set to commence early in the new financial year. 2A Edmund Street Refurbishment <ul style="list-style-type: none"> The Major Projects team are developing the scope of works and aim to release a Tender to appoint a head contractor early in the new financial year. The Community Programs team will be providing an update to the Tenancy Policy at the September Council meeting. 49 Mitchell Street <ul style="list-style-type: none"> Officers will be undertaking a refurbishment of external elements; a project brief is in development and the work will be delivered by the Major Projects team as soon as practicable in the new financial year. Officers are in discussions with Evolve housing Council's Community Housing Provider in relation to transitioning the building into the Affordable Housing program. Officers will shortly commence a public exhibition process of the intent to classify the land as operational in accordance with sec 34 of the Local Government Act. A report will be presented to the July Council meeting to endorse the classification. Bronte House Public Accessibility and Use <ul style="list-style-type: none"> The consultation will commence on 28 May and run to 25 June 2025. The 	

Item No:	Item	Responsible Officer
	<p>consultation will be promoted via flyer being distributed to residents and businesses, via Councils social media platforms and through email to subscribers to Council's Have Your Say Page.</p> <p><i>Bondi Surf Bathers Life Saving Club Conservation and Restoration Project</i></p> <ul style="list-style-type: none"> • Officers will commence the negotiations for the ECI contract in the coming weeks. • Officers are liaising with the club to update the project scope and agree an update to the Heads of Agreement (HoA). A report will be presented to Council on the outcome of the negotiation process and to endorse the updated HoA. • A Councillor Briefing will also be scheduled on the project. <p><i>Waverley Cemetery Residence Building</i></p> <ul style="list-style-type: none"> • A report is being prepared for the 17 June 2025 Council meeting. <p><i>Council Chambers Site Options</i></p> <ul style="list-style-type: none"> • A RFQ to appoint a consultant to develop the two concepts has commenced and it is expected that the consultant will commence the work in June 2025. • The estimated program is six weeks. As part of the engagement Consultants will be asked to present early concepts to the July SPRC meeting to allow the committee the opportunity to provide feedback and input into the concept development phase. <p><i>Library and Customer Service Centre Space Optimisation</i></p> <ul style="list-style-type: none"> • Budget is allocated in the 2025-26 Capital Works Program budget. • A project brief is being developed for the Major Project team. A PCG to be formed and scope development to commence in July. <p><i>Bondi Junction Master Plan</i></p> <ul style="list-style-type: none"> • The procurement of the head consultant and project managers for the project are nearing completion a. <p><i>Rowe Street Development Project</i></p> <ul style="list-style-type: none"> • A request has been received from the project partner Zondaro to pause the Project Agreement and officers are currently considering the request. • Officers are negotiating with TfNSW on the breakthrough agreement and an update report dealing with these matters will be presented to the June Council meeting. <p><i>Appointment of a Strategic Property Specialist</i></p> <ul style="list-style-type: none"> • An offer has been made to the preferred candidate Michael Clark. • Michael has 25 years of property experience in Australia, New Zealand and the UK and has both Commercial and Government property experience at Director/Executive level. • It is expected that Michael will commence in the role on 2 June 2025. 	
6	<p>Any Other Business</p> <p>There was no other business.</p>	

MEETING CLOSED: 7:15pm

NEXT MEETING: Thursday, 24 July 2025

REPORT

CM/7.4/25.08



Subject: Budget Carry Over - 2024-25 to 2025-26

TRIM No: SF24/4957

Manager: Teena Su, Executive Manager, Finance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. Carries over \$4,011,427 from the 2024–25 financial year budget to the 2025–26 financial year, as set out in Attachment 1 of the report.
2. Approves the Seven Ways project costs requirement and funds it by reprioritising the 2025–26 expenditure program, as set out in the report.
3. Notes the preliminary budget performance for the 2024–25 financial year, as set out in the report.
4. Notes that the year-end financial statements for the 2024–2025 financial year will be reported to the Audit, Risk and Improvement Committee in August 2025 and Council in September 2025.
5. Request the Mayor write to the Minister for Infrastructure, Transport, Regional Development and Local Government, requesting a consistent approach for the distribution of financial assistance grants each year.

1. Executive Summary

The purpose of this report is to seek Council approval to transfer \$4.01m in funds associated with specific operational and capital projects from the 2024-25 financial year (FY) to the current 2025-26 financial year and to fund the Seven Ways cost requirement through a reprioritisation of the current 2025-26 budget program.

These funds will permit the approved multi-year projects and programs to continue in the financial year 2025/26 for completion, as per Delivery Program commitments.

The report also provides a preliminary year-end budget performance for the 2024-25 financial year outlined in section 4 below.

2. Introduction/Background

It is proposed that approved funds associated with a number of operational and capital projects from the 2024-25 financial year, as detailed in Attachment 1, be carried over to the 2025-26 financial year to permit completion, as per Delivery Program commitments.

3. Relevant Council Resolutions

Nil.

4. Discussion

Carry-over proposal to FY 2025-26 (Attachment 1)

In accordance with the carry-over process, 48 operational and capital projects and programs were identified as requiring unspent funds to be carried over to the new financial year 2025-26 to permit their completion. These requests have been reviewed and agreed by the Executive Leadership Team (ELT). The proposed carry-overs total \$4.01m, with funding comprising \$1.11m from 2024/25 general fund, \$0.72m internal / external restricted reserves, and \$2.12m from grant income to be received in 2025/26. This is summarised in the following table.

Table 1. Summary of carry-overs.

Carry Overs from 2024/25 to 2025/26			Funding Sources Summary				
\$							
Requestor	Proposed Carry Over Value	No. of Carryovers	2024/25 General Fund	Internal Restricted Reserves	External Restricted Reserves	Income to be received in 2025/26	Total
Total Operational Carry Over	\$ 1,194,648	24	152,952	0	0	1,041,695	1,194,648
Total Capital Works Carry Over	\$ 2,816,779	24	960,364	114,707	605,680	1,136,029	2,816,779
Total Carry Over to 2025/26	\$ 4,011,427	48	1,113,317	114,707	605,680	2,177,724	4,011,427

Refer to Attachment 1 for further detail.

Operational capital expense carry-overs (\$1.19m)

With the exception of the Councillor expenses budget (provided on a four-year term basis), only grant funded projects can be carried over in the operational budget.

Proposed carry-overs include:

- Regional Environment Program: \$693k (grant and three-councils funded work).
- Permit/Plug/Play Pilot Program: \$416k (grant funded work).
- Kerbside dumping: \$10k (grant funded work).
- Councillors' term equipment expenses: \$76k.

Capital works program carry-overs (\$2.82m)

Unspent capital funds from FY 24/25 that are allocated to the completion of capital projects still in progress, require carry over into the FY 25/26.

24 capital work program projects, totalling \$2.82m, require funds to be carried over to FY 2025-26; see Table 2.

Table 2. Capital works program carry-overs.

Capital Works Program	No. of projects	Value \$
Multi-year projects	9	1,747,459
Projects expected to be completed in FY2025-26	15	1,069,320
Total Carry Over	24	2,816,779

The 2024-25 proposed carryover request has positively reduced from prior year's \$6.14m.

Below is a graph showing carry-over performance for the past four years.

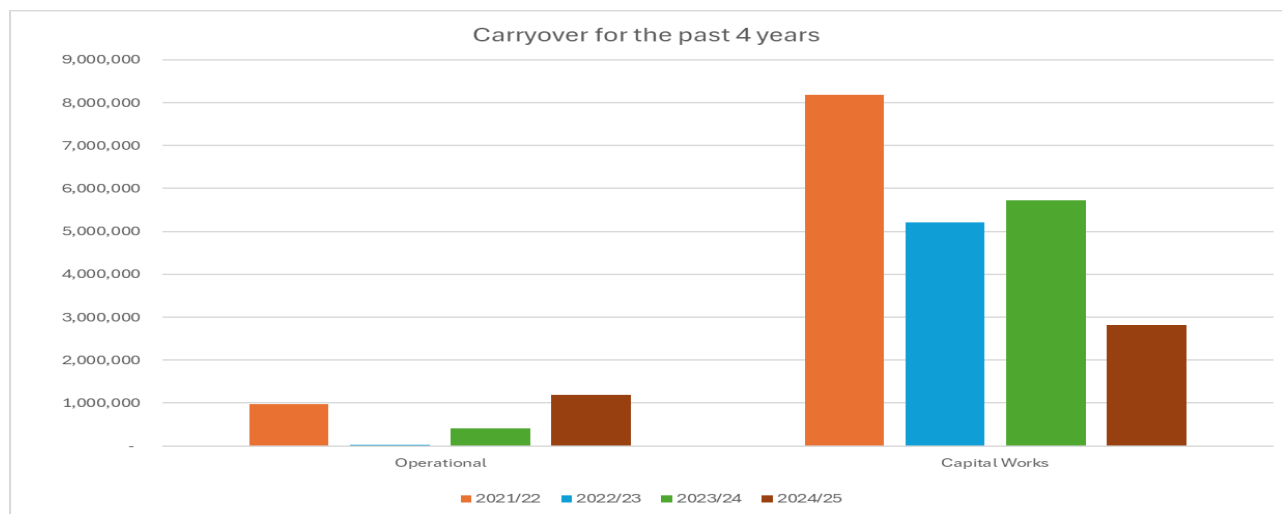


Figure 1. Carry-overs for the past four years.

The carry-over requests are a result of variance to the program schedule and subsequent capital expenditure.

The 48 carry-over items valued at \$4.01m and associated funding sources were included in the previous year 2024-25 and will not impact the current year 2025-26 budget bottom line.

Seven Ways cost requirement in FY 2025-26

A Councillor briefing session was held in June 2025 to update Councillors on the recent outcome of the Seven Ways litigation. As such, it is anticipated that an additional \$1.125M is required in 2025/26 budget, comprising a \$375,000 operational expense and a \$750,000 capital expense. To fund the program cost, it is proposed that the operational component of \$375,000 is funded within the existing 2025-26 operational budget with no net increase, and the capital component of \$750,000 is funded through a re-prioritisation of the capital works program as per the following table:

Table 3. 2025-26 capital work program projects amendment to fund Seven Ways capital cost request.

Cost Code	Project	2025/26 Cost Reductions/ Re-Purpose \$	Funding source/Reserve
C0876	63a Wairoa WAYS Youth Centre	150,000	S7.12
C1217	Ancillary Works for Road Resheeting	150,000	Centralised Reserve
C1231	Ancillary Works for Road Resheeting	150,000	Centralised Reserve
C1246	Ancillary Works for Road Resheeting	60,000	General Fund
C1281	CSIRO Astronomical Viewing Platform	40,000	PA Reserve
C1287	Stormwater Drainage Improvement	200,000	Stormwater Management Reserve
	TOTAL	750,000	

Preliminary year-end budget performance for 2024-25 financial year

The year-end budget performance has achieved a balanced result which was supported by a \$15.9m reserves fund allocation for capital expense investment.

- Operating income achieved at \$164.9m, representing a 1.7% (\$2.9m) unfavourable variance when compared to the current budget (Q3) of \$167.8m; when compared to the original budget of \$159.7m, it was a 3.2% (\$5.2m) favourable.
- Operating expense at \$143.7m, represented a 1.2% (\$1.7m) favourable variance compared to the current budget of \$145.4m.
- Capital income achieved at \$17.8m compared to its current budget of \$17.5m. Capital works program delivery achieved at \$42.1m compared to the current budget of \$45.6m, representing 92% program delivery.
- Reserves fund usage is lower than the current budget by \$2.2m (12%) to \$15.9m due to the under spent in capital works program.

The following table provides a comparison of the Council's forecast position between the current approved budget and actuals for the 2024-25 financial year.

Table 4. Preliminary 2024-25 year-end budget performance result.

Preliminary 2024/25 Year-End Result - \$'000	2024/25 Original Budget	2024/25 Current Budget	2024/25 Actual	2025 variance \$	2025 variance %	2025 variance on original budget \$	2025 variance on original budget %
Operating Income	159,746	167,832	164,910	-2,923	-1.7%	5,164	3.2%
Operating Expense	(140,037)	(145,382)	(143,684)	1,699	1.2%	-3,647	-2.6%
Operating result - surplus/(deficit)*	19,709	22,450	21,226	(1,224)	-5.5%	1,517	7.7%
Capital Income	28,850	17,517	17,778	262	1.5%	(11,072)	-38.4%
Capital Expense	(9,927)	(11,919)	(12,256)	-337	-2.8%	(2,329)	-23.5%
Capital Works Expense	(36,100)	(45,610)	(42,140)	3,470	7.6%	(6,040)	-16.7%
Capital result - surplus/(deficit)	(17,177)	(40,012)	(36,618)	3,395	8.5%	(19,440)	-113.2%
Net Income/(expense)	2,532	(17,563)	(15,392)	2,171	12.4%	(17,924)	-707.9%
Loan & Repayment	(486)	(486)	(486)		0.0%		0.0%
Reserves - transfer from/(to)	(2,046)	18,048	15,878	-2,171	-12.0%	17,924	875.9%
Net Result - surplus/(deficit)	0	0	0	-	0.0%	-	0.0%
* excludes depreciation expense							

The year-end operating performance ratio (OPR) is expected to be negative 0.70%, compared to the Q3 projection of positive 0.16% in the current budget. The unfavourable OPR result is attributed to the following unforeseen items experienced post the Q3 budget review process:

1. Financial assistance grant advance payment fell short by \$753k to \$1.6m compared to the budget of \$2.4m due to the Federal Government changing the advance payment distribution percentage to 50% from the previous year's 85%. The announcement of the advance payment distribution to councils happened in late June.
2. Bus shelter advertising income fell short by \$0.3m due to contract variation negotiations regarding the bus shelter replacements, thus impacting capital works and income.
3. A higher depreciation expense by \$0.2m to \$22.2m compared to the budget of \$22.0m (non-cashflow item).

The year-end financial statements for the 2024-25 financial year will be reported to the Audit, Risk and Improvement Committee (ARIC) in August and Council in September 2025.

5. Financial Impact

The 2024-25 incomplete works carry-over and the Seven Ways budget requirements will have no impact on the 2025-26 budget bottom line. Council will continue to deliver a balanced budget for 2025-26 financial year as shown in the following table.

Table 5. Revised 2025-26 budget after the proposed carry-overs and Seven Ways requests.

	2025/26 Original Budget	Carryovers and 7-ways	2025/26 Revised Budget	Change from original budget
25/26 Budget - \$'000				
Operating Income	171,362	1,042	172,404	0.6%
Operating Expense	(147,609)	(1,195)	(148,804)	0.8%
Operating result - surplus/(deficit)	23,753	(153)	23,600	-0.6%
Capital Income	25,513	1,136	26,649	4.5%
Capital Expense	(5,447)		(5,447)	0.0%
Capital Works Expense	(58,946)	(2,817)	(61,763)	4.8%
Capital result - surplus/(deficit)	(38,880)	(1,681)	(40,561)	4.3%
Net income/(expense)	(15,127)	(1,834)	(16,961)	12.1%
Loan & Repayment	13,192		13,192	0.0%
Reserves - transfer from/(to)	1,936	1,834	3,769	94.7%
Budget Result - surplus/(deficit)	-	-	-	0.0%

6. Risks/Issues

If there is any material decline in income and/or increase in service/project costs in the 2025-26 budget, Council will need to secure other alternative income sources or further resource allocation prioritisation to manage upcoming financial commitments and achieve its long-term financial sustainability goal and deliver on its strategic priorities.

7. Attachments

1. Carry-overs from 2024-25 to 2025-26 [↓](#) .

Carry Overs from 2024/25 to 2025/26									
						Funding Sources Summary			
No	Cost Centre Description	cost centre	Natural account	Account No.	Proposed Carry Over Value	Grant/Fee to be received/recongnised in 2025/26	External Restricted Reserves	Internal Restricted Reserves	2024/25 General Fund
1	Permit/Plug/Play Pilot program	R0170	4301	R0170-4301-00-00-034	1,209	(1,209)	0	0	0
2	Permit/Plug/Play Pilot program	R0170	4535	R0170-4535-00-00-034	414,570	(414,570)	0	0	0
3	Kerbside Dumping	R0179	4435	R0179-4435-00-00-031	10,500	(10,500)	0	0	0
4	Circular Bondi Junction project	R0114	4535	R0114-4535-00-00-044	20,031	(20,031)	0	0	0
5	Regional Environment Program	R0148	4435	R0148-4435-00-00-044	62,647	(62,647)	0	0	0
6	Regional Environment Program	R0148	5940	R0148-5940-00-00-044	194,792	(194,792)	0	0	0
7	Regional Environment Program	R0149	4435	R0149-4435-00-00-044	144,035	(144,035)	0	0	0
8	Regional Environment Program	R0149	5940	R0149-5940-00-00-044	70,786	(70,786)	0	0	0
9	Regional Environment Program	R0150	4435	R0150-4435-00-00-044	94,338	(94,338)	0	0	0
10	Regional Environment Program	R0150	5940	R0150-5940-00-00-044	28,788	(28,788)	0	0	0
11	Regional Environment Program	44016	4535	01-44016-4535	49,513	0	0	0	(49,513)
12	Regional Environment Program	44013	4535	01-44013-4535	27,774	0	0	0	(27,774)
13	Councillor Fabiano - 2024-2028	11038	4496	01-11038-4496	3,086	0	0	0	(3,086)
14	Councillor Frazer - 2024-2028	11039	4496	01-11039-4496	7,408	0	0	0	(7,408)
15	Councillor Lewis - 2024-2028	11040	4496	01-11040-4496	8,000	0	0	0	(8,000)
16	Councillor Masselos - 2024-2028	11041	4496	01-11041-4496	6,030	0	0	0	(6,030)
17	Councillor Merten - 2024-2028	11042	4496	01-11042-4496	8,000	0	0	0	(8,000)
18	Councillor Nemesh - 2024-2028	11043	4496	01-11043-4496	7,659	0	0	0	(7,659)
19	Councillor Spicer - 2024-2028	11044	4496	01-11044-4496	3,589	0	0	0	(3,589)
20	Councillor Spooner - 2024-2028	11045	4496	01-11045-4496	8,000	0	0	0	(8,000)
21	Councillor Stephenson - 2024-2028	11046	4496	01-11046-4496	4,973	0	0	0	(4,973)
22	Councillor Townsend - 2024-2028	11047	4496	01-11047-4496	6,426	0	0	0	(6,426)
23	Councillor Westwood - 2024-2028	11048	4496	01-11048-4496	4,494	0	0	0	(4,494)
24	Councillor Wy Kanak - 2024-2028	11049	4496	01-11049-4496	8,000	0	0	0	(8,000)
	Total Operational Carry Over				1,194,648	(1,041,695)	0	0	(152,952)
25	Bronte Pump House Upgrade and Pump Replacement	C0289		C028959450000034	102,065	0	0	0	(102,065)
26	Waverley signage strategy Implementation	C0850		C085059450000034	9,466	0	0	(9,466)	0
27	Quinn Rd Memorialisation Wall	C1040		C104059450000034	20,213	0	0	(20,213)	0
28	Curlewis St Streetscape Upgrade	C0891		C089159450000034	1,349,986	(1,000,000)	0	0	(349,986)
29	40km/hr speed zone review - signage	C1076		C107659450000034	74,979	(74,979)	0	0	0
30	SAMP Traffic Control Devices	C1180		C118059450000034	44,586	0	0	0	(44,586)
31	Adelaide and Grafton Street Shared Path	C1186		C118659450000034	61,050	(61,050)	0	0	0
32	North Bondi Bus Terminus	C1116		C111659450000034	40,000	0	(40,000)	0	0
33	Road Safety and Traffic Calming	C1020		C102059450000034	191,290	0	0	0	(191,290)
34	2024/25 - RC - Heavy Patching Program	C1128		C112859450000034	119,292	0	(15,251)	(49,915)	(54,126)
35	2024/25 - RC - FLETCHER STREET, MARKS LANE to SANDRIDGE STRE	C1131		C113159450000034	25,699	0	0	(2,497)	(23,202)
36	2024/25 - RC - HENRY STREET, VICTORIA STREET to JOHN STREET	C1132		C113259450000034	2,660	0	0	(2,660)	0
37	2024/25 - RC - JOHN STREET, EDMUND STREET to HENRY STREET -	C1133		C113359450000034	14,956	0	0	(2,459)	(12,497)
38	2024/25 - RC - MARROO STREET, BUSBY LANE I to BUSBY PARADE -	C1134		C113459450000034	33,385	0	0	(7,126)	(26,259)
39	2024/25 - RC - SALISBURY STREET, HENRIETTA STREET to CAMPBEL	C1135		C113559450000034	75,328	0	0	(16,243)	(59,085)
40	2024/25 - RC - VIRGIL LANE, YANKO AVENUE to ST THOMAS STREET	C1136		C113659450000034	21,137	0	0	(1,442)	(19,695)
41	2024/25 - RC - MILITARY ROAD, DOUGLAS PARADE to WENTWORTH ST	C1141		C114159450000034	2,687	0	0	(2,687)	0
42	Public Art Commissions	C0714		C071459450000034	202,030	0	(202,030)	0	0
43	Waverley Park Playground and Fitness Station Upgrade	C0886		C088659450000034	134,420	0	(134,420)	0	0
44	Bondi Park Plan of Management	C1118		C111859450000034	63,435	0	0	0	(63,435)
45	Bronte, Tamarama, Williams and Waverley Park Plan of Managem	C1119		C111959450000034	195,734	0	(195,734)	0	0
46	Scott Street Reserve	C1183		C118359450000034	18,244	0	(18,244)	0	0
47	Clemenston Park Renewal	C1192		C119259450000034	11,368	0	0	0	(11,368)
48	January 2025 Storm Damages	E0010		E001059450000034	2,770	0	0	0	(2,770)
	Total Capital Works Carry Over				2,816,779	(1,136,029)	(605,680)	(114,707)	(960,364)
	Total Carry Over to 2024/25				4,011,427	(2,177,724)	(605,680)	(114,707)	(1,113,317)

REPORT CM/7.5/25.08



Subject: Investment Portfolio Report - June 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 June 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 June 2025, Council's investment portfolio generated \$445,034 in interest.

The interest income for 2024-25 financial year has achieved 100.61% (\$5,599,804) of the current budget of \$5,565,713.

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 Q3 Budget Review revised the interest on investment to \$5,565,713 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	5,565,713	402,607	402,607	7.23%
August	4,127,190	5,565,713	383,202	785,869	14.12%
September	4,127,190	5,565,713	626,228	1,412,037	25.37%
October	4,127,190	5,565,713	437,122	1,849,159	33.22%
November	4,127,190	5,565,713	435,720	\$2,284,879	41.05%
December	4,127,190	5,565,713	642,811	\$2,927,690	52.60%
January	4,127,190	5,565,713	404,704	\$3,332,394	59.87%
February	4,127,190	5,565,713	398,599	\$3,730,994	67.04%
March	4,127,190	5,565,713	604,253	\$4,335,246	77.89%
April	4,127,190	5,565,713	382,193	\$4,692,021	84.30%
May	4,127,190	5,565,713	462,748	\$5,154,770	92.60%
June	4,127,190	5,565,713	445,034	\$5,599,804	100.61%

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 17 June 2025	CM/7.5/25.08	<p>That Council:</p> <ol style="list-style-type: none"> Notes the Investment Summary Report for May 2025 attached to the report. Notes that the Executive Manager, Finance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the <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 6.12% pa (0.49% actual) for the month versus the bank bill index benchmark return of 3.94% pa (0.32% actual). Over the 2024-25 financial year, the investment portfolio returned 5.32%, versus the bank bill index benchmark's 4.39%.

The NSW TCorp Long Term Growth Fund recorded another strong result during the month with a gain of 2% (actual). The return was reflective of the gains in the domestic and international share markets as fears of an escalating Iranian crises lessened, oil prices dropped and optimism grew for trade deals and interest rate cuts.

Without marked-to-market influences, Council's investment portfolio yielded 4.71% 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 June, Council had maturities of \$12m across four term deposits with original terms of six (x 2) and 10 (x 2) months which were yielding an average of 5.11% pa. Council invested \$9m between three new Suncorp deposits with maturities of seven, eight and 12 months at an average rate of 4.32% pa, which is a good result particularly if the anticipated RBA rate cuts ensue.

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

Date	Amount	Term (months)	Non-Fossil/Green Deposit Rates	Fossil Fuel ADI Deposit Rates
11-Jun-25	\$3,000,000	12	4.21%	4.15%
20-Jun-25	\$3,000,000	8	4.42%	4.20%
25-Jun-25	\$3,000,000	7	4.33%	4.20%

As at 30 June 2025, Council's investment portfolio has a current market value of \$118,105,669 which represents a gain of \$1,316,776 on the \$116,788,893 face value of the portfolio. The table below provides a summary by investment (asset) type.

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

Asset group	Face value	Current value
Cash	\$13,108,267	\$13,108,267
Floating Rate Note	\$29,650,000	\$29,748,934
Managed Funds	\$9,030,626	\$9,030,626
Term Deposit	\$65,000,000	\$66,217,842
Total	\$116,788,893	\$118,105,669

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

Reserves	Value*
External Restriction Reserves	\$30,191,212
Internal Restriction Reserves	\$68,434,613
Unrestricted fund	\$18,163,068
Total	\$ 116,788,893

*Subject to change as we are finalising the year-end process.

Analysis

Attached to this report is a summary of the investment portfolio for the month of June. These reports are prepared by Council's independent financial advisor, Prudential Investment Services Corp. The table below compares Council's portfolio return to the bank bill index benchmark.

Table 5. Portfolio return.

Month	Portfolio return %	Ausbond BB index %	Variance %
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
Mar-25	2.34	4.16	-1.82
Apr-25	4.58	4.38	0.20
May-25	0.62	0.34	0.28
Jun-25	6.12	3.94	2.18
Average % return over the last 12 months	5.32	4.39	0.93

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 June 2025, 68% 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 25% of the portfolio. The remaining 7% is invested with TCorp.

From June 2018 to June 2025, Council has reduced its investment in fossil-fuel-lending ADIs from 59% to 25%, as shown in Figure 1 below.

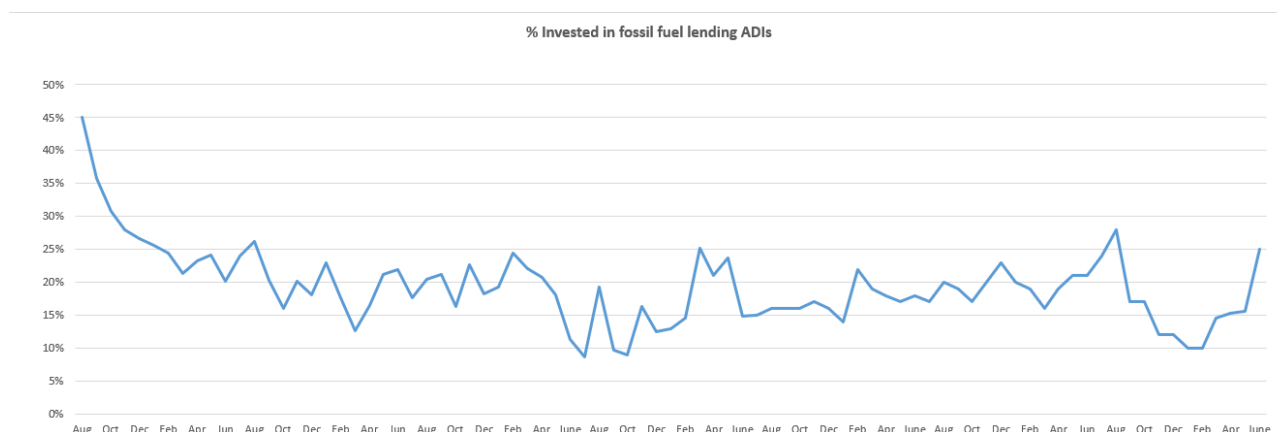
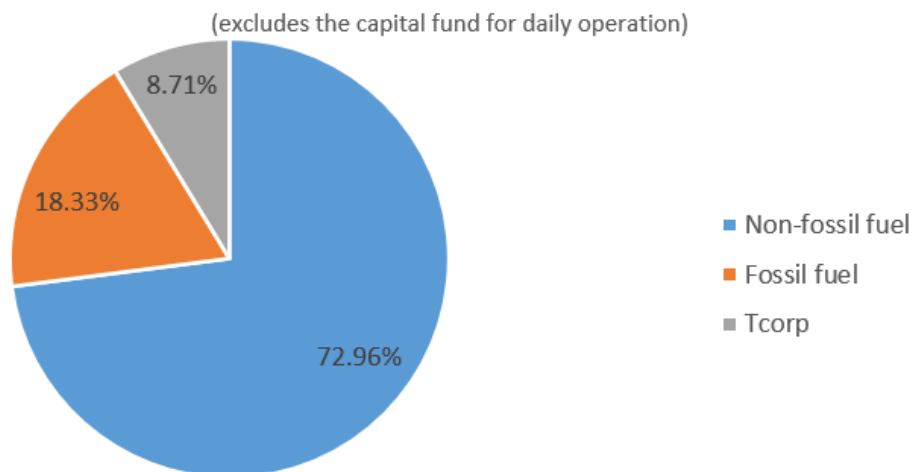


Figure 1. Investments in fossil-fuel-lending ADIs.

When excluding the working capital funds held in the Commonwealth Bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 72.96% of Council's investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, 18.33% fossil-fuel-lending ADIs and the remaining 8.71% is invested with TCorp as displayed in Figure 2 below.

Figure 2: Investment portfolio - June 2025

*Figure 2. Investment portfolio.*

5. Financial Impact

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

Council's investment portfolio has achieved interest earning of \$5,599,804 for the 2024-25 financial year, representing 100.61% of the current budget of \$5,565,713.

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 Summary Report - June 2025 [↓](#) .



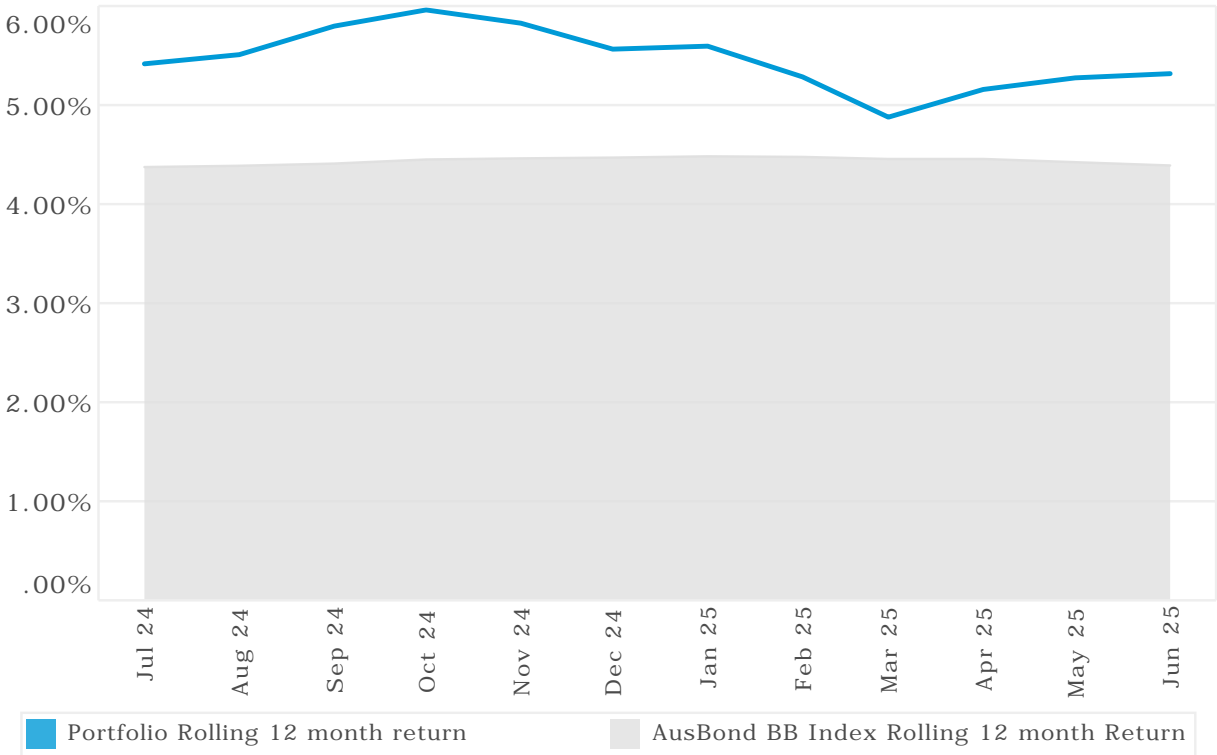
Investment Summary Report June 2025

Waverley Council
Executive Summary - June 2025



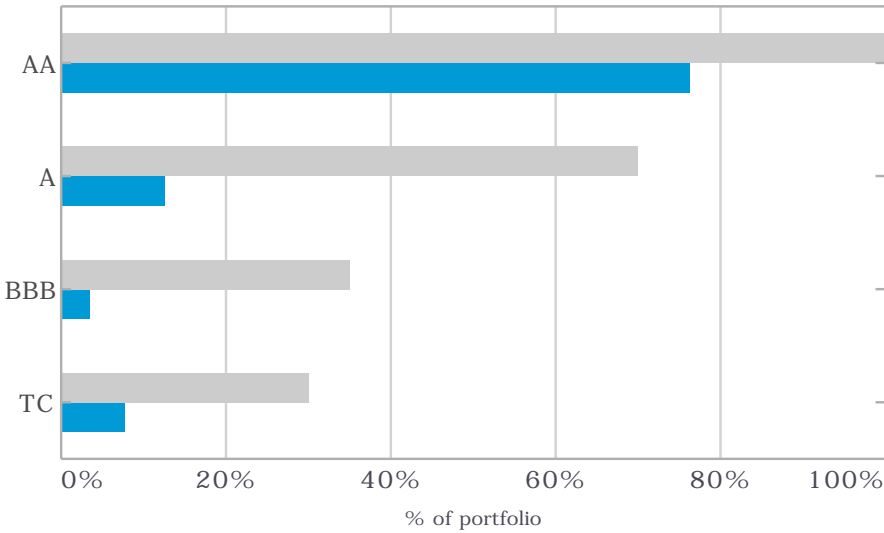
Investment HoldingsInvestment Performance

	Face Value (\$)	Current Value (\$)
Cash	13,108,267	13,108,267
Floating Rate Note	29,650,000	29,748,934
Managed Funds	9,030,626	9,030,626
Term Deposit	65,000,000	66,217,842
	116,788,893	118,105,669

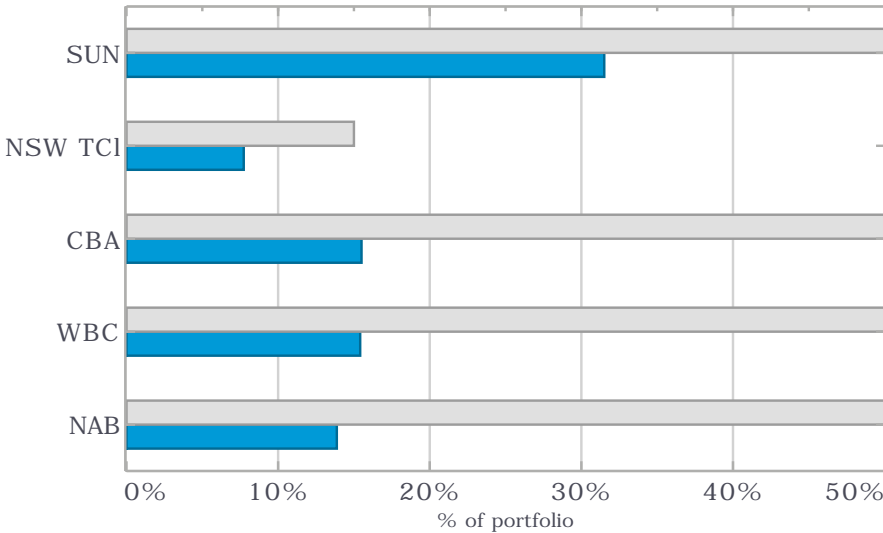


Investment Policy Compliance

Total Credit ExposureIndividual Institutional ExposuresTerm to Maturities



Portfolio ExposureInvestment Policy Limit



	Face Value (\$)		Policy Max	
Between 0 and 1 years	99,688,893	85%	100%	a
Between 1 and 10 year:	17,100,000	15%	70%	a
	116,788,893			

Specific Sub Limits				
Between 3 and 10 year:	6,750,000	6%	50%	a
Between 5 and 10 year:	0	0%	25%	a

Waverley Council
Investment Holdings Report - June 2025



Cash Accounts										
	Face Value (\$)	Current Rate (%)	Institution	Credit Rating		Current Value (\$)	Deal No.			Reference
	5,481.22	0.0000%	Commonwealth Bank of Australia	AA-		5,481.22	120799			Library CP
	7,716.10	0.0000%	Commonwealth Bank of Australia	AA-		7,716.10	120800			Eastgate CP
	11,143.35	0.0000%	Commonwealth Bank of Australia	AA-		11,143.35	120797			Depositor Funds
	14,680.81	0.0000%	Commonwealth Bank of Australia	AA-		14,680.81	120801			Hollywood Av CP
	50,703.95	0.0000%	Commonwealth Bank of Australia	AA-		50,703.95	120796			Cemetery Funds
	52,359.06	0.0000%	Commonwealth Bank of Australia	AA-		52,359.06	370151			Library Gift
	68,290.68	0.0000%	Commonwealth Bank of Australia	AA-		68,290.68	120795			Trust Funds
	667,404.32	0.0000%	Commonwealth Bank of Australia	AA-		667,404.32	120794			General Funds
	12,230,487.88	3.8500%	Commonwealth Bank of Australia	AA-		12,230,487.88	120789			24hr Call
	13,108,267.37	3.5922%				13,108,267.37				

Managed Funds										
	Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name	Current Value (\$)	Deal No.			Reference
	9,030,625.52	1.9989%	NSW T-Corp (LT)	TCl	Long Term Growth Fund	9,030,625.52	538089			
	9,030,625.52	1.9989%				9,030,625.52				

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
8-Jul-25	3,000,000.00	5.1500%	Bank of Queensland	A-	3,000,000.00	28-Nov-24	3,091,006.85	545661	91,006.85	At Maturity	
16-Jul-25	3,000,000.00	5.1000%	Suncorp Bank	AA-	3,000,000.00	5-Nov-24	3,099,764.38	545605	99,764.38	At Maturity	
5-Aug-25	2,000,000.00	4.7200%	National Australia Bank	AA-	2,000,000.00	4-Mar-25	2,030,776.99	545845	30,776.99	At Maturity	
20-Aug-25	3,000,000.00	4.8600%	Westpac Group	AA-	3,000,000.00	20-Aug-24	3,125,827.40	545371	125,827.40	At Maturity	Green
20-Aug-25	3,000,000.00	4.8600%	Westpac Group	AA-	3,000,000.00	23-Aug-24	3,124,629.04	545380	124,629.04	At Maturity	Green
2-Sep-25	2,000,000.00	4.8100%	Westpac Group	AA-	2,000,000.00	5-Sep-24	2,078,804.93	545456	78,804.93	At Maturity	Green
23-Sep-25	2,000,000.00	4.7700%	Westpac Group	AA-	2,000,000.00	26-Sep-24	2,072,660.82	545520	72,660.82	At Maturity	Green
1-Oct-25	3,000,000.00	4.7900%	Westpac Group	AA-	3,000,000.00	2-Oct-24	3,107,086.03	545539	107,086.03	At Maturity	Green



Waverley Council
Investment Holdings Report - June 2025



Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
7-Oct-25	2,000,000.00	4.7000%	National Australia Bank	AA-	2,000,000.00	4-Mar-25	2,030,646.58	545846	30,646.58	At Maturity	
29-Oct-25	3,000,000.00	4.7000%	National Australia Bank	AA-	3,000,000.00	27-Feb-25	3,047,901.37	545831	47,901.37	At Maturity	
25-Nov-25	3,000,000.00	4.7300%	Suncorp Bank	AA-	3,000,000.00	25-Mar-25	3,038,099.18	545953	38,099.18	At Maturity	
16-Dec-25	3,000,000.00	4.7000%	Suncorp Bank	AA-	3,000,000.00	12-Mar-25	3,042,879.45	545909	42,879.45	At Maturity	
6-Jan-26	3,000,000.00	4.6500%	National Australia Bank	AA-	3,000,000.00	4-Mar-25	3,045,480.82	545844	45,480.82	At Maturity	
13-Jan-26	4,000,000.00	4.7000%	Suncorp Bank	AA-	4,000,000.00	5-Mar-25	4,060,778.08	545851	60,778.08	At Maturity	
20-Jan-26	3,000,000.00	4.3300%	Suncorp Bank	AA-	3,000,000.00	25-Jun-25	3,002,135.34	546200	2,135.34	At Maturity	
20-Feb-26	2,000,000.00	4.8500%	Westpac Group	AA-	2,000,000.00	20-Feb-24	2,011,161.64	544856	11,161.64	Quarterly	Green
24-Feb-26	3,000,000.00	4.4200%	Suncorp Bank	AA-	3,000,000.00	20-Jun-25	3,003,996.16	546187	3,996.16	At Maturity	
25-Feb-26	3,000,000.00	4.6500%	National Australia Bank	AA-	3,000,000.00	27-Feb-25	3,047,391.78	545832	47,391.78	At Maturity	
17-Mar-26	3,000,000.00	4.6700%	Suncorp Bank	AA-	3,000,000.00	18-Mar-25	3,040,302.74	545937	40,302.74	At Maturity	
17-Mar-26	3,000,000.00	4.8400%	Suncorp Bank	AA-	3,000,000.00	19-Mar-24	3,041,372.05	544951	41,372.05	Annually	
24-Mar-26	3,000,000.00	4.6200%	Suncorp Bank	AA-	3,000,000.00	25-Mar-25	3,037,213.15	545954	37,213.15	At Maturity	
17-Apr-26	3,000,000.00	5.0300%	Westpac Group	AA-	3,000,000.00	17-Apr-24	3,031,006.85	545017	31,006.85	Annually	Green
10-Jun-26	3,000,000.00	4.2100%	Suncorp Bank	AA-	3,000,000.00	11-Jun-25	3,006,920.55	546153	6,920.55	At Maturity	
65,000,000.00		4.7297%			65,000,000.00			66,217,842.18	1,217,842.18		

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	4.2250%	BEN Snr FRN (Dec25) BBSW+0.52%	A-	2,250,000.00	2-Dec-20	2,258,362.91	540603	7,552.91	2-Sep-25	
24-Feb-26	1,300,000.00	4.1595%	SUN Snr FRN (Feb26) BBSW+0.45%	AA-	1,300,000.00	24-Feb-21	1,305,580.28	540958	5,333.28	25-Aug-25	
4-Mar-26	4,000,000.00	4.3414%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB+	4,000,000.00	4-Mar-21	4,011,645.79	540983	12,845.79	4-Sep-25	
15-May-26	1,000,000.00	5.0490%	BEN Snr FRN (May26) BBSW+ 1.25%	A-	1,000,000.00	15-May-23	1,013,001.45	544084	6,501.45	15-Aug-25	
18-Jun-26	4,000,000.00	4.3494%	BEN Snr FRN (Jun26) BBSW+0.65%	A-	4,000,000.00	18-Jun-21	4,011,836.41	541523	6,196.41	18-Sep-25	
15-Sep-26	3,750,000.00	4.1938%	SUN Snr FRN (Sep26) BBSW+0.48%	AA-	3,750,000.00	15-Sep-21	3,755,938.05	541877	6,463.05	15-Sep-25	
23-Dec-26	5,000,000.00	4.0739%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	5,000,000.00	23-Sep-21	5,000,814.55	541916	4,464.55	23-Sep-25	
14-May-27	1,600,000.00	4.7938%	BEN Snr FRN (May27) BBSW+ 1.00%	A-	1,600,000.00	14-May-24	1,619,238.68	545080	10,086.68	14-Aug-25	



Waverley Council
Investment Holdings Report - June 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
18-Mar-30	3,200,000.00	4.5294%	NAB Snr FRN (Mar30) BBSW+0.83%	AA-	3,200,000.00	18-Mar-25	3,209,815.08	545905	5,162.28	18-Sep-25	
21-May-30	750,000.00	4.6625%	SUN Snr FRN (May30) BBSW+0.93%	AA-	750,000.00	21-May-25	755,668.00	546059	3,928.00	21-Aug-25	
13-Jun-30	2,800,000.00	4.6675%	ING Snr FRN (Jun30) BBSW+0.95%	A	2,800,000.00	13-Jun-25	2,807,032.99	546125	6,444.99	15-Sep-25	
	29,650,000.00	4.3694%			29,650,000.00		29,748,934.19		74,979.39		

Waverley Council
Accrued Interest Report - June 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	26,002.13	30	7,838.65	4.24%
SUN Snr FRN (Feb26) BBSW+0.45%	540958		1,300,000.00	24-Feb-21	24-Feb-26	0.00	30	4,444.40	4.16%
NPBS Snr FRN (Mar26) BBSW+0.63%	540983		4,000,000.00	4-Mar-21	4-Mar-26	47,854.12	30	14,406.26	4.38%
BEN Snr FRN (May26) BBSW+1.25%	544084		1,000,000.00	15-May-23	15-May-26	0.00	30	4,149.86	5.05%
BEN Snr FRN (Jun26) BBSW+0.65%	541523		4,000,000.00	18-Jun-21	18-Jun-26	48,016.44	30	15,069.01	4.58%
SUN Snr FRN (Sep26) BBSW+0.48%	541877		3,750,000.00	15-Sep-21	15-Sep-26	42,947.95	30	13,542.38	4.39%
CBA Green Snr FRN (Dec26) BBSW+0.41%	541916		5,000,000.00	23-Sep-21	23-Dec-26	56,429.97	30	18,106.96	4.41%
BEN Snr FRN (May27) BBSW+1.00%	545080		1,600,000.00	14-May-24	14-May-27	0.00	30	6,304.17	4.79%
NAB Snr FRN (Mar30) BBSW+0.83%	545905		3,200,000.00	18-Mar-25	18-Mar-30	39,864.99	30	12,528.64	4.76%
SUN Snr FRN (May30) BBSW+0.93%	546059		750,000.00	21-May-25	21-May-30	0.00	30	2,874.15	4.66%
ING Snr FRN (Jun30) BBSW+0.95%	546125		2,800,000.00	13-Jun-25	13-Jun-30	0.00	18	6,444.99	4.67%
						261,115.60		105,709.47	4.51%
Term Deposits									
Bank of Queensland	545699		3,000,000.00	11-Dec-24	11-Jun-25	77,487.12	10	4,257.53	5.18%
AMP Bank	545419		3,000,000.00	29-Aug-24	20-Jun-25	121,717.81	19	7,839.45	5.02%
AMP Bank	545711		3,000,000.00	19-Dec-24	20-Jun-25	78,213.70	19	8,120.55	5.20%
AMP Bank	545407		3,000,000.00	28-Aug-24	25-Jun-25	124,193.42	24	9,902.46	5.02%
Bank of Queensland	545661		3,000,000.00	28-Nov-24	8-Jul-25	0.00	30	12,698.63	5.15%
Suncorp Bank	545605		3,000,000.00	5-Nov-24	16-Jul-25	0.00	30	12,575.34	5.10%
National Australia Bank	545845		2,000,000.00	4-Mar-25	5-Aug-25	0.00	30	7,758.91	4.72%
Westpac Group	545371		3,000,000.00	20-Aug-24	20-Aug-25	0.00	30	11,983.56	4.86%
Westpac Group	545380		3,000,000.00	23-Aug-24	20-Aug-25	0.00	30	11,983.56	4.86%
Westpac Group	545456		2,000,000.00	5-Sep-24	2-Sep-25	0.00	30	7,906.85	4.81%
Westpac Group	545520		2,000,000.00	26-Sep-24	23-Sep-25	0.00	30	7,841.09	4.77%
Westpac Group	545539		3,000,000.00	2-Oct-24	1-Oct-25	0.00	30	11,810.96	4.79%
National Australia Bank	545846		2,000,000.00	4-Mar-25	7-Oct-25	0.00	30	7,726.03	4.70%



Waverley Council
Accrued Interest Report - June 2025

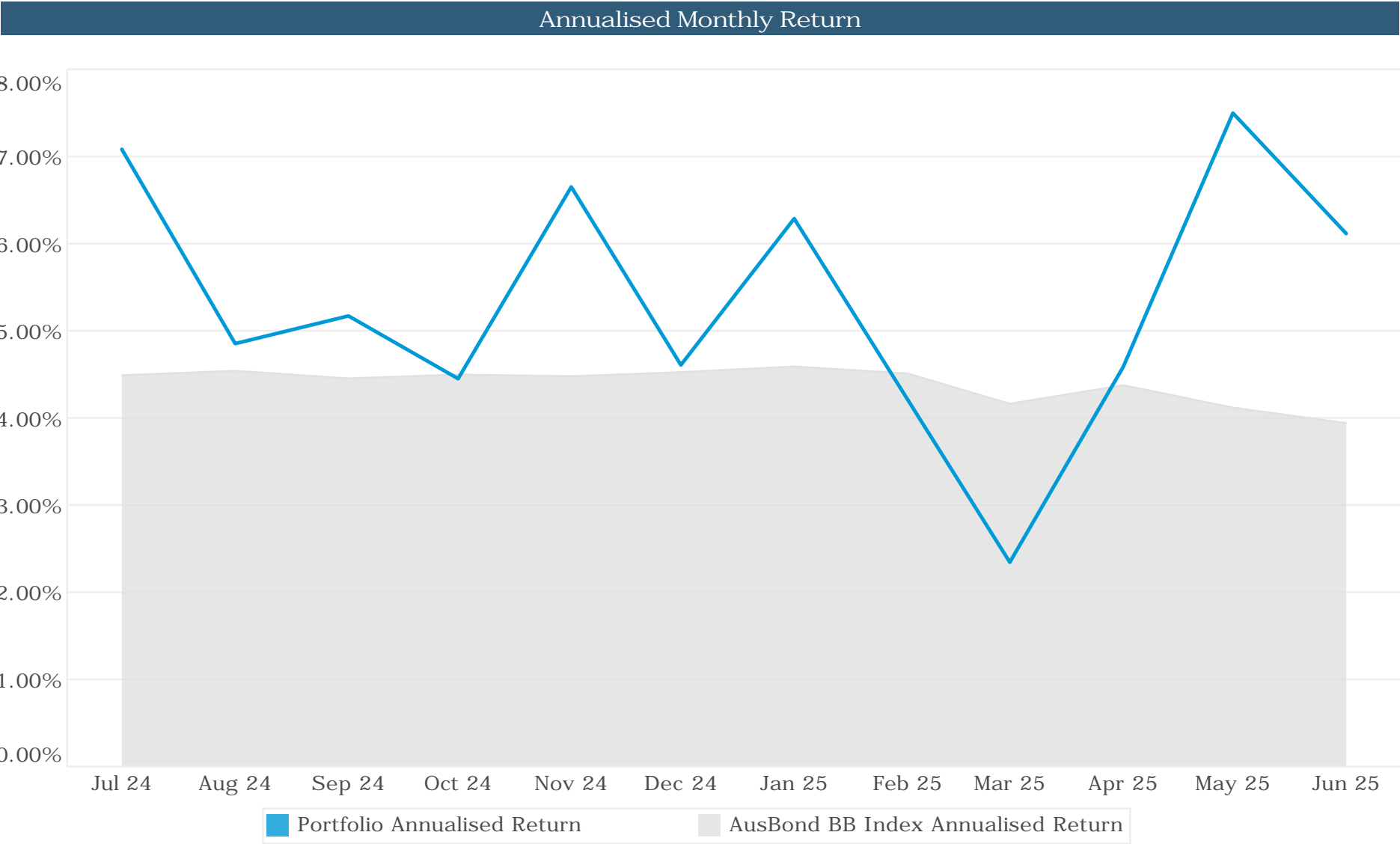


Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
National Australia Bank	545831		3,000,000.00	27-Feb-25	29-Oct-25	0.00	30	11,589.04	4.70%
Suncorp Bank	545953		3,000,000.00	25-Mar-25	25-Nov-25	0.00	30	11,663.02	4.73%
Suncorp Bank	545909		3,000,000.00	12-Mar-25	16-Dec-25	0.00	30	11,589.04	4.70%
National Australia Bank	545844		3,000,000.00	4-Mar-25	6-Jan-26	0.00	30	11,465.75	4.65%
Suncorp Bank	545851		4,000,000.00	5-Mar-25	13-Jan-26	0.00	30	15,452.05	4.70%
Suncorp Bank	546200		3,000,000.00	25-Jun-25	20-Jan-26	0.00	6	2,135.34	4.33%
Westpac Group	544856		2,000,000.00	20-Feb-24	20-Feb-26	0.00	30	7,972.60	4.85%
Suncorp Bank	546187		3,000,000.00	20-Jun-25	24-Feb-26	0.00	11	3,996.16	4.42%
National Australia Bank	545832		3,000,000.00	27-Feb-25	25-Feb-26	0.00	30	11,465.75	4.65%
Suncorp Bank	544951		3,000,000.00	19-Mar-24	17-Mar-26	0.00	30	11,934.24	4.84%
Suncorp Bank	545937		3,000,000.00	18-Mar-25	17-Mar-26	0.00	30	11,515.07	4.67%
Suncorp Bank	545954		3,000,000.00	25-Mar-25	24-Mar-26	0.00	30	11,391.78	4.62%
Westpac Group	545017		3,000,000.00	17-Apr-24	17-Apr-26	0.00	30	12,402.74	5.03%
Suncorp Bank	546153		3,000,000.00	11-Jun-25	10-Jun-26	0.00	20	6,920.55	4.21%
						401,612.05		263,898.05	4.80%
<u>Grand Totals</u>						<u>662,727.65</u>		<u>369,607.52</u>	<u>4.71%</u>



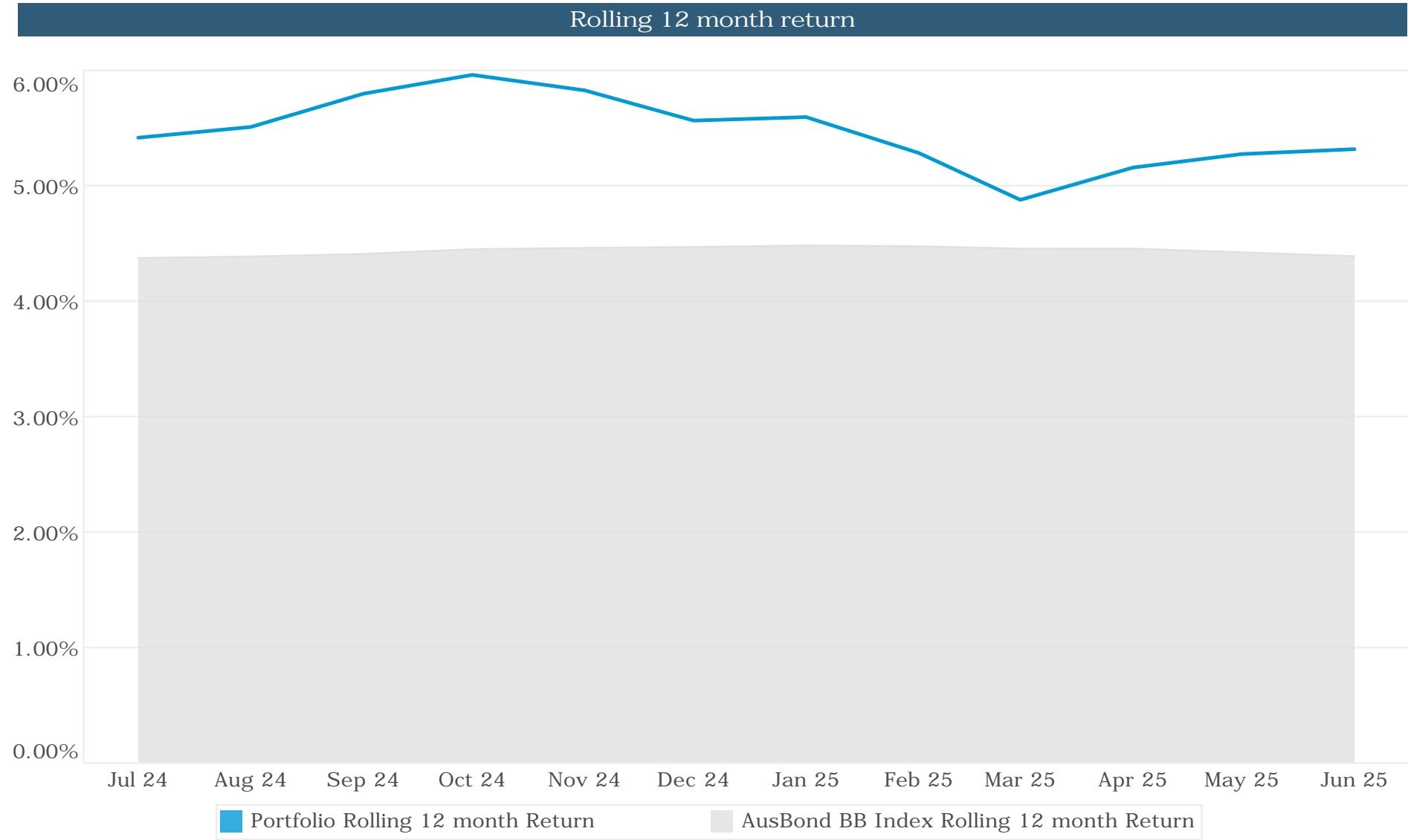
Waverley Council

Investment Performance Report - June 2025



Historical Performance Summary (% pa)			
	Portfolio	Annualised BB Index	Outperformance
Jun 2025	6.12%	3.94%	2.18%
Last 3 months	6.07%	4.14%	1.93%
Last 6 months	5.17%	4.28%	0.89%
Financial Year to Date	5.32%	4.39%	0.93%
Last 12 months	5.32%	4.39%	0.93%

Waverley Council
Investment Performance Report - June 2025



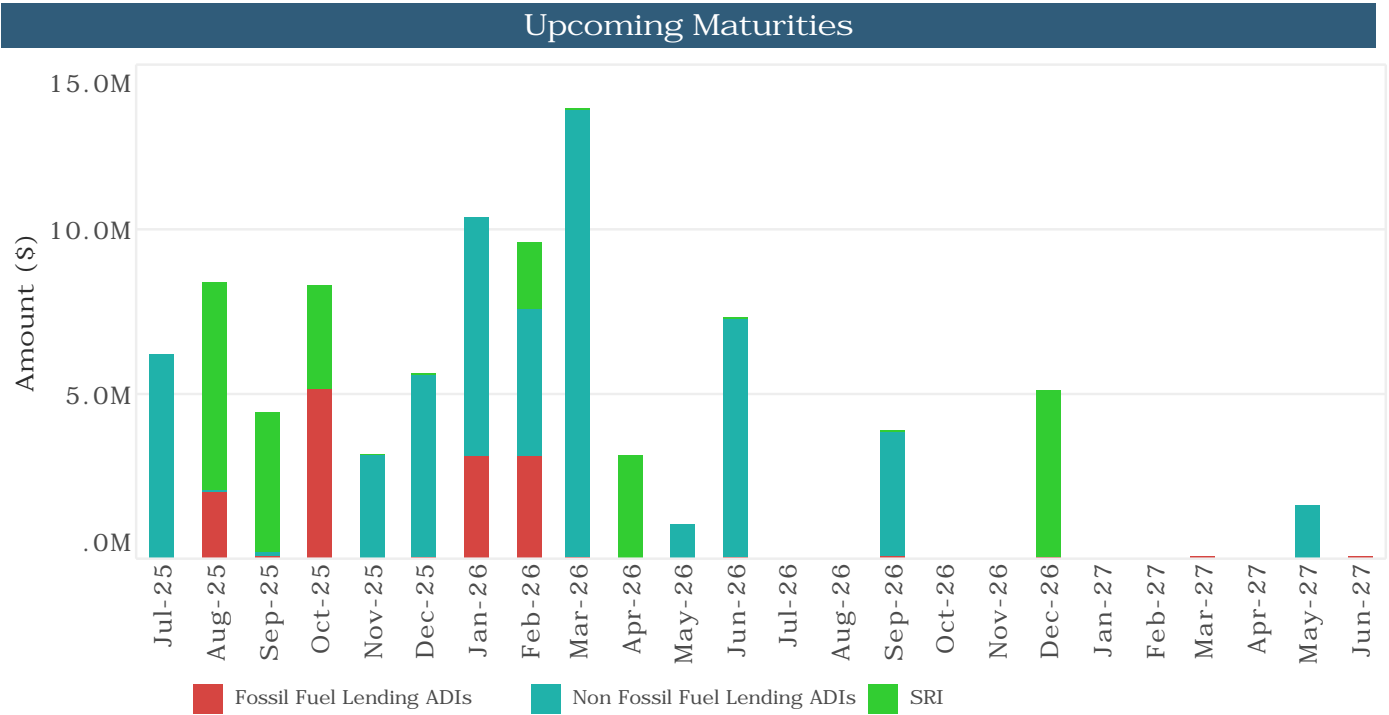
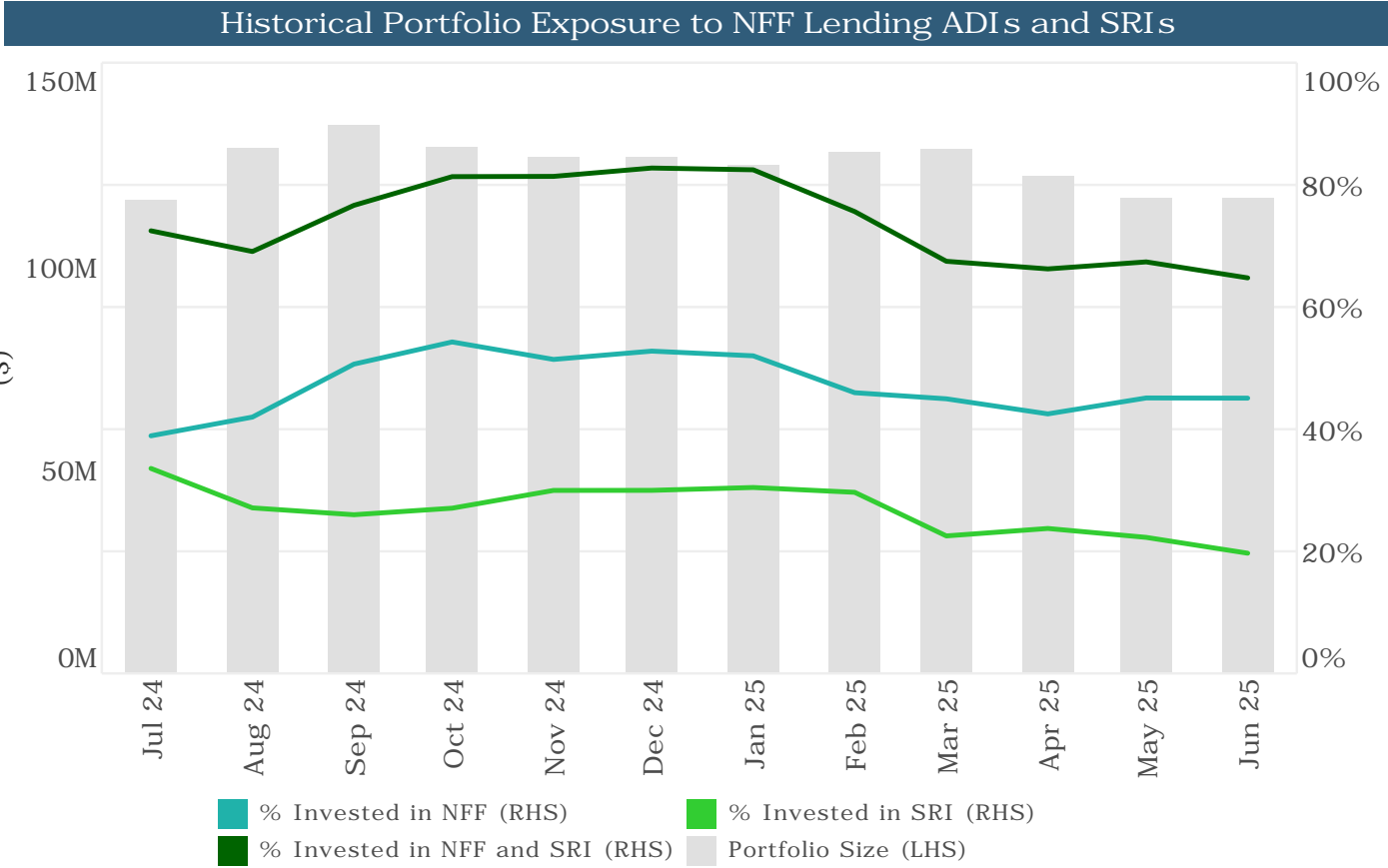
Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
Jun 2025	0.49%	0.32%	0.17%
Last 3 months	1.48%	1.02%	0.46%
Last 6 months	2.53%	2.10%	0.43%
Financial Year to Date	5.32%	4.39%	0.93%
Last 12 months	5.32%	4.39%	0.93%

Waverley Council
Environmental Commitments Report - June 2025

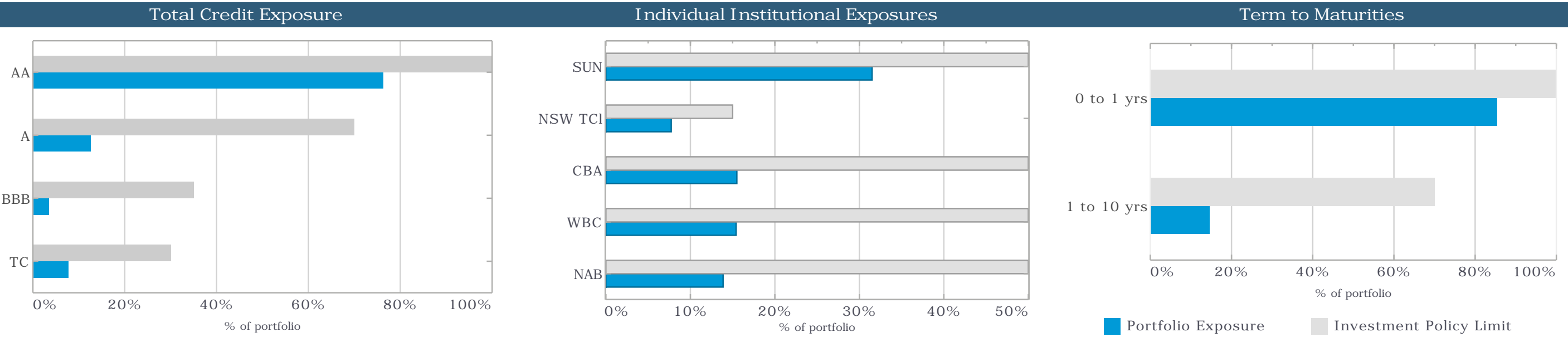


Current Breakdown				
ADI Lending Status *	Current Month (\$)		Previous Month (\$)	
Fossil Fuel Lending ADIs				
Commonwealth Bank of Australia	13,108,267		13,008,973	
ING Bank Australia	2,800,000		0	
National Australia Bank	16,200,000		16,200,000	
	32,108,267	27%	29,208,973	25%
Non Fossil Fuel Lending ADIs				
AMP Bank	0		9,000,000	
Bank of Queensland	3,000,000		6,000,000	
Bendigo and Adelaide Bank	8,850,000		8,850,000	
Newcastle Greater Mutual Group	4,000,000		4,000,000	
Suncorp Bank	36,800,000		27,800,000	
	52,650,000	45%	55,650,000	48%
Other				
NSW T-Corp (LT)	9,030,626		8,853,646	
	9,030,626	8%	8,853,646	8%
Socially Responsible Investment				
CBA (Green)	5,000,000		5,000,000	
Westpac Group (Green TD)	18,000,000		18,000,000	
	23,000,000	20%	23,000,000	20%
	116,788,893		116,712,619	

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



Waverley Council
Investment Policy Compliance Report - June 2025



■ Portfolio Exposure ■ Investment Policy Limit

Credit Rating Group	Face Value (\$)	Policy Max
AA	89,108,267	100%
A	14,650,000	70%
BBB	4,000,000	35%
TC	9,030,626	30%
	116,788,893	

Institution	% of portfolio	Investment Policy Limit
Suncorp Bank (AA-)	32%	50%
NSW T-Corp (TCL)	8%	15%
Commonwealth Bank of Australia (AA-)	16%	50%
Westpac Group (AA-)	15%	50%
National Australia Bank (AA-)	14%	50%
Bendigo and Adelaide Bank (A-)	8%	30%
Newcastle Greater Mutual Group (BBB+)	3%	15%
Bank of Queensland (A-)	3%	30%
ING Bank Australia (A)	2%	30%

	Face Value (\$)	Policy Max
Between 0 and 1 years	99,688,893	100%
Between 1 and 10 years	17,100,000	70%
	116,788,893	

Specific Sub Limits			
Between 3 and 10 years	6,750,000	6%	50%
Between 5 and 10 years	0	0%	25%

a = compliant
r = non-compliant

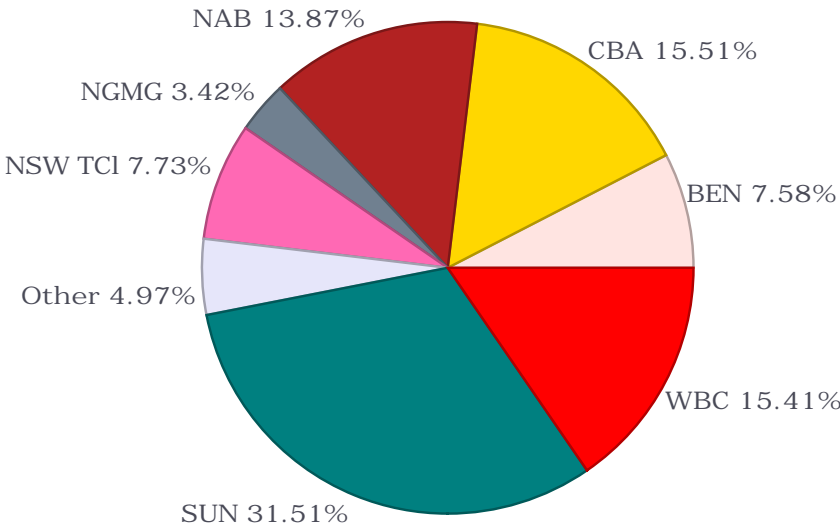
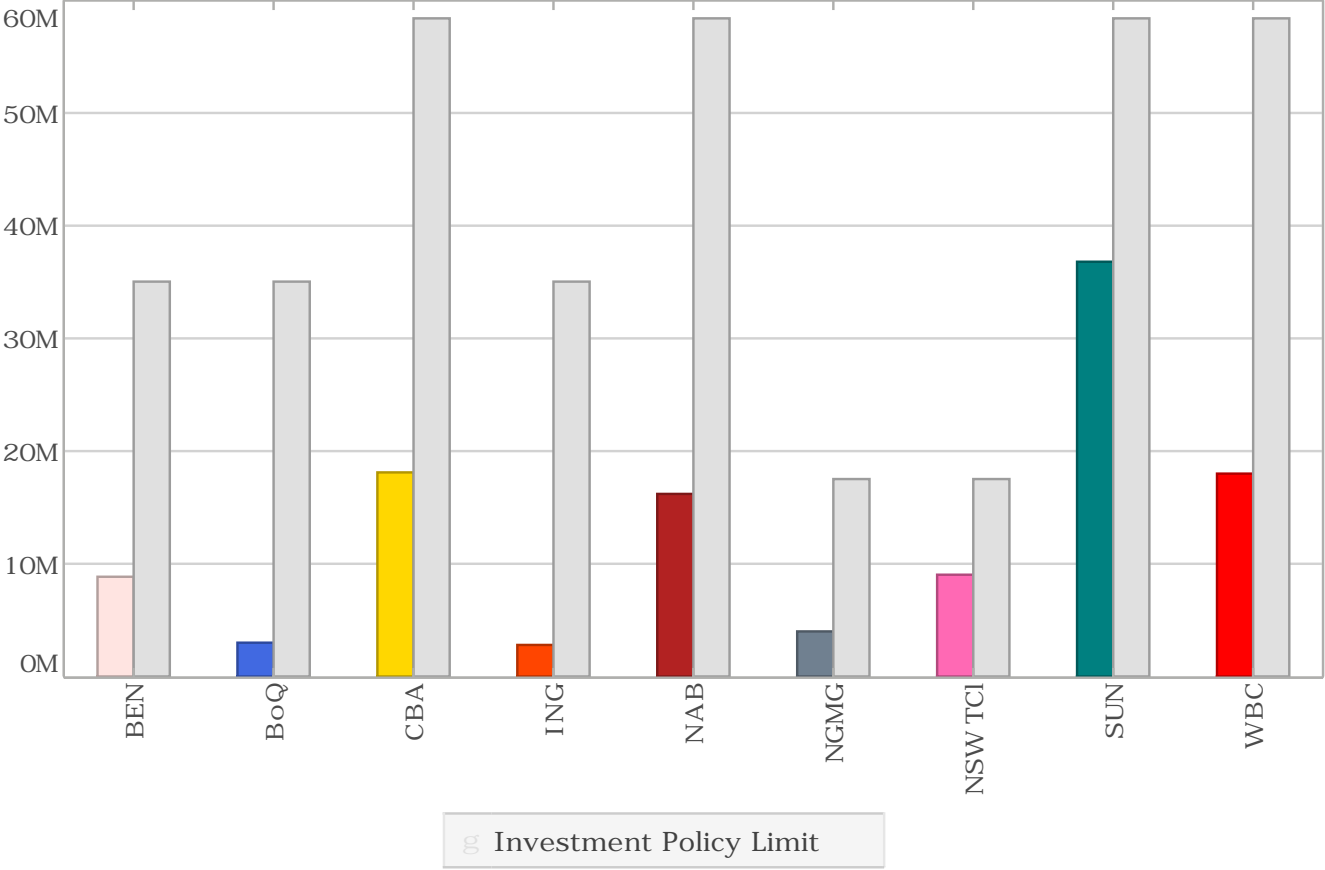
Waverley Council
Individual Institutional Exposures Report - June 2025



Individual Institutional Exposures

Individual Institutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
Bank of Queensland (A-)	3,000,000	3%	35,036,668	30%	32,036,668
Bendigo and Adelaide Bank (A-)	8,850,000	8%	35,036,668	30%	26,186,668
Commonwealth Bank of Australia (AA-)	18,108,267	16%	58,394,446	50%	40,286,179
ING Bank Australia (A)	2,800,000	2%	35,036,668	30%	32,236,668
National Australia Bank (AA-)	16,200,000	14%	58,394,446	50%	42,194,446
Newcastle Greater Mutual Group (BBB+)	4,000,000	3%	17,518,334	15%	13,518,334
NSW T-Corp (TCI)	9,030,626	8%	17,518,334	15%	8,487,708
Suncorp Bank (AA-)	36,800,000	32%	58,394,446	50%	21,594,446
Westpac Group (AA-)	18,000,000	15%	58,394,446	50%	40,394,446
	116,788,893				



Waverley Council
Cashflows Report - June 2025



Actual Cashflows for June 2025						
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description		Amount
2-Jun-25	540603	BEN Snr FRN (Dec25) BBSW+0.52%	Floating Rate Note		Coupon Date	26,002.13
					Deal Total	26,002.13
					Day Total	26,002.13
4-Jun-25	540983	NPBS Snr FRN (Mar26) BBSW+0.63%	Floating Rate Note		Coupon Date	47,854.12
					Deal Total	47,854.12
					Day Total	47,854.12
11-Jun-25	545699	Bank of Queensland	Term Deposit	Maturity: Face Value		3,000,000.00
		Bank of Queensland	Term Deposit	Maturity: Interest Received/Paid		77,487.12
				Deal Total	3,077,487.12	
11-Jun-25	546153	Suncorp Bank	Term Deposit	Settlement: Face Value		-3,000,000.00
					Deal Total	-3,000,000.00
					Day Total	77,487.12
13-Jun-25	546125	ING Snr FRN (Jun30) BBSW+0.95%	Floating Rate Note	Settlement: Accrued Coupon at Purchase		0.00
		ING Snr FRN (Jun30) BBSW+0.95%	Floating Rate Note	Settlement: Face Value		-2,800,000.00
		ING Snr FRN (Jun30) BBSW+0.95%	Floating Rate Note	Settlement: Premium / Discount on Purchase		0.00
				Deal Total	-2,800,000.00	
					Day Total	-2,800,000.00
16-Jun-25	541877	SUN Snr FRN (Sep26) BBSW+0.48%	Floating Rate Note		Coupon Date	42,947.95
					Deal Total	42,947.95
					Day Total	42,947.95
18-Jun-25	541523	BEN Snr FRN (Jun26) BBSW+0.65%	Floating Rate Note		Coupon Date	48,016.44
					Deal Total	48,016.44
18-Jun-25	545905	NAB Snr FRN (Mar30) BBSW+0.83%	Floating Rate Note		Coupon Date	39,864.99
					Deal Total	39,864.99
					Day Total	87,881.42
20-Jun-25	545419	AMP Bank	Term Deposit	Maturity: Face Value		3,000,000.00

Waverley Council
Cashflows Report - June 2025



Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
20-Jun-25	545419	AMP Bank	Term Deposit	Maturity: Interest Received/Paid	121,717.81
Deal Total					3,121,717.81
20-Jun-25	545711	AMP Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		AMP Bank	Term Deposit	Maturity: Interest Received/Paid	78,213.70
Deal Total					3,078,213.70
20-Jun-25	546187	Suncorp Bank	Term Deposit	Settlement: Face Value	-3,000,000.00
Deal Total					-3,000,000.00
Day Total					3,199,931.51
23-Jun-25	541916	CBA Green Snr FRN (Dec26) BBSW+0.41%	Floating Rate Note	Coupon Date	56,429.97
Deal Total					56,429.97
Day Total					56,429.97
25-Jun-25	545407	AMP Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		AMP Bank	Term Deposit	Maturity: Interest Received/Paid	124,193.42
Deal Total					3,124,193.42
25-Jun-25	546200	Suncorp Bank	Term Deposit	Settlement: Face Value	-3,000,000.00
Deal Total					-3,000,000.00
Day Total					124,193.42
Total for Month					862,727.64

Forecast Cashflows for July 2025

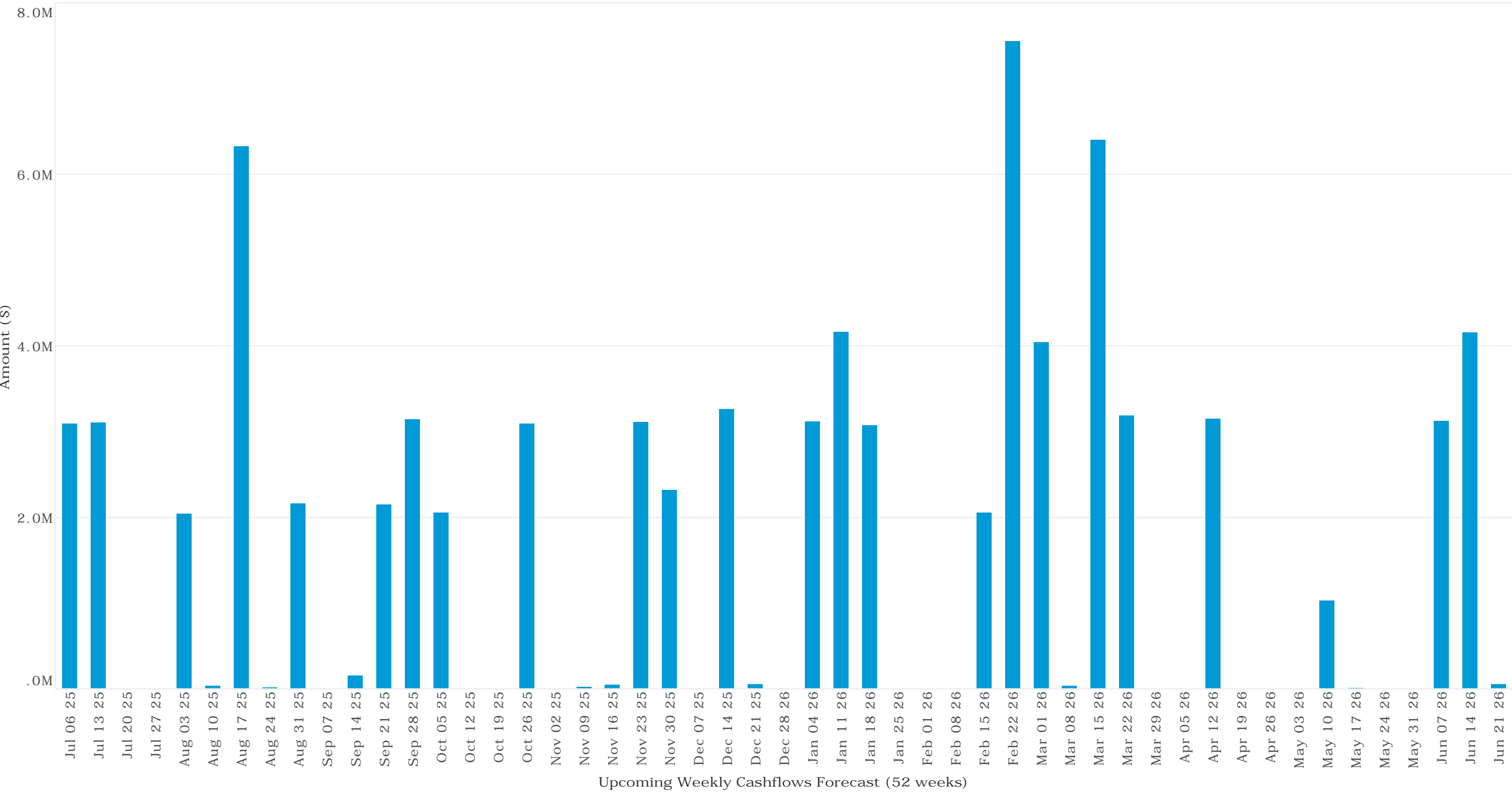
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
8-Jul-25	545661	Bank of Queensland	Term Deposit	Maturity: Face Value	3,000,000.00
		Bank of Queensland	Term Deposit	Maturity: Interest Received/Paid	93,969.86
Deal Total					3,093,969.86
Day Total					3,093,969.86
16-Jul-25	545605	Suncorp Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	106,052.05

Waverley Council
Cashflows Report - June 2025

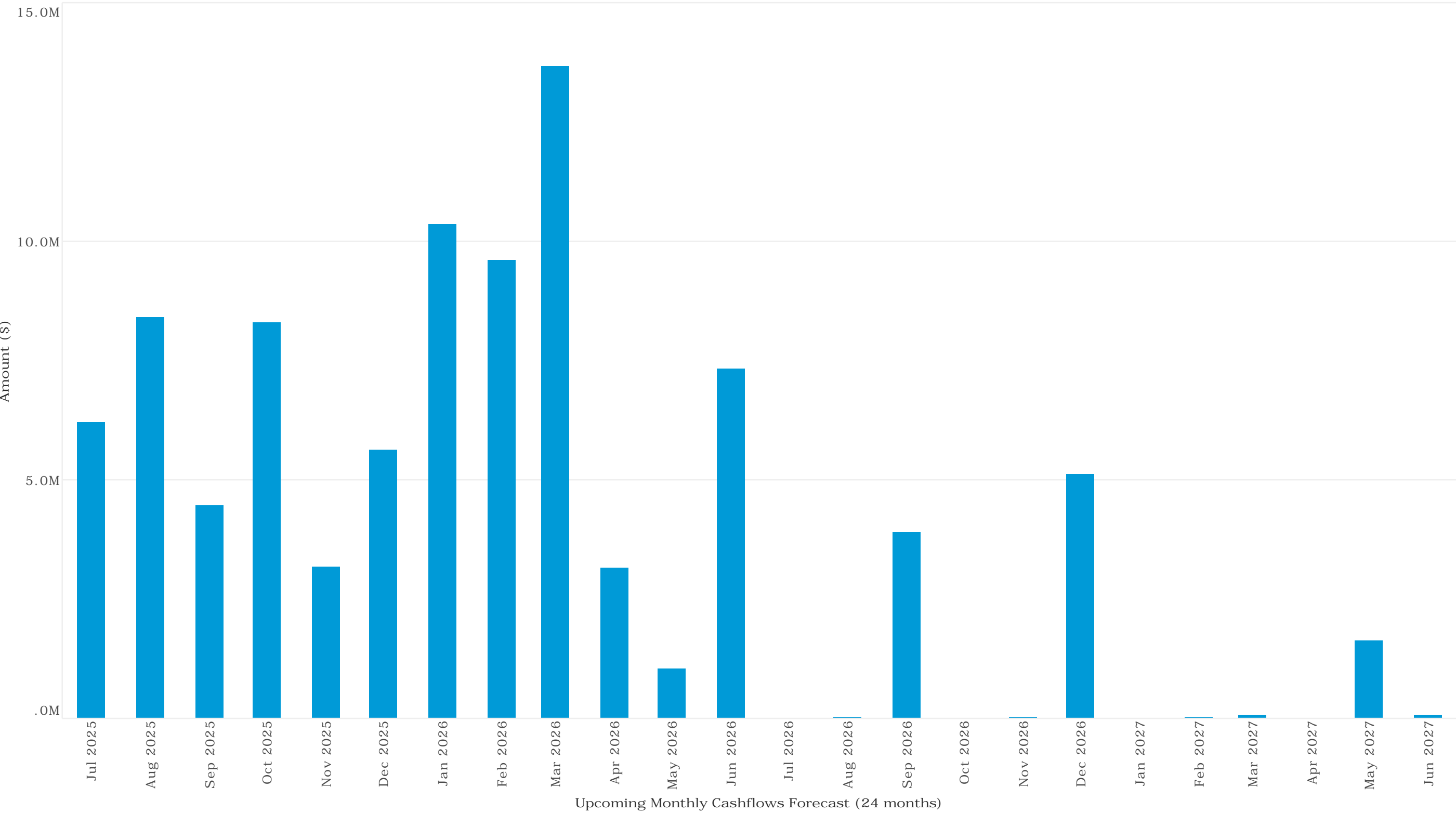


Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
				Deal Total	3,106,052.05
				Day Total	3,106,052.05
				Total for Month	6,200,021.92

Waverley Council
Cashflows Report - June 2025



Waverley Council
Cashflows Report - June 2025



REPORT

CM/7.6/25.08



Subject: Investment Portfolio Report - July 2025

TRIM No: SF25/3747

Manager: Teena Su, Executive Manager, Finance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. Notes the Investment Summary Report for July 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 July 2025, Council's investment portfolio generated \$295,275.59 in interest.

The interest income for year to date achieved 7.63% (\$295,275.59) of the current budget of \$3,871,071

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 2025-26 financial year was adopted by Council at this meeting on 17 June 2025 and was set at \$3,871,071.

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	3,871,071	3,871,071	295,275.59	295,275.59	7.63%

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 17 June 2025	CM/7.6/25.08	<p>That Council:</p> <ol style="list-style-type: none"> Notes the Investment Summary Report for May 2025 attached to the report. Notes that the Executive Manager, Finance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the <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 5.43%pa (0.45% actual) for the month versus the bank bill index benchmark return of 3.60%pa (0.30% actual). Over the past 12 months the investment portfolio has returned 5.18% versus the bank bill index benchmark's 4.31%.

The NSW TCorp Long Term Growth Fund recorded another strong result during the month with a gain of 1.24% (actual). The return was reflective of the gains in the domestic and international share markets due to further interest rate cuts by central banks globally and some optimism that the 'US vs the world' tariffs being levied on individual countries may not be as steep as originally threatened. Without marked-to-market influences, Council's investment portfolio yielded 4.59% 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 July, Council had maturities of \$6m between two term deposits with original terms of 7 and 8 months which were yielding an average of 5.13% pa. Council invested \$3m in a new six-month Bank of Queensland deposit paying 4.35% pa, which is proving competitive as rates dropped off further by month end.

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

Date	Amount	Term (months)	Non-Fossil/Green Deposit Rates	Fossil Fuel ADI Deposit Rates
9-Jul-25	\$3,000,000	6	4.35%	4.28%

As at 31 July 2025, Council's investment portfolio has a current market value of \$108,541,264 which represents a gain of \$1,488,610 on the \$107,052,654 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	\$6,260,144	\$6,260,144
Floating Rate Note	\$29,650,000	\$29,868,327
Managed Funds	\$9,142,509	\$9,142,509
Term Deposit	\$62,000,000	\$63,270,283
Total	\$107,052,654	\$108,541,264

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

Reserves	Value
External Restriction Reserves	\$31,957,764
Internal Restriction Reserves	\$68,929,965
Unrestricted fund	\$6,164,926
Total	\$ 107,052,654

Analysis

Attached to this report is a summary of the investment portfolio for the month of June. These reports are prepared by Council's independent financial advisor, Prudential Investment Services Corp. The table below compares Council's portfolio return to the bank bill index benchmark.

Table 5. Portfolio return.

Month	Portfolio return %	Ausbond BB index %	Variance %
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
Mar-25	2.34	4.16	-1.82
Apr-25	4.58	4.38	0.20
May-25	0.62	0.34	0.28
Jun-25	6.12	3.94	2.18
Jul-25	5.43	3.60	1.83
Average % return over the last 12 months	5.18	4.31	0.87

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 July 2025, 65% 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 24% of the portfolio. The remaining 9% is invested with TCorp.

From June 2018 to July 2025, Council has reduced its investment in fossil-fuel-lending ADIs from 59% to 24%, as shown in Figure 1 below.

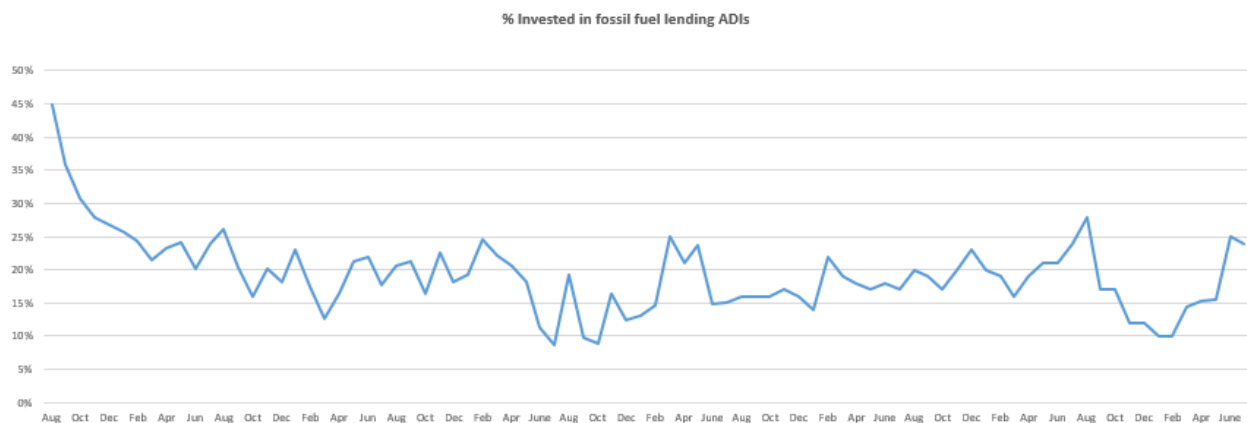


Figure 1. Investments in fossil-fuel-lending ADIs.

When excluding the working capital funds held in the Commonwealth Bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 72.08% of Council's investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, 18.85% fossil-fuel-lending ADIs and the remaining 9.07% is invested with TCorp as displayed in Figure 2 below.

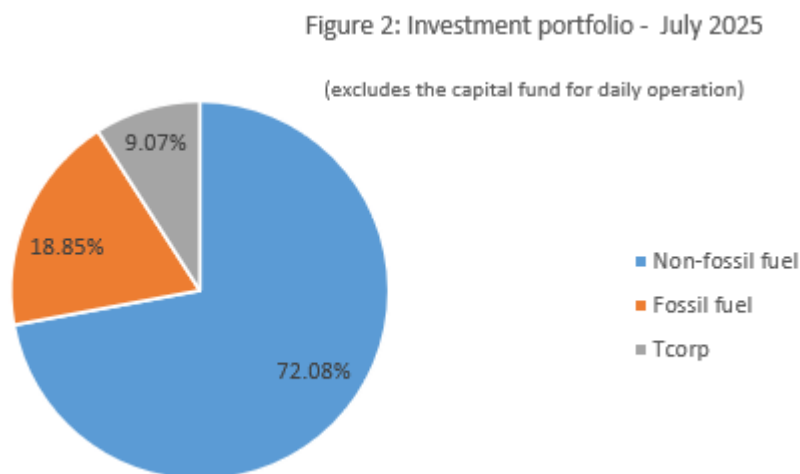


Figure 2. Investment portfolio.

5. Financial Impact

Council's investment portfolio has achieved interest earning of \$295,276 for the year to date, representing 7.63% of the current budget of \$3,871,071.

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 Summary Report - July 2025 [↓](#) .



Investment Summary Report July 2025

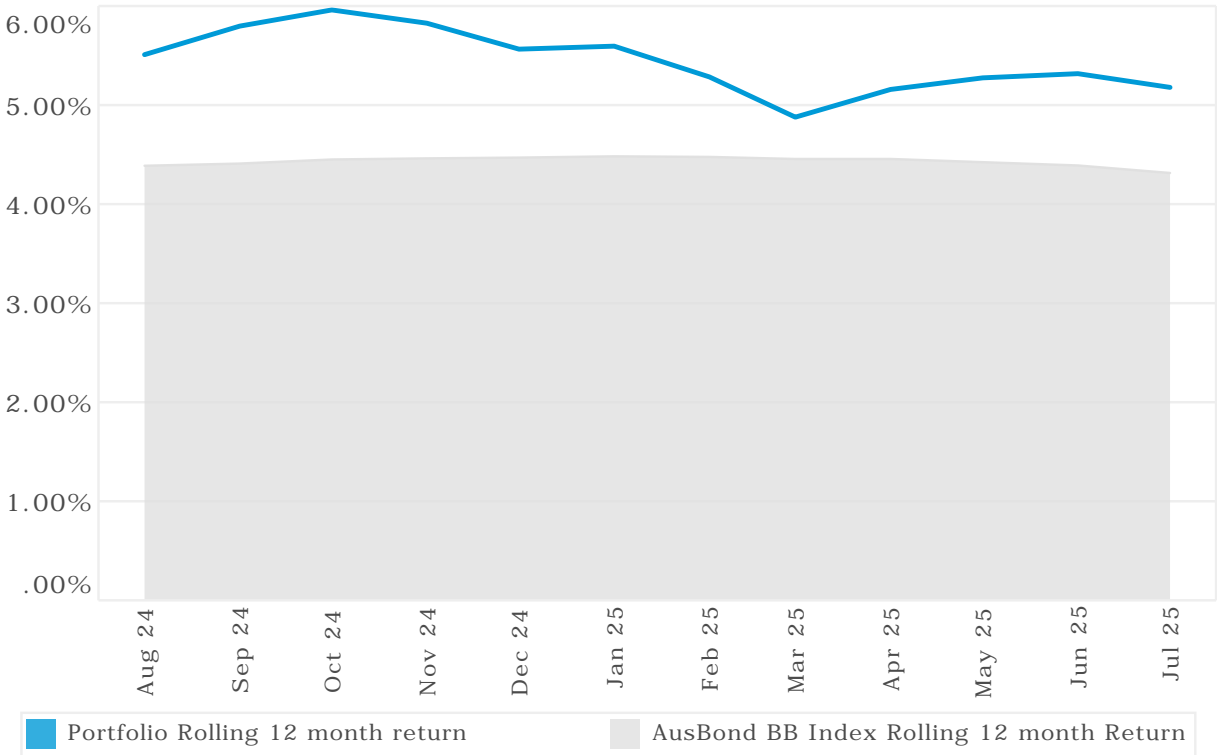
Waverley Council
Executive Summary - July 2025



Investment Holdings

Investment Performance

	Face Value (\$)	Current Value (\$)
Cash	6,260,144	6,260,144
Floating Rate Note	29,650,000	29,868,327
Managed Funds	9,142,509	9,142,509
Term Deposit	62,000,000	63,270,283
	107,052,654	108,541,264

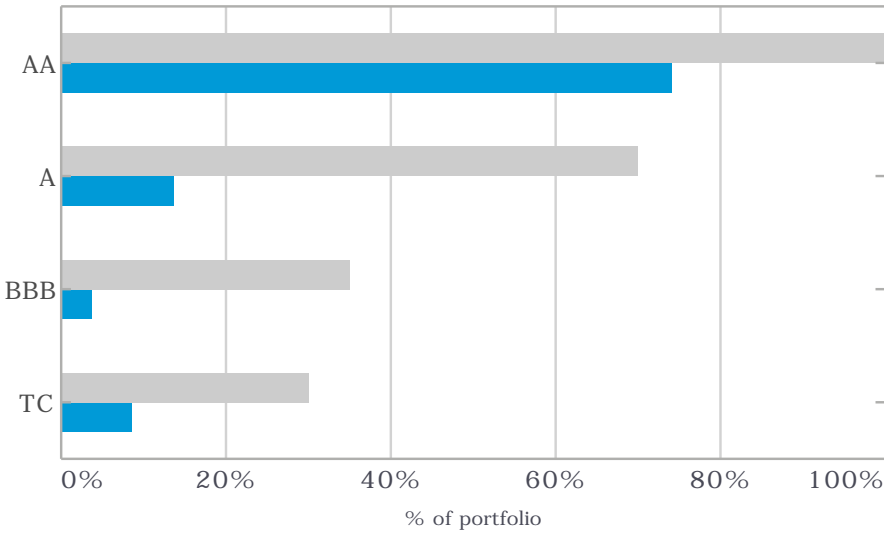


Investment Policy Compliance

Total Credit Exposure

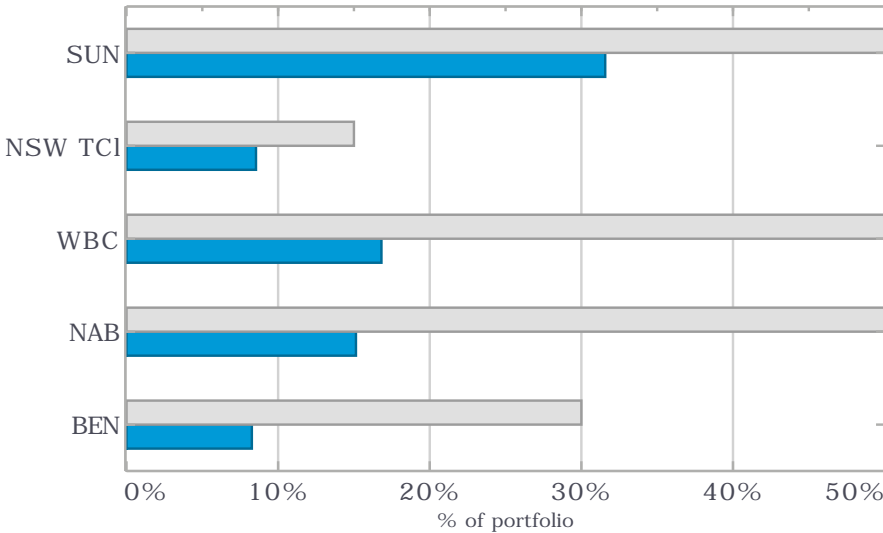
Individual Institutional Exposures

Term to Maturities



Portfolio Exposure

Investment Policy Limit



	Face Value (\$)		Policy Max	
Between 0 and 1 years	89,952,654	84%	100%	a
Between 1 and 10 year:	17,100,000	16%	70%	a
	107,052,654			

Specific Sub Limits				
Between 3 and 10 year:	6,750,000	6%	50%	a
Between 5 and 10 year:	0	0%	25%	a



Waverley Council
Investment Holdings Report - July 2025



Cash Accounts										
	Face Value (\$)	Current Rate (%)	Institution	Credit Rating		Current Value (\$)	Deal No.			Reference
	1,000.00	0.0000%	Commonwealth Bank of Australia	AA-		1,000.00	120800			Eastgate CP
	2,084.40	0.0000%	Commonwealth Bank of Australia	AA-		2,084.40	120801			Hollywood Av CP
	10,000.00	0.0000%	Commonwealth Bank of Australia	AA-		10,000.00	120796			Cemetery Funds
	28,604.26	0.0000%	Commonwealth Bank of Australia	AA-		28,604.26	120799			Library CP
	52,359.06	0.0000%	Commonwealth Bank of Australia	AA-		52,359.06	370151			Library Gift
	143,914.77	0.0000%	Commonwealth Bank of Australia	AA-		143,914.77	120795			Trust Funds
	751,727.15	0.0000%	Commonwealth Bank of Australia	AA-		751,727.15	120797			Depositor Funds
	1,192,113.97	0.0000%	Commonwealth Bank of Australia	AA-		1,192,113.97	120794			General Funds
	4,078,340.76	3.8500%	Commonwealth Bank of Australia	AA-		4,078,340.76	120789			24hr Call
	6,260,144.37	2.5082%				6,260,144.37				

Managed Funds										
	Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name	Current Value (\$)	Deal No.			Reference
	9,142,509.23	1.2389%	NSW T-Corp (LT)	TCl	Long Term Growth Fund	9,142,509.23	538089			
	9,142,509.23	1.2389%				9,142,509.23				

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
5-Aug-25	2,000,000.00	4.7200%	National Australia Bank	AA-	2,000,000.00	4-Mar-25	2,038,794.52	545845	38,794.52	At Maturity	
20-Aug-25	3,000,000.00	4.8600%	Westpac Group	AA-	3,000,000.00	20-Aug-24	3,138,210.41	545371	138,210.41	At Maturity	Green
20-Aug-25	3,000,000.00	4.8600%	Westpac Group	AA-	3,000,000.00	23-Aug-24	3,137,012.05	545380	137,012.05	At Maturity	Green
2-Sep-25	2,000,000.00	4.8100%	Westpac Group	AA-	2,000,000.00	5-Sep-24	2,086,975.34	545456	86,975.34	At Maturity	Green
23-Sep-25	2,000,000.00	4.7700%	Westpac Group	AA-	2,000,000.00	26-Sep-24	2,080,763.29	545520	80,763.29	At Maturity	Green
1-Oct-25	3,000,000.00	4.7900%	Westpac Group	AA-	3,000,000.00	2-Oct-24	3,119,290.68	545539	119,290.68	At Maturity	Green
7-Oct-25	2,000,000.00	4.7000%	National Australia Bank	AA-	2,000,000.00	4-Mar-25	2,038,630.14	545846	38,630.14	At Maturity	
29-Oct-25	3,000,000.00	4.7000%	National Australia Bank	AA-	3,000,000.00	27-Feb-25	3,059,876.71	545831	59,876.71	At Maturity	



Waverley Council
Investment Holdings Report - July 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-Nov-25	3,000,000.00	4.7300%	Suncorp Bank	AA-	3,000,000.00	25-Mar-25	3,050,150.96	545953	50,150.96	At Maturity	
16-Dec-25	3,000,000.00	4.7000%	Suncorp Bank	AA-	3,000,000.00	12-Mar-25	3,054,854.79	545909	54,854.79	At Maturity	
6-Jan-26	3,000,000.00	4.6500%	National Australia Bank	AA-	3,000,000.00	4-Mar-25	3,057,328.77	545844	57,328.77	At Maturity	
13-Jan-26	3,000,000.00	4.3500%	Bank of Queensland	A-	3,000,000.00	9-Jul-25	3,008,223.29	546248	8,223.29	At Maturity	
13-Jan-26	4,000,000.00	4.7000%	Suncorp Bank	AA-	4,000,000.00	5-Mar-25	4,076,745.21	545851	76,745.21	At Maturity	
20-Jan-26	3,000,000.00	4.3300%	Suncorp Bank	AA-	3,000,000.00	25-Jun-25	3,013,167.95	546200	13,167.95	At Maturity	
20-Feb-26	2,000,000.00	4.8500%	Westpac Group	AA-	2,000,000.00	20-Feb-24	2,019,400.00	544856	19,400.00	Quarterly	Green
24-Feb-26	3,000,000.00	4.4200%	Suncorp Bank	AA-	3,000,000.00	20-Jun-25	3,015,258.08	546187	15,258.08	At Maturity	
25-Feb-26	3,000,000.00	4.6500%	National Australia Bank	AA-	3,000,000.00	27-Feb-25	3,059,239.73	545832	59,239.73	At Maturity	
17-Mar-26	3,000,000.00	4.6700%	Suncorp Bank	AA-	3,000,000.00	18-Mar-25	3,052,201.64	545937	52,201.64	At Maturity	
17-Mar-26	3,000,000.00	4.8400%	Suncorp Bank	AA-	3,000,000.00	19-Mar-24	3,053,704.11	544951	53,704.11	Annually	
24-Mar-26	3,000,000.00	4.6200%	Suncorp Bank	AA-	3,000,000.00	25-Mar-25	3,048,984.66	545954	48,984.66	At Maturity	
17-Apr-26	3,000,000.00	5.0300%	Westpac Group	AA-	3,000,000.00	17-Apr-24	3,043,823.01	545017	43,823.01	Annually	Green
10-Jun-26	3,000,000.00	4.2100%	Suncorp Bank	AA-	3,000,000.00	11-Jun-25	3,017,647.40	546153	17,647.40	At Maturity	
62,000,000.00		4.6731%			62,000,000.00		63,270,282.74		1,270,282.74		

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	4.2250%	BEN Snr FRN (Dec25) BBSW+0.52%	A-	2,250,000.00	2-Dec-20	2,266,144.21	540603	15,626.71	2-Sep-25	
24-Feb-26	1,300,000.00	4.1595%	SUN Snr FRN (Feb26) BBSW+0.45%	AA-	1,300,000.00	24-Feb-21	1,310,198.82	540958	9,925.82	25-Aug-25	
4-Mar-26	4,000,000.00	4.3414%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB+	4,000,000.00	4-Mar-21	4,026,874.65	540983	27,594.65	4-Sep-25	
15-May-26	1,000,000.00	5.0490%	BEN Snr FRN (May26) BBSW+ 1.25%	A-	1,000,000.00	15-May-23	1,016,699.64	544084	10,789.64	15-Aug-25	
18-Jun-26	4,000,000.00	4.3494%	BEN Snr FRN (Jun26) BBSW+0.65%	A-	4,000,000.00	18-Jun-21	4,026,412.45	541523	20,972.45	18-Sep-25	
15-Sep-26	3,750,000.00	4.1938%	SUN Snr FRN (Sep26) BBSW+0.48%	AA-	3,750,000.00	15-Sep-21	3,769,445.01	541877	19,820.01	15-Sep-25	
23-Dec-26	5,000,000.00	4.0739%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	5,000,000.00	23-Sep-21	5,018,164.67	541916	21,764.67	23-Sep-25	
14-May-27	1,600,000.00	4.7938%	BEN Snr FRN (May27) BBSW+ 1.00%	A-	1,600,000.00	14-May-24	1,626,153.00	545080	16,601.00	14-Aug-25	
18-Mar-30	3,200,000.00	4.5294%	NAB Snr FRN (Mar30) BBSW+0.83%	AA-	3,200,000.00	18-Mar-25	3,225,430.72	545905	17,472.32	18-Sep-25	



Waverley Council
Investment Holdings Report - July 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
21-May-30	750,000.00	4.6625%	SUN Snr FRN (May30) BBSW+0.93%	AA-	750,000.00	21-May-25	759,155.45	546059	6,897.95	21-Aug-25	
13-Jun-30	2,800,000.00	4.6675%	ING Snr FRN (Jun30) BBSW+0.95%	A	2,800,000.00	13-Jun-25	2,823,648.68	546125	17,544.68	15-Sep-25	
	29,650,000.00	4.3694%			29,650,000.00		29,868,327.30		185,009.90		

Waverley Council
Accrued Interest Report - July 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	31	8,073.80	4.22%
SUN Snr FRN (Feb26) BBSW+0.45%	540958		1,300,000.00	24-Feb-21	24-Feb-26	0.00	31	4,592.54	4.16%
NPBS Snr FRN (Mar26) BBSW+0.63%	540983		4,000,000.00	4-Mar-21	4-Mar-26	0.00	31	14,748.86	4.34%
BEN Snr FRN (May26) BBSW+1.25%	544084		1,000,000.00	15-May-23	15-May-26	0.00	31	4,288.19	5.05%
BEN Snr FRN (Jun26) BBSW+0.65%	541523		4,000,000.00	18-Jun-21	18-Jun-26	0.00	31	14,776.04	4.35%
SUN Snr FRN (Sep26) BBSW+0.48%	541877		3,750,000.00	15-Sep-21	15-Sep-26	0.00	31	13,356.96	4.19%
CBA Green Snr FRN (Dec26) BBSW+0.41%	541916		5,000,000.00	23-Sep-21	23-Dec-26	0.00	31	17,300.12	4.07%
BEN Snr FRN (May27) BBSW+1.00%	545080		1,600,000.00	14-May-24	14-May-27	0.00	31	6,514.32	4.79%
NAB Snr FRN (Mar30) BBSW+0.83%	545905		3,200,000.00	18-Mar-25	18-Mar-30	0.00	31	12,310.04	4.53%
SUN Snr FRN (May30) BBSW+0.93%	546059		750,000.00	21-May-25	21-May-30	0.00	31	2,969.95	4.66%
ING Snr FRN (Jun30) BBSW+0.95%	546125		2,800,000.00	13-Jun-25	13-Jun-30	0.00	31	11,099.69	4.67%
						0.00		110,030.51	4.37%
Term Deposits									
Bank of Queensland	545661		3,000,000.00	28-Nov-24	8-Jul-25	93,969.86	7	2,963.01	5.15%
Suncorp Bank	545605		3,000,000.00	5-Nov-24	16-Jul-25	106,052.05	15	6,287.67	5.10%
National Australia Bank	545845		2,000,000.00	4-Mar-25	5-Aug-25	0.00	31	8,017.53	4.72%
Westpac Group	545371		3,000,000.00	20-Aug-24	20-Aug-25	0.00	31	12,383.01	4.86%
Westpac Group	545380		3,000,000.00	23-Aug-24	20-Aug-25	0.00	31	12,383.01	4.86%
Westpac Group	545456		2,000,000.00	5-Sep-24	2-Sep-25	0.00	31	8,170.41	4.81%
Westpac Group	545520		2,000,000.00	26-Sep-24	23-Sep-25	0.00	31	8,102.47	4.77%
Westpac Group	545539		3,000,000.00	2-Oct-24	1-Oct-25	0.00	31	12,204.65	4.79%
National Australia Bank	545846		2,000,000.00	4-Mar-25	7-Oct-25	0.00	31	7,983.56	4.70%
National Australia Bank	545831		3,000,000.00	27-Feb-25	29-Oct-25	0.00	31	11,975.34	4.70%
Suncorp Bank	545953		3,000,000.00	25-Mar-25	25-Nov-25	0.00	31	12,051.78	4.73%
Suncorp Bank	545909		3,000,000.00	12-Mar-25	16-Dec-25	0.00	31	11,975.34	4.70%
National Australia Bank	545844		3,000,000.00	4-Mar-25	6-Jan-26	0.00	31	11,847.95	4.65%



Waverley Council
Accrued Interest Report - July 2025

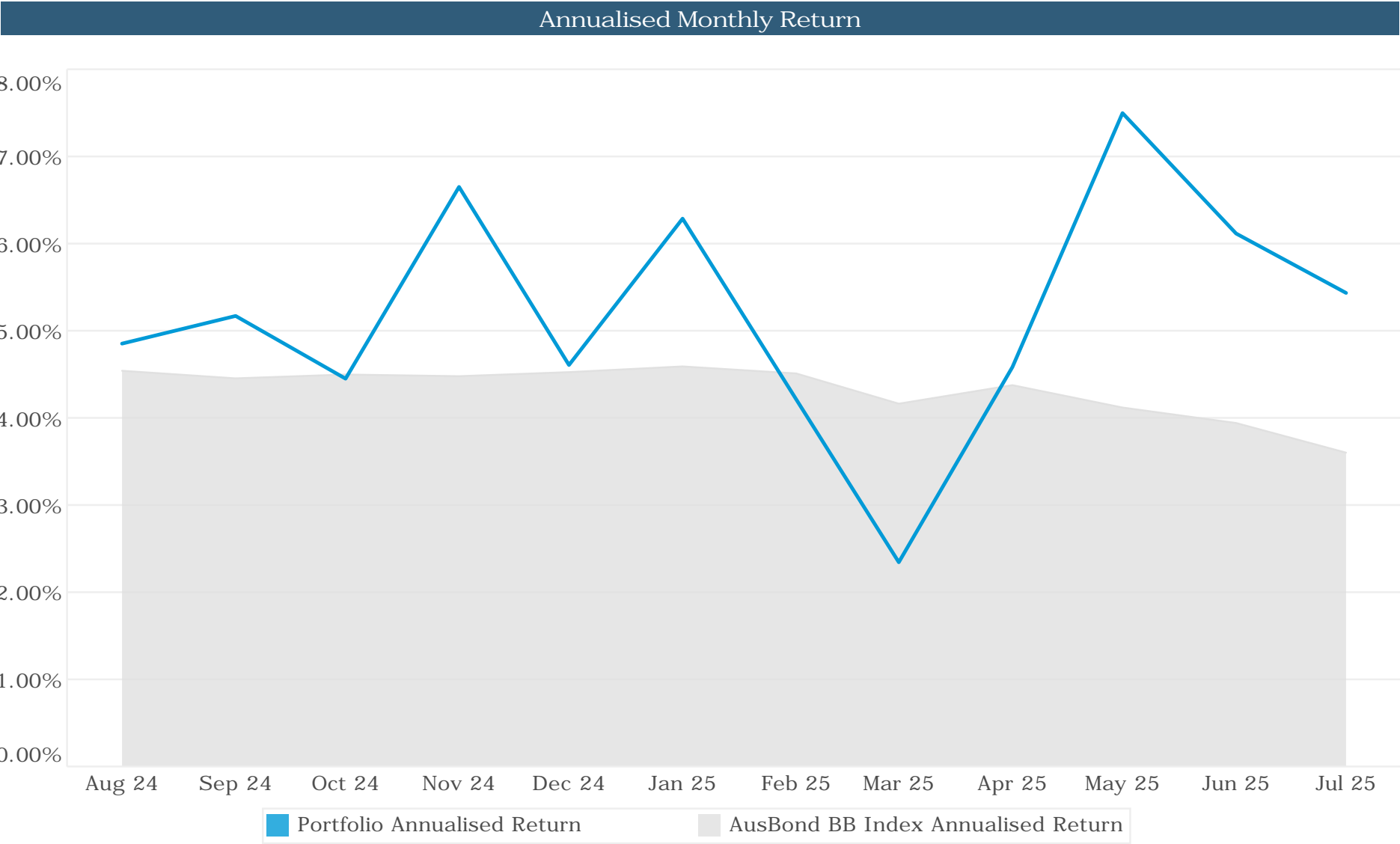


Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Bank of Queensland	546248		3,000,000.00	9-Jul-25	13-Jan-26	0.00	23	8,223.29	4.35%
Suncorp Bank	545851		4,000,000.00	5-Mar-25	13-Jan-26	0.00	31	15,967.13	4.70%
Suncorp Bank	546200		3,000,000.00	25-Jun-25	20-Jan-26	0.00	31	11,032.61	4.33%
Westpac Group	544856		2,000,000.00	20-Feb-24	20-Feb-26	0.00	31	8,238.36	4.85%
Suncorp Bank	546187		3,000,000.00	20-Jun-25	24-Feb-26	0.00	31	11,261.92	4.42%
National Australia Bank	545832		3,000,000.00	27-Feb-25	25-Feb-26	0.00	31	11,847.95	4.65%
Suncorp Bank	544951		3,000,000.00	19-Mar-24	17-Mar-26	0.00	31	12,332.06	4.84%
Suncorp Bank	545937		3,000,000.00	18-Mar-25	17-Mar-26	0.00	31	11,898.90	4.67%
Suncorp Bank	545954		3,000,000.00	25-Mar-25	24-Mar-26	0.00	31	11,771.51	4.62%
Westpac Group	545017		3,000,000.00	17-Apr-24	17-Apr-26	0.00	31	12,816.16	5.03%
Suncorp Bank	546153		3,000,000.00	11-Jun-25	10-Jun-26	0.00	31	10,726.85	4.21%
						200,021.91		252,462.47	4.69%
<u>Grand Totals</u>						<u>200,021.91</u>		<u>362,492.98</u>	<u>4.59%</u>



Waverley Council

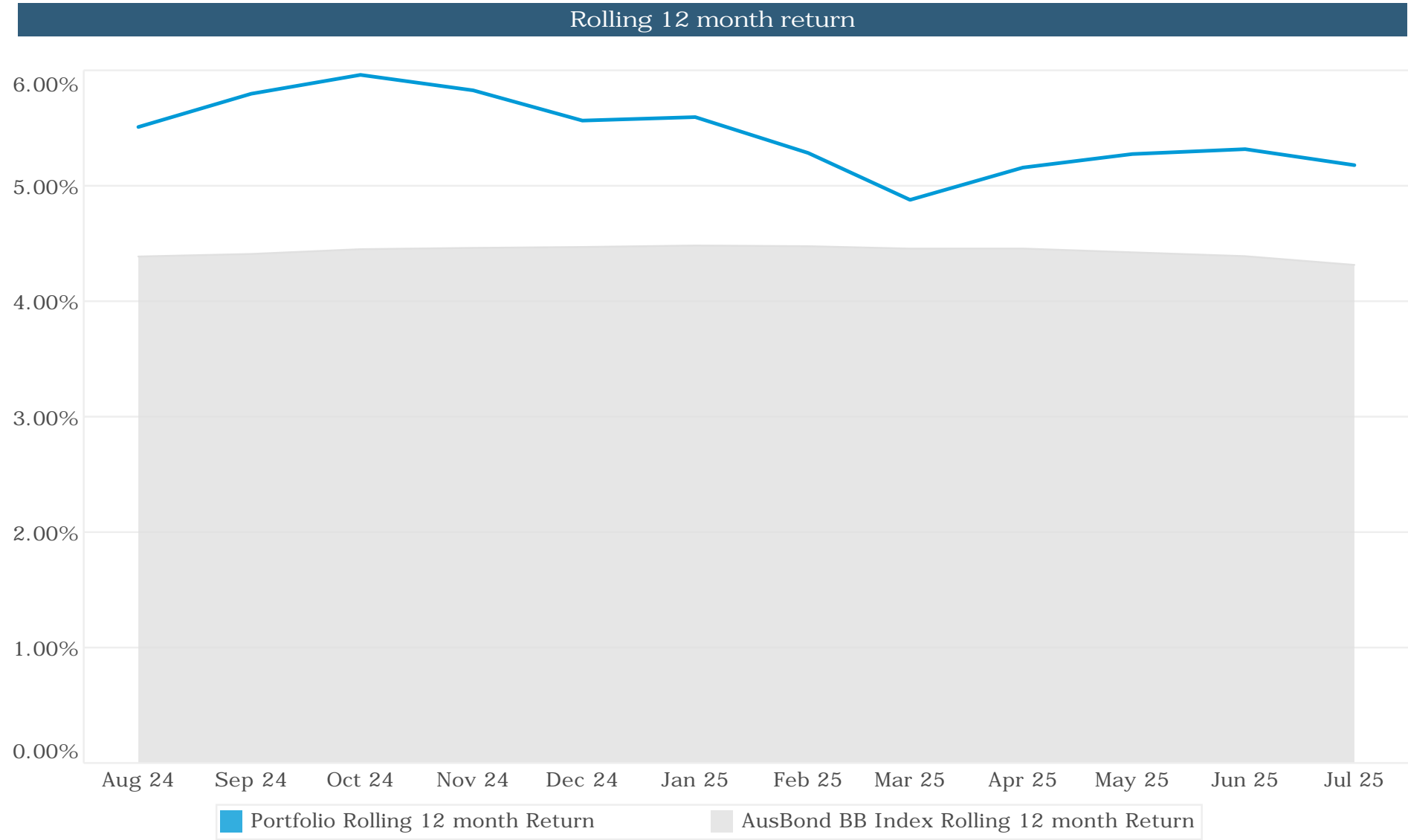
Investment Performance Report - July 2025



Historical Performance Summary (% pa)			
	Portfolio	Annualised BB Index	Outperformance
Jul 2025	5.43%	3.60%	1.83%
Last 3 months	6.35%	3.89%	2.46%
Last 6 months	5.03%	4.11%	0.92%
Financial Year to Date	5.43%	3.60%	1.83%
Last 12 months	5.18%	4.31%	0.87%

Waverley Council

Investment Performance Report - July 2025



Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
Jul 2025	0.45%	0.30%	0.15%
Last 3 months	1.56%	0.97%	0.59%
Last 6 months	2.46%	2.02%	0.44%
Financial Year to Date	0.45%	0.30%	0.15%
Last 12 months	5.18%	4.31%	0.87%

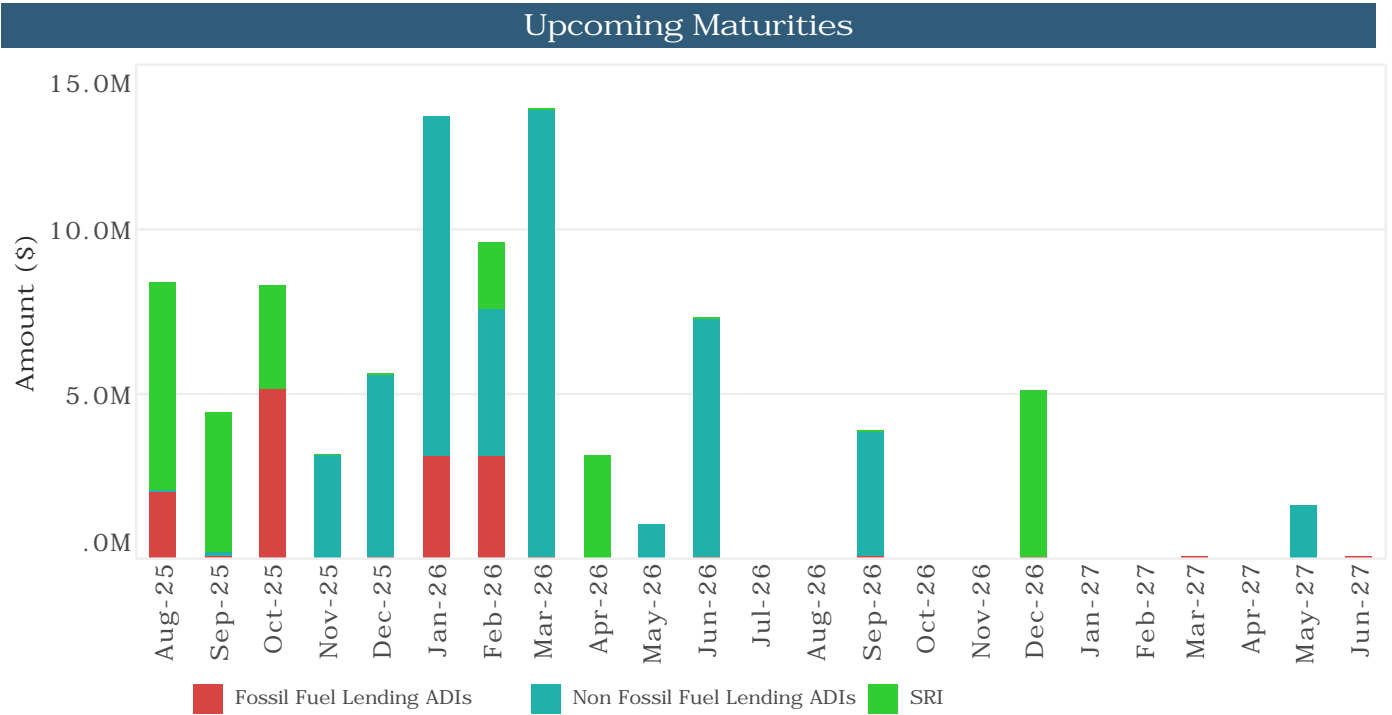
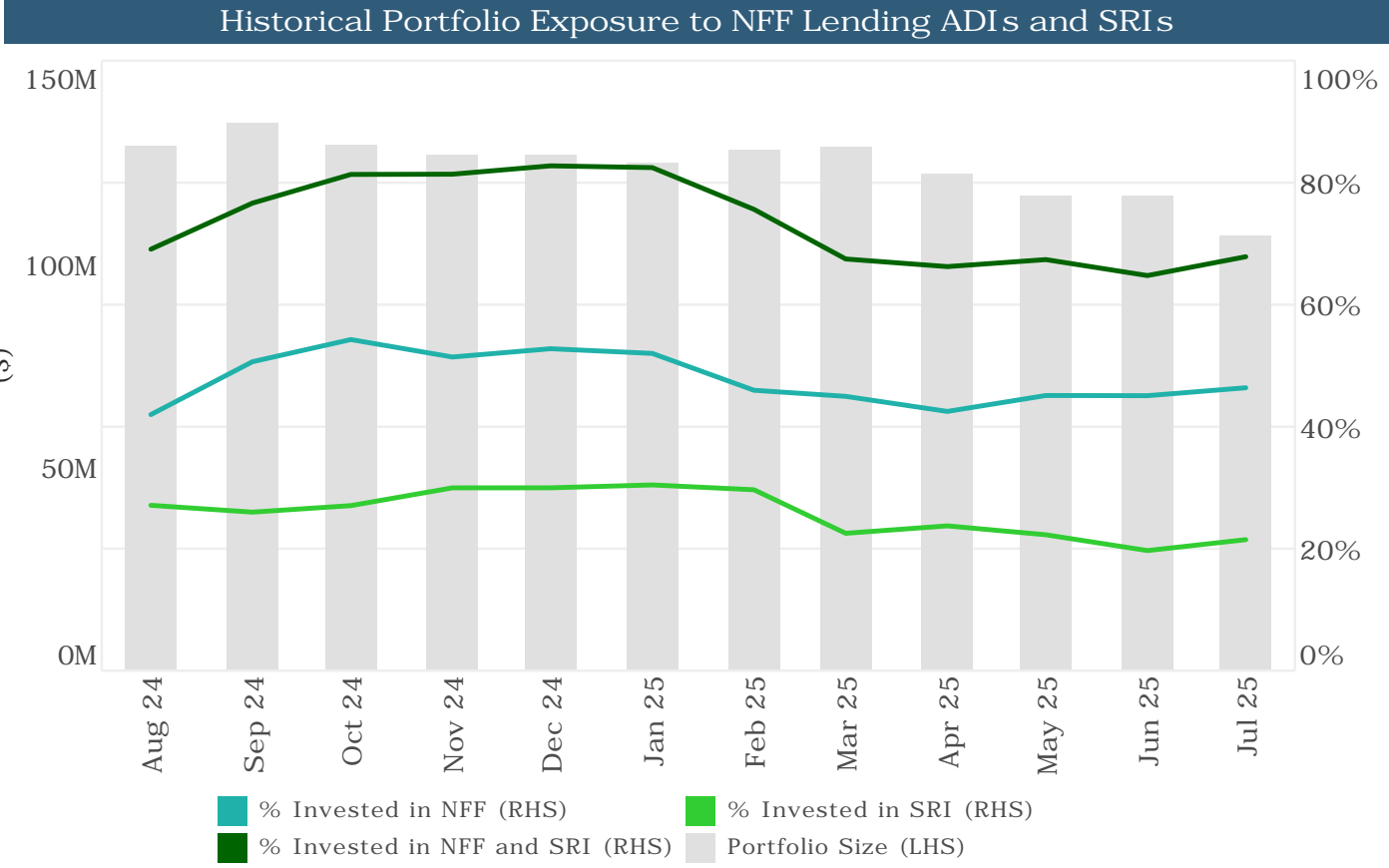
Waverley Council
Environmental Commitments Report - July 2025



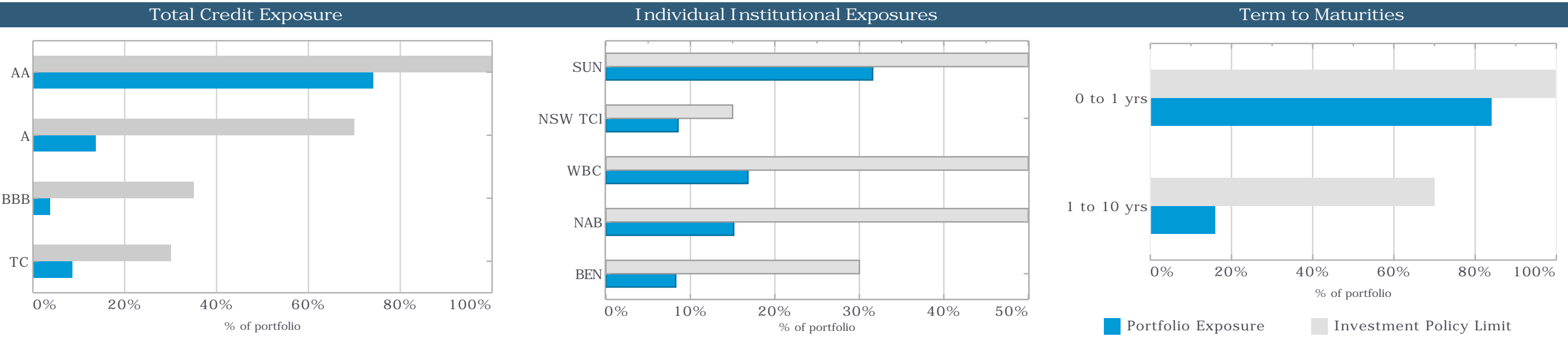
Current Breakdown				
ADI Lending Status *	Current Month (\$)		Previous Month (\$)	
Fossil Fuel Lending ADIs				
Commonwealth Bank of Australia	6,260,144		13,108,267	
ING Bank Australia	2,800,000		2,800,000	
National Australia Bank	16,200,000		16,200,000	
	25,260,144	24%	32,108,267	27%
Non Fossil Fuel Lending ADIs				
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	33,800,000		36,800,000	
	49,650,000	46%	52,650,000	45%
Other				
NSW T-Corp (LT)	9,142,509		9,030,626	
	9,142,509	9%	9,030,626	8%
Socially Responsible Investment				
CBA (Green)	5,000,000		5,000,000	
Westpac Group (Green TD)	18,000,000		18,000,000	
	23,000,000	21%	23,000,000	20%
	107,052,654		116,788,893	

* source: Marketforces & APRA

Percentages may not add up to 100% due to rounding



Waverley Council
Investment Policy Compliance Report - July 2025



■ Portfolio Exposure ■ Investment Policy Limit

Credit Rating Group	Face Value (\$)		Policy Max	
AA	79,260,144	74%	100%	a
A	14,650,000	14%	70%	a
BBB	4,000,000	4%	35%	a
TC	9,142,509	9%	30%	a
	107,052,654			

Institution	% of portfolio	Investment Policy Limit	
Suncorp Bank (AA-)	32%	50%	a
NSW T-Corp (TCL)	9%	15%	a
Westpac Group (AA-)	17%	50%	a
National Australia Bank (AA-)	15%	50%	a
Bendigo and Adelaide Bank (A-)	8%	30%	a
Newcastle Greater Mutual Group (BBB+)	4%	15%	a
Commonwealth Bank of Australia (AA-)	11%	50%	a
Bank of Queensland (A-)	3%	30%	a
ING Bank Australia (A)	3%	30%	a

	Face Value (\$)		Policy Max	
Between 0 and 1 years	89,952,654	84%	100%	a
Between 1 and 10 years	17,100,000	16%	70%	a
	107,052,654			

Specific Sub Limits				
Between 3 and 10 years	6,750,000	6%	50%	a
Between 5 and 10 years	0	0%	25%	a

a = compliant
r = non-compliant

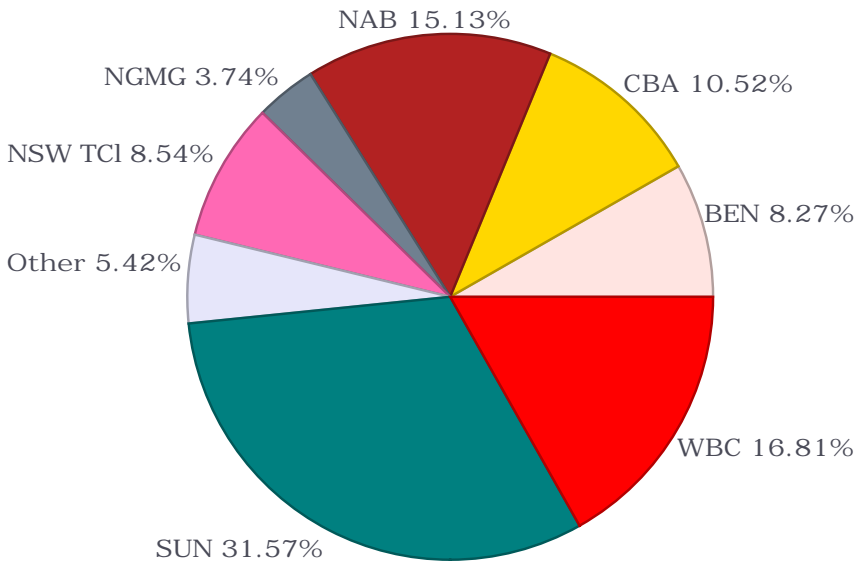
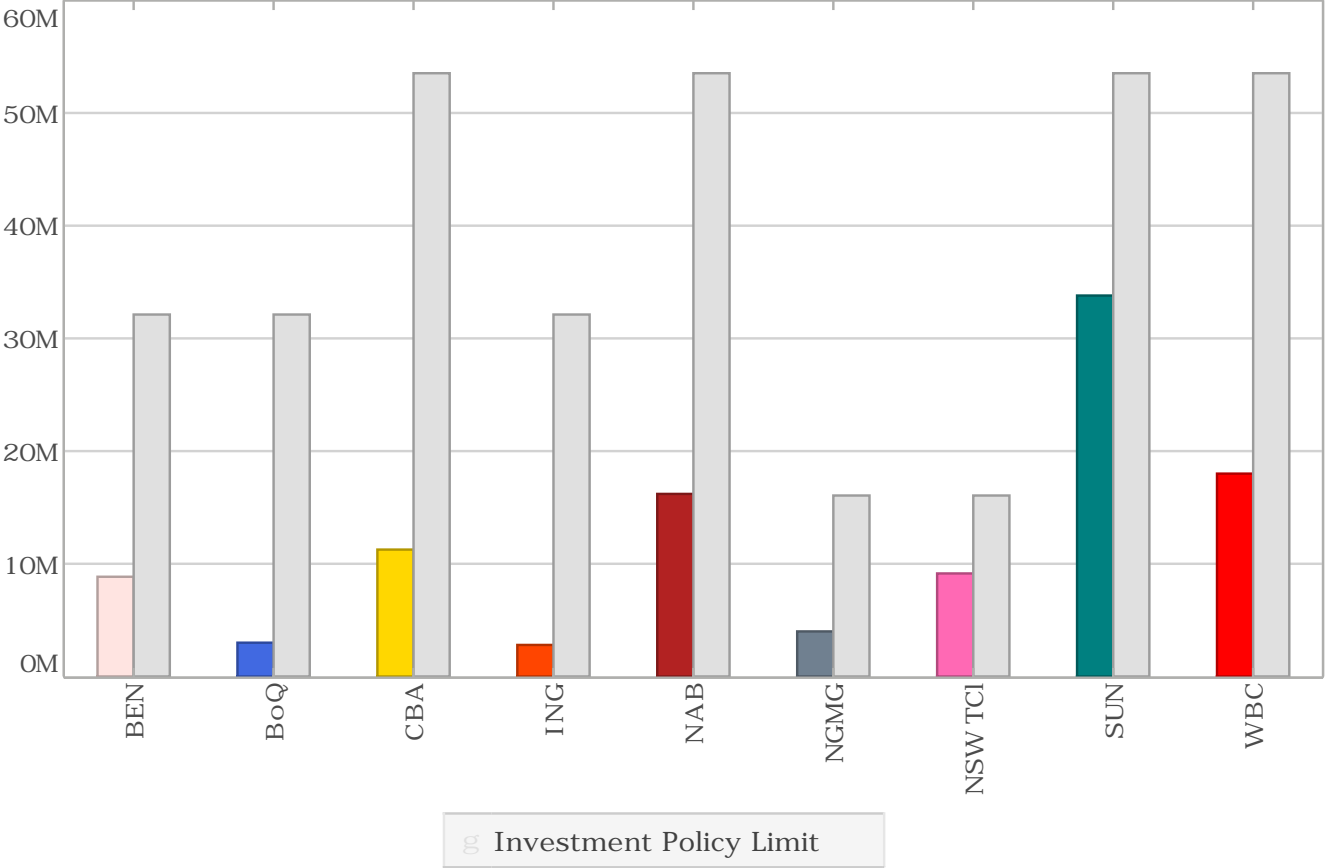
Waverley Council
Individual Institutional Exposures Report - July 2025



Individual Institutional Exposures

Individual Institutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
Bank of Queensland (A-)	3,000,000	3%	32,115,796	30%	29,115,796
Bendigo and Adelaide Bank (A-)	8,850,000	8%	32,115,796	30%	23,265,796
Commonwealth Bank of Australia (AA-)	11,260,144	11%	53,526,327	50%	42,266,183
ING Bank Australia (A)	2,800,000	3%	32,115,796	30%	29,315,796
National Australia Bank (AA-)	16,200,000	15%	53,526,327	50%	37,326,327
Newcastle Greater Mutual Group (BBB+)	4,000,000	4%	16,057,898	15%	12,057,898
NSW T-Corp (TCl)	9,142,509	9%	16,057,898	15%	6,915,389
Suncorp Bank (AA-)	33,800,000	32%	53,526,327	50%	19,726,327
Westpac Group (AA-)	18,000,000	17%	53,526,327	50%	35,526,327
	107,052,654				



Waverley Council
Cashflows Report - July 2025



Actual Cashflows for July 2025						
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount	
8-Jul-25	545661	Bank of Queensland	Term Deposit	Maturity: Face Value	3,000,000.00	
		Bank of Queensland	Term Deposit	Maturity: Interest Received/Paid	93,969.86	
		<u>Deal Total</u>			<u>3,093,969.86</u>	
				Day Total	3,093,969.86	
9-Jul-25	546248	Bank of Queensland	Term Deposit	Settlement: Face Value	-3,000,000.00	
		<u>Deal Total</u>			<u>-3,000,000.00</u>	
		Day Total				-3,000,000.00
16-Jul-25	545605	Suncorp Bank	Term Deposit	Maturity: Face Value	3,000,000.00	
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	106,052.05	
		<u>Deal Total</u>			<u>3,106,052.05</u>	
				Day Total	3,106,052.05	
				<u>Total for Month</u>	<u>3,200,021.92</u>	

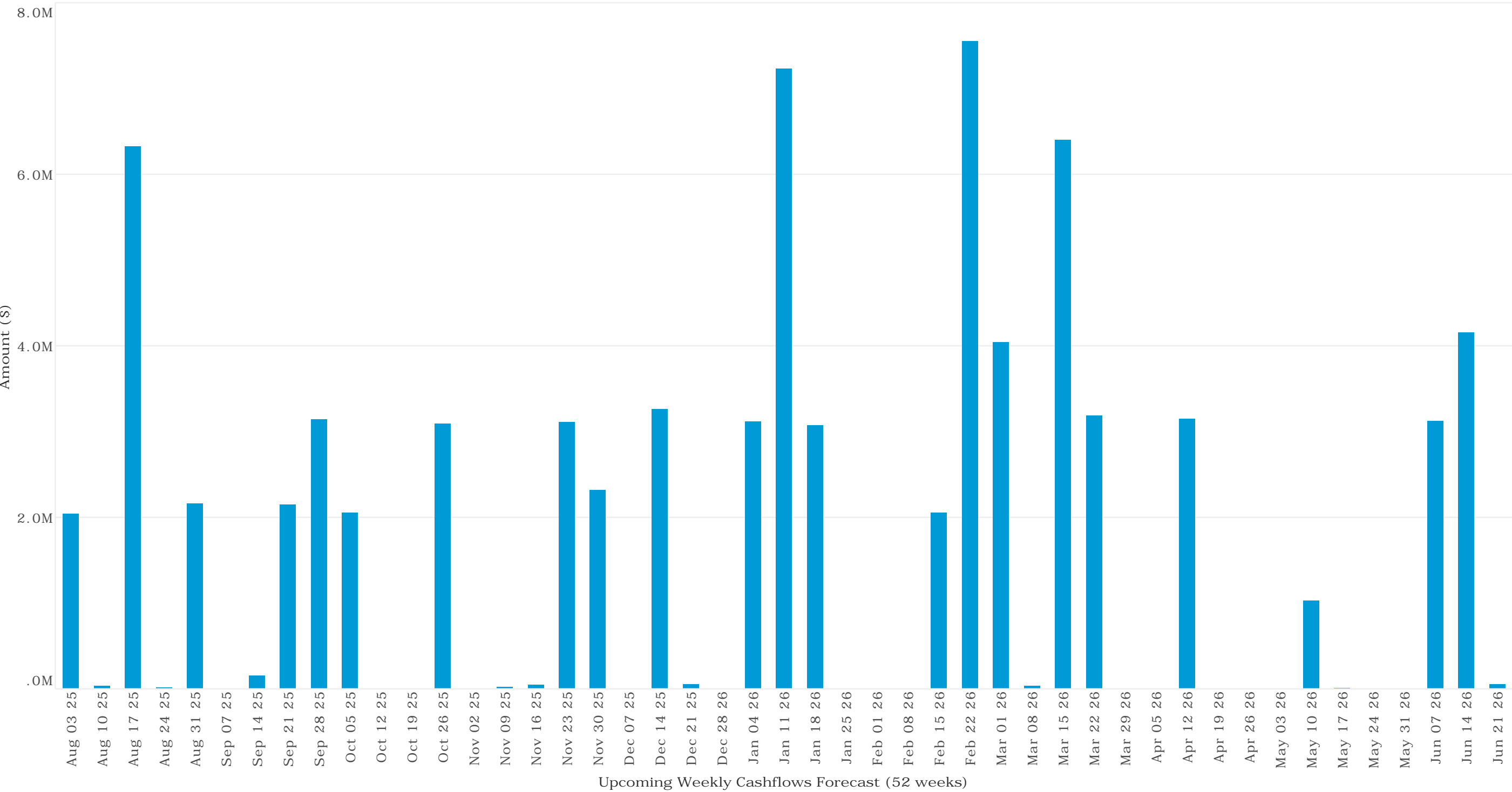
Forecast Cashflows for August 2025						
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount	
5-Aug-25	545845	National Australia Bank	Term Deposit	Maturity: Face Value	2,000,000.00	
		National Australia Bank	Term Deposit	Maturity: Interest Received/Paid	39,829.04	
		<u>Deal Total</u>			<u>2,039,829.04</u>	
				Day Total	2,039,829.04	
14-Aug-25	545080	BEN Snr FRN (May27) BBSW+ 1.00%	Floating Rate Note	Coupon Date	19,332.80	
		<u>Deal Total</u>			<u>19,332.80</u>	
		Day Total				19,332.80
15-Aug-25	544084	BEN Snr FRN (May26) BBSW+ 1.25%	Floating Rate Note	Coupon Date	12,726.25	
		<u>Deal Total</u>			<u>12,726.25</u>	
		Day Total				12,726.25
20-Aug-25	544856	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	24,449.32	

Waverley Council
Cashflows Report - July 2025

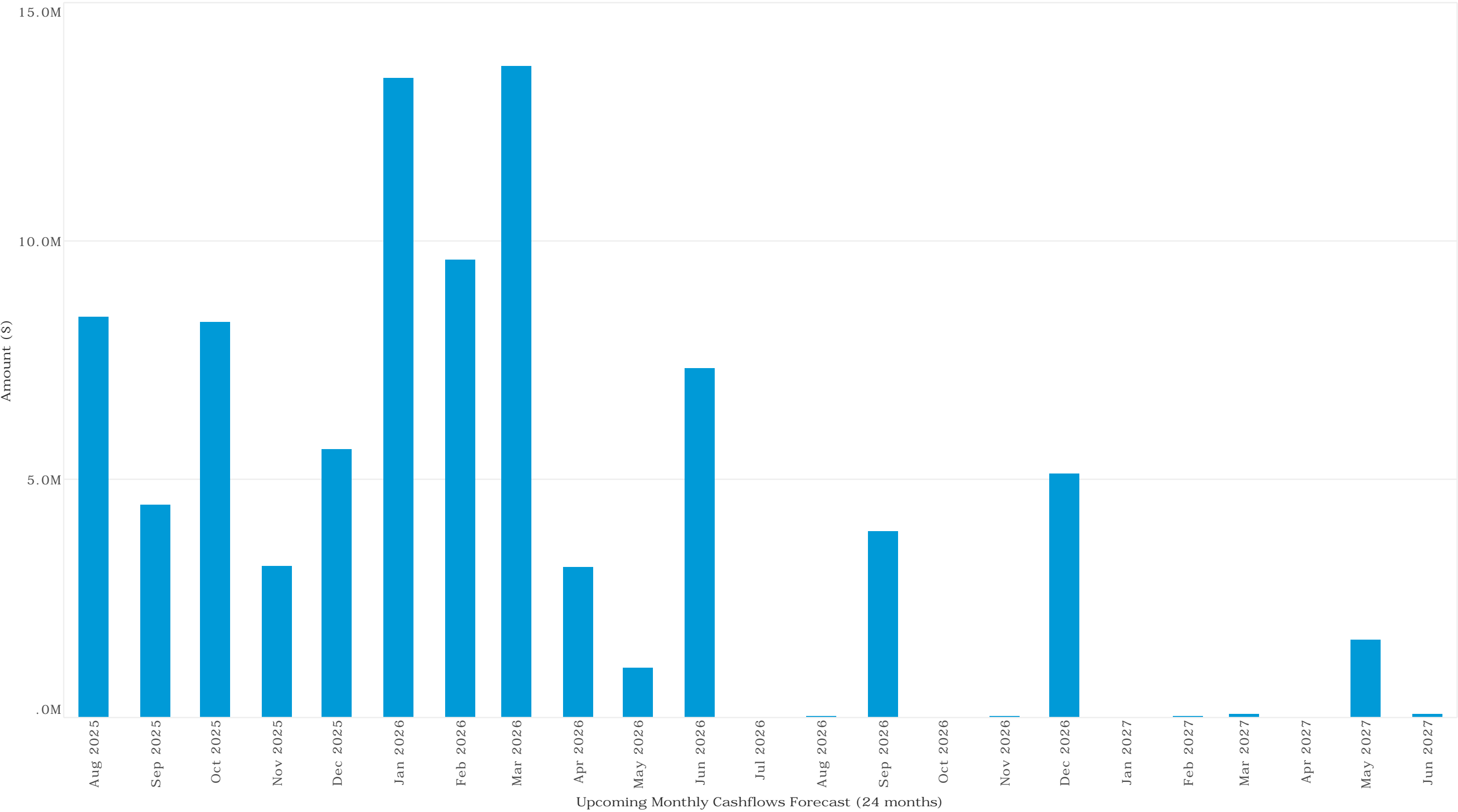


Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
				Deal Total	24,449.32
20-Aug-25	545371	Westpac Group	Term Deposit	Maturity: Face Value	3,000,000.00
		Westpac Group	Term Deposit	Maturity: Interest Received/Paid	145,800.00
		Deal Total			3,145,800.00
20-Aug-25	545380	Westpac Group	Term Deposit	Maturity: Face Value	3,000,000.00
		Westpac Group	Term Deposit	Maturity: Interest Received/Paid	144,601.64
		Deal Total			3,144,601.64
				Day Total	6,314,850.96
21-Aug-25	546059	SUN Snr FRN (May30) BBSW+ 0.93%	Floating Rate Note	Coupon Date	8,814.04
				Deal Total	8,814.04
				Day Total	8,814.04
25-Aug-25	540958	SUN Snr FRN (Feb26) BBSW+ 0.45%	Floating Rate Note	Coupon Date	13,481.34
				Deal Total	13,481.34
				Day Total	13,481.34
				Total for Month	8,409,034.43

Waverley Council
Cashflows Report - July 2025



Waverley Council
Cashflows Report - July 2025



REPORT

CM/7.7/25.08



Subject: Affordable Housing Operations - Key Workers and Women Escaping Violence

TRIM No: A25/0312

Manager: Annette Trubenbach, Executive Manager, Community Services

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

RECOMMENDATION:

That Council:

1. Approves the changes to the operation of the Affordable Housing Program set out in the report that refine the definition of key workers and improve access for women escaping domestic and family violence.
2. Allocates \$30,000 from the Affordable Housing Operating Reserve to purchase white goods and furniture, if required, for units nominated as housing for women escaping violence.

1. Executive Summary

This report responds to Council resolutions in March and May 2025 to refine the targeting of benefit of Council's Affordable Housing Program by adopting a definition of eligible workers and allocating at least two units in the Program to provide for women escaping domestic and family violence. The report recommends the adoption of an eligible worker definition which defines key workers as those needing to be physically present to perform their work. It recommends a series of operational amendments to improve access to the Program for women escaping violence with limited resources at their disposal.

2. Introduction/Background

This report responds to Council resolutions in March and May 2025 to refine the targeting of benefit of Council's Affordable Housing Program by adopting a definition of eligible workers and allocating at least two units in the Program to provide for women escaping domestic and family violence.

Council's Affordable Housing Program

Council owns 24 units that are operated as affordable housing: 15 x one-bed and 9 x two-bed. A further 6 x two-bed units will be incorporated into the program in the coming months. Council's portfolio is managed under contract by Evolve Housing, a Tier 1 registered community housing provider.

The Affordable Housing Tenancy Policy endorsed by Council in February 2024 allows for a five-year term and is open to adults on low to moderate incomes who have lived or worked in the Waverley local government area for at least three years. Tenants are charged rent of 30% of their income, and to be eligible must be able to pay rent of at least 40% of the rent set for a property (the income eligibility floor). The rent set is 75% of the bottom quartile Waverley median for a property of comparable size.

Providing for key workers

A NSW Legislative Assembly Select Committee tasked with exploring issues and options for essential worker housing in NSW delivered its [report](#) in June 2025. It found that essential workers are falling into a ‘missing middle’ in affordable housing policy, unable to afford to buy or rent at market rates, but ineligible for assistance under current NSW guidelines. The lack of availability of housing that is affordable for key workers within a reasonable commuting distance undermines the delivery of key community services in many communities.

The Committee has made 20 recommendations to improve options including provision within NSW planning law and amendment of relevant NSW guidelines. On a definition of ‘key workers’, the Committee found that:

The term ‘essential worker’ needs to be flexible based on local community needs and should focus on the need to be physically present at work. Essential workers are not only public sector workers (Summary, p. v).

Its report recommends a unified, whole-of-government response lead by Homes NSW, that establishes a state level framework for essential worker housing with clear principles and minimum eligibility criteria that can be adapted to reflect the unique needs and labour market conditions of individual communities and regions (see pp. vii-viii).

Improving access for women and children escaping violence

Council participates in the Eastern Suburbs Domestic Violence Network (ESDVN) which includes key agencies and the Police. Council’s Community Development Officer Children Families and Young People has undertaken consultation with network members about challenges in securing housing for Waverley residents trying to escape domestic violence. The consultation indicated that:

There is insufficient supply of housing that is affordable to single women and women with children across the spectrum of very low to moderate incomes.

- The government funded ‘program based’ models designed to support women escaping domestic and family violence are complex to navigate, have insufficient flexibility to cover the wide range of circumstances of women seeking to escape violence, and provide insufficient subsidy to enable a woman to afford to rent in Waverley.
- Survivors of family violence have widely varying housing needs.
- Women on temporary visas, isolated from family support and ineligible for welfare support, are particularly vulnerable.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 20 May 2025	CM/8.6/25/05	That Council: <ol style="list-style-type: none"> 1. Allocates up to two dwellings within its affordable housing portfolio to provide accommodation and support to residents escaping domestic and family violence. 2. Includes criteria for domestic and family violence accommodation within its Affordable Housing Tenancy Policy, which is currently being updated with a report due back to Council.

		<ol style="list-style-type: none"> 3. Investigates the appropriate service provider to manage tenancies for local residents escaping domestic and family violence. 4. Officers prepare a report to Council by no later than August on the outcome.
Council 18 March 2025	CM/7.8/25.03	<p>That Council:</p> <ol style="list-style-type: none"> 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. Notes that the full refurbishment of 2A Edmund Street will provide six new dwellings towards Council's Affordable Housing Program at a cost 50% less than the original proposal to knock down and rebuild. 3. Reviews the Affordable Housing Tenancy Policy to clearly define 'key worker' to refine the targeting of the policy.
Finance, Operations and Community Services Committee 6 February 2024	FC/5.1/24.02	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopts the Affordable Housing Tenancy Policy attached to the report. 2. Progressively implements the revised policy from 1 March 2024 as vacancies arise in the affordable housing program. 3. Allows existing tenants, who may be ineligible under the revised policy, to complete their term in the program.

4. Discussion

Providing for key workers

In response to Council's resolution, to refine the targeting of provision for workers in Waverley's Affordable Housing Program, officers recommend that Council:

- Maintains a 'watching brief' on developments at the state level to improve housing provision for key workers.
- Adopts a definition of 'key worker.'

Definition

Officers recommend refining the eligibility criteria to include the agreed key characteristic of essential workers, that of a requirement for a physical presence at work, as follows:

Applicant must establish their identity, and provide proof that they:

- *Have lived in the Waverley Local Government Area for at least three years prior, or*
- *Work in the Waverley local government area and are required to be physically present to perform their work*

The interim definition proposed is comparable to that endorsed by Melbourne City Council following extensive local demographic research and consultation. The [City of Melbourne](#) defines key worker housing as:

Affordable rental housing that is appropriate for people who work within the City of Melbourne, who are required to be physically present to perform their work, and whose household earns very low, low or moderate incomes. The housing must be owned, or managed, or allocated and monitored by a Registered Housing Agency or registered charity to the satisfaction of Council.

Improving access for women and children escaping violence

In response to Council's resolution, to improve provision for local women and children escaping domestic or family violence through its Affordable Housing Program, officers recommend that Council:

- Approves an operating model that aims to ensure that, at any time, two units in Council's affordable housing portfolio are providing local women with secure transitional housing at a price they can afford and with the time they need to recover and rebuild their lives, to be implemented as follows:
 - o Work with the appointed community housing provider and members of the ESDVN to establish a mechanism for notification of vacancies, and referral and selection of prospective tenants
 - o Remove the income eligibility floor and waive the bond requirement for these units so they can provide housing for women with very low incomes at the time of entry, and for a period of up to three years following.
 - o Transition tenants to the affordable housing program (if eligible) to allow tenants to complete a standard five-year term. This will allow the nomination of another unit within Council's portfolio to support women escaping violence.
 - o Purchase up to \$30,000 in white goods and furnishings for the nominated units if these cannot be secured through another agency.
- Operates the nominated units as part of its affordable housing portfolio under management by Evolve Housing, Council's contracted community housing provider. Evolve has extensive experience in the provision of housing for women escaping domestic and family violence. For example:
 - o In partnership with Women's Community Shelters, in 2023 Evolve opened two facilities in western Sydney that utilise the 'core and cluster' model to provide emergency and transitional housing for women and children escaping domestic and family violence
 - o More locally, Evolve works in partnership with the Bayside Women's Shelter to facilitate access to transitional housing pathways for women leaving the shelter.

Maintaining all of Council's units under the management of a single community housing provider is efficient and will enhance operational flexibility which will maximise opportunities for successfully matching vacancies with need.

5. Financial Impact

Providing for key workers

- There are no anticipated financial consequences of including a definition of key workers in Council's Affordable Housing Tenancy Policy.

Improving access for women and children escaping violence

- Removing the income floor to facilitate access for women on very low incomes at the time of entry to the program, and for the three years following, is likely to reduce rental income to the program. As the number of units affected is small, it is anticipated that this loss can be accommodated within the program's overall operating budget
- Endorsing the expenditure of up to \$30,000 on white goods and furnishings for the nominated units if these cannot be secured through another agency, may incur a cost of up to \$30,000 which should be drawn from Council's Affordable Housing Operating Reserve.

6. Risks/Issues

The risks associated with operating residential units for let are mitigated by contracting out their management to an expert in the field. This report recommends that all units in Council's Affordable Housing Program continue to be managed by Evolve Housing, a Tier 1 registered community housing provider, and expert in the field.

7. Attachments

Nil.

REPORT

CM/7.8/25.08



Subject: First Nations Advisory Committee - Community Membership

TRIM No: A25/0222

Manager: Annette Trubenbach, Executive Manager, Community Services

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

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. Appoints the following community members to the First Nations Advisory Committee for two years from September 2025 to September 2027:
 - (a) Gene Ross.
 - (b) Keala Mealey-Walker.
 - (c) Sarah Jane Moore.
 - (d) Kevin Heath.
 - (e) Gary Ella.
 - (f) Earl Weir.
 - (g) Liz Tierney.
 - (h) Billy Reynolds.
 - (i) Clare Woolley.
 - (j) Danny Allende.

1. Executive Summary

Expressions of interest (EOI) were invited for membership of the Multicultural Advisory Committee (MAC) for a term of two years. The EOI was open from Monday, 16 June, to Sunday, 27 July 2025.

Eleven applications for a maximum of ten positions were received and reviewed by Council officers, with oversight by the Director, Community, Culture and Customer. Ten applications were assessed as eligible for membership, whilst one was ineligible as they did not meet the selection criteria.

This report seeks Council approval of recommendations for committee membership of four returning members along with six new applicants as listed above.

2. Introduction/Background

The updated First Nations Advisory Committee Terms of Reference provide for a term of membership of two years. The most recent term of the Reconciliation Action Plan Advisory Committee (now First Nations Advisory Committee) ended in June 2025. Committee members were acknowledged for their commitment and support at the last meeting held in June 2025.

The EOI for membership of the First Nations Advisory Committee was open from 16 June to 27 July 2025 and widely promoted via:

- Have Your Say subscribers.
- Council's newsletters and extensive networks.
- La Perouse Alliance and the Gujaga Foundation.
- Facebook and Instagram.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 29 April 2025	CM/7.5/25.04	That Council: <ol style="list-style-type: none"> 1. Changes the name of the Reconciliation Action Plan Advisory Committee to the First Nations Advisory Committee. 2. Adopts the terms of reference for the First Nations Advisory Committee attached to the report. 3. Continues to pay each community member a fee of \$200 per meeting.
Finance, Operations and Community Services Committee 6 June 2023	FC/5.3/23.06	That Council: <ol style="list-style-type: none"> 1. Appoints the following individuals to the Reconciliation Action Plan Advisory Committee for a term of two years from June 2023 to June 2025: <ol style="list-style-type: none"> (a) Kirsty Beller. (b) Brad Franks. (c) Earl Weir. (d) Walangari Karntawarra. (e) Michael Mahoney. 2. Increases the community membership of the Committee from eight to 10 members for this

		<p>term of the Committee.</p> <ol style="list-style-type: none"> Extends the term of the Committee members who were appointed in 2022 to June 2025 to align with the new term of the Committee. Acknowledges the contribution of Aunty Barb Simms, who is not seeking a new term.
Council 18 October 2022	CM/7.7/22.10	That Council appoints Damien Barnes to the Reconciliation Action Plan (RAP) Advisory Committee for a two-year term from October 2022 to October 2024.
Finance, Operations and Community Services Committee 6 September 2022	FC/5.3/22.09	<p>That Council appoints the following community members to the Reconciliation Action Plan (RAP) Advisory Committee for a two-year term from August 2022 to August 2024:</p> <ol style="list-style-type: none"> Elizabeth Tierney. Sarah Jane Moore. Gene Ross.
Council 25 May 2021	CM/7.10/21.05	<p>That Council appoints the following individuals to the Reconciliation Action Plan (RAP) Advisory Committee for a two-year term from June 2021 to June 2023:</p> <ol style="list-style-type: none"> Chris Bonney. Peter Cooley. Walangari Karntawarra. Michael Mahoney. Barbara Simms. Sally Walker.
Council 16 March 2021	CM/7.2/21.03	<p>That Council:</p> <ol style="list-style-type: none"> Establishes a Reconciliation Action Plan Advisory Committee. Adopts the Terms of Reference for the Committee attached to the report. Sets a fee of \$200 per meeting to be paid to community members and community organisations/groups for attendance. Notes that funding of up to \$5,000 for the payment of the fees referred to in clause 3 above

		has been included in the draft 2021–22 Operational budget. This is to acknowledge the significant demands placed on Aboriginal and Torres Strait Islander people to share their knowledge, information, expertise and culture on an ongoing basis.
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4. Discussion

The Reconciliation Action Plan (RAP) Advisory Committee was established in 2021 as an action from the Waverley Innovate RAP. The first committee was made up of six members, leaving two vacant positions. Since then, Council has recruited for members at various times in response to fluctuating membership, including resignations due to changes in personal or professional circumstances. In June 2023, Council appointed five members for a two-year term and extended the term of the four committee members who had joined in September and October 2022 to align with the new term (June 2023-June 2025). This term ended in June 2025.

In 2024, members recommended a name change to acknowledge the expanded scope of the Committee's work beyond the narrow remit of the Reconciliation Action Plan, which had been a focus since inception. After consultation with the Gujaga Foundation and committee, the new name of 'First Nations Advisory Committee' was recommended.

Along with the name change, Council approved in April the updated terms of reference, developed in consultation with the committee to align with the recommended name change and Council's terms of reference template for advisory committees.

The EOI for membership of the First Nations Advisory Committee was open from 16 June to 27 July, resulting in 11 submissions and 10 valid expressions of interest. One of the applicants was ineligible as they did not meet the selection criteria. As per the terms of reference, the applicants should meet the following criteria:

- Traditional custodians and elders of the Waverley area.
- Aboriginal peoples and Torres Strait Islander peoples who live, work or have a connection to the Waverley and surrounding areas.
- Representatives from Aboriginal and Torres Strait Islander community groups and organisations that operate and/or are located within the jurisdiction of the La Perouse Local Aboriginal Land Council.

The committee has made a significant impact since its inception, and the committee members who have applied for the new term will bring diversity of background, professional experience, age, gender and culture.

5. Financial Impact

Costs associated with the committee are managed within the relevant Community Programs operational budget.

6. Risks/Issues

Nil.

7. Attachments

1. EOI evaluation (confidential) .

REPORT CM/7.9/25.08



Subject: School Enrolment Data Trends

TRIM No: A14/0170

Manager: Annette Trubenbach, Executive Manager, Community Services

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

RECOMMENDATION:

That Council notes the update on school enrolment trends in the Waverley local government area, as set out in the report.

1. Executive Summary

In response to a recent Council motion, officers have reviewed current trends and school infrastructure needs in the Waverley local government area (LGA). This report summarises the key findings which indicate significant changes have occurred since the 2018 report to Council. These include:

A significant decline in primary school enrolments at all Waverley public primary schools.

- Rose Bay Secondary College enrolments peaked in 2020 and have declined since—currently under their enrolment cap by around 100 students.
- Changes have been made to public school boundaries impacting on the Waverley LGA.
- A new public high school has opened in Surry Hills.
- Randwick Boys and Girls high school have merged to create another co-educational school accessible to the Waverley community.
- Waverley is one of seven Council areas where no public schools are above their enrolment cap.
- Generally consistent enrolments at the K-12 independent schools.
- Increase in numbers at St Clare's and Waverley College.
- About 15,000 fewer students across the Eastern Suburbs, Inner West and Northern Beaches attend public schools compared with five years ago.

As reflected in the data and qualitative feedback, since 2018, all public schools in the Waverley LGA are below their enrolment caps with enrolments dropping/stabilising.

2. Introduction/Background

In June 2018, a report to Council provided comprehensive information on school infrastructure needs and enrolment trends in the Waverley LGA. At the time, there were school capacity issues with Rose Bay Secondary College being the only public high school in the Waverley LGA, and exceeding capacity. This created significant pressure on the school community and school infrastructure.

In 2018, the Department of Education highlighted that JJ Cahill, Matraville Sports High and Randwick Boys and Girls had places available.

There had also been significant growth in all public primary schools in Waverley between 2007-2017, leading to concerns that there would not be enough places for families choosing secondary education in the government school system.

The independent and Catholic schools had relatively consistent numbers between 2008-2016, with the most significant growth at St Catherine's K-12.

However, since that time, there have been several factors which have contributed to the dropping or stabilising of school enrolments across the Waverley LGA, and increased options for co-educational public high schools in and around the Waverley LGA.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 20 May 2025	CM/8.9/25.05	That Council: <ol style="list-style-type: none"> Notes the previous report on school infrastructure and enrolment trends approved by Council in June 2018 (PD/5.4/18.06). Officers undertake a review and update the report to reflect current trends and school infrastructure needs in the Waverley local government area. Officers prepare a report to the August Council meeting with the updated report.
Strategic Planning and Development Committee 5 June 2018	PD/5.4/18.06	That Council: <ol style="list-style-type: none"> Notes that a further related report on supply and demand for early education and care services will be coming to Council. Supports joint planning and advocacy activities with both Woollahra and Randwick councils to: <ol style="list-style-type: none"> Improve local school capacity and related infrastructure development, including a new public high school in the eastern suburbs. Investigate opportunities for innovation and design excellence as part of potential partnerships with the Department of Education and Training (DoE) and other agencies around the development of flexible learning spaces (e.g. senior secondary school campus) and integrated community facilities (e.g. out of school hours care). Seeks clarification from DoE about planning implications for local school catchment areas/clusters under the new Schools Assets Strategic Plan (SASP).

		<p>4. Provides input into DoE's new shared use policy to maximise community access opportunities.</p> <p>5. Continues to advocate for Waverley community needs in consultations and planning for improved provision of Out of School Hours Services (OSHS).</p>
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4. Discussion

The tables below highlight the changes in school enrolments since the previous report was provided in 2018.

Table 1. Primary.

PRIMARY	2018	2019	2020	2021	2022	2023	2024
Bondi Beach Public School	649	618	585	533	481	413	380
Bondi Public School	585	596	571	551	532	496	492
Bronte Public School	422	388	374	335	308	278	262
Clovelly Public School	592	599	602	556	494	473	507
Cranbrook Primary	No Data						
Galilee Catholic Primary School	NA	125	104	94	82	90	82
Montessori East Bondi	88	101	94	97	88	79	74
Reddam House Jnr Campus	No Data						
Rose Bay Public School	623	587	555	523	465	432	391
St Charles Catholic Primary School	495	515	554	555	310	317	319
Waverley Public School	302	330	336	351	349	328	306

Table 2. Primary and secondary.

PRIMARY + SECONDARY	2018	2019	2020	2021	2022	2023	2024
Kambala K - 12	957	972	969	984	961	984	967
Kesser Torah College	316	335	366	363	385	437	463
Kincoppal School K - 12	875	911	906	903	889	904	915
Moriah College Primary + High School	1427	1449	1464	1455	1450	1415	1405
St Catherines Anglican K - 12	1023	1013	1031	1019	1032	1060	1099
Reddam House	No data						
Wairoa School for Specific Purposes K - 12	57	61	65	71	70	73	71

Table 3. Secondary.

SECONDARY	2018	2019	2020	2021	2022	2023	2024
Rose Bay Secondary College	1246	1305	1344	1311	1277	1240	1216
Waverley College Snr Campus (Yr 5 - 12)	1435	1433	1450	1491	1507	1523	1549
St Clare's College Waverley	517	524	595	624	667	716	760
WAYS Secondary		56	59	55	52	54	57

The data from the My School website (<https://www.myschool.edu.au/>) summarises enrolment data since 2018. The overview indicates that all Waverley public primary schools have significantly lower numbers than in 2018 (apart from consistent numbers at Waverley Public School); numbers at Rose Bay Secondary College peaked in 2020 and have reduced since then. In 2025, there are 1,130 students at Rose Bay College.

It has been indicated that the current student numbers at Rose Bay are manageable and there is capacity for accommodating 100 more students within their current enrolment cap. Randwick High School and Inner Sydney High School and Rose Bay work well together, each school has strengths which complement each other to support local students.

Looking at the projected population figures from the Department of Planning, the number of school aged students will drop slightly over the next 15 years: <https://www.planning.nsw.gov.au/data-and-insights/population-projections/explore-the-data>.

Enrolment caps were introduced in 2019 to encourage families to send children to underutilised schools in their area. Caps are applied to schools who can enrol out of area students but do not limit the actual number of local students that can be enrolled. Waverley is one of seven Council areas where no public schools are above their enrolment cap. In addition, in the Randwick LGA no public high schools are at their cap.

Sydney metropolitan areas experiencing increased student numbers and over-capacity enrolments in public schools include north-west and south-west.

5. Financial Impact

Nil.

6. Risks/Issues

Nil.

7. Attachments

Nil.

REPORT

CM/7.10/25.08



Subject: Planning Agreement - 1 Wellington Street and 222-234 Bondi Road, Bondi

TRIM No: SF25/3571

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 1 Wellington Street and 222-234 Bondi Road, Bondi, offering a total monetary contribution of \$3,272,000 to be allocated to the Bondi Road Streetscape Upgrade, Waverley Park Plan of Management and Bondi Local Area Traffic Management priority actions.
2. Authorises the General Manager to execute the agreement.

1. Executive Summary

This report seeks Council's approval to execute the attached planning agreement associated with the approved development application DA-317/2023 for 1 Wellington Street and 222-234 Bondi Road, Bondi.

Table 1. Approval for DA-317/2023.

Item	Approved DA-317/2023
Development description	Substantial alterations and additions to two buildings, including two additional levels to the residential flat building on Wellington Street, two additional levels above the mixed-use building on Bondi Road and integrated basement parking.
Maximum permissible gross floor area (GFA) and floor space ratio (FSR)	1,252.8 sqm and 0.9:1
Approved GFA and FSR	2,085 sqm and 1.498:1
GFA exceedance	66%

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-317/2023

DA-317/2023 was approved with an 818 sqm gross floor area exceedance above the maximum permissible floor space ratio for the site. With reference to Council's benchmark rates listed in the Planning Agreement Policy, a total monetary contribution of \$3,272,000 applies. The application was determined by the NSW Land and Environment Court.

Planning agreement's monetary contribution to a public purpose

Section 7.4 of the EP&A Act requires that the monetary contribution from a planning agreement be allocated to a public purpose. The draft planning agreement offers a total monetary contribution of \$3,272,000 (100%) to be allocated towards the Bondi Road Streetscape Upgrade, Waverley Park Plan of Management and Bondi Local Area Traffic Management priority actions. The contribution is expected to support this public purpose.

Public exhibition of the draft planning agreement

The draft planning agreement was drafted in accordance with section 7.5 of the EP&A Act, which requires an agreement to be exhibited for a period of 28 days. The draft planning agreement and Explanatory Note were exhibited from Friday 4 July 2025 to Friday 1 August 2025, and included:

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

Submissions

Three submissions were provided during the exhibition, two of these submissions were public submissions and one was a submission by a Councillor. One submission was in favour of the VPA, one submission was unclear if supportive or otherwise and one submission raised concerns.

The concern raised in the submission by a member of the community was their belief that the monetary contribution is insufficient to offset the alleged negative impacts the development will cause via increased traffic in the surrounding streets. The submission also suggested some of the funds should be allocated to permanently close the left turn from Martins Avenue to Ocean Street North.

The concerns raised in this submission have been noted and suggestions for local infrastructure solutions have been passed on to Council's Infrastructure Services Team. It is also worth re-emphasising that the monetary contribution is partially proposed to be allocated to streetscape upgrades and traffic management in the local area, which may respond to any issues which may arise of this nature.

5. Financial Impact

Once the planning agreement has been executed, the applicant will be required to pay a total monetary contribution of \$3,272,000 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 not used as a means of general revenue raising or to overcome revenue shortfalls.

The planning agreement document itself as a legal 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.

If Council decides to amend the VPA, then under s7.5(a) of the Act Council would be required to publicly exhibit the VPA again for 28 days, with officers to report back to the soonest available Council meeting. This may create a delay for the applicant in obtaining their construction certificate.

7. Attachments

1. Planning agreement [↓](#) .

WAVERLEY COUNCIL

(Council)

AND

**BONDI AND WELLINGTON PTY LTD (ACN 658
083 777) ATF BONDI RD INVESTORS UNIT
TRUST (ABN 90 224 181 823)**

(Developer)

PLANNING AGREEMENT

(Development Contribution)

**WAVERLEY COUNCIL
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**")

AND

BONDI AND WELLINGTON PTY LTD (ACN 658 083 777) ATF BONDI RD INVESTORS UNIT TRUST (ABN 90 224 181 823) of Level 12, 37 York Street, Sydney NSW 2000 ("**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 8 November 2023 the Developer made the Development Application to Council for Development Consent to carry out the Development on the Land.
- D.** The Developer subsequently lodged an appeal with the Land and Environment Court of NSW and made an offer dated 21 August 2024 by the Developer to enter into this Agreement to make the Development Contribution. The Development Contribution is to be applied towards a public purpose in accordance with Council's Planning Agreement Policy if development consent was granted on the basis that the Development as proposed exceeds the gross floor area permissible for such a development upon the Land pursuant to relevant planning controls.

- E. The Land and Environment Court proceedings resulted in the determination of the Development Application by grant of the Development Consent DA 317/2023 on 29 October 2024.
- F. The Developer subsequently sought a modification application to modify Development Consent DA 317/2023. The modification proposed did not impact the Developer's offer to enter into this agreement which is in connection with FSR Exceedance. The modification consent has issued (DA 317/2023B).
- G. This Agreement is consistent with the Developer's offer referred to in Recital D.

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 any Construction Certificate issuing for the Development.

4 DEFINITIONS AND INTERPRETATION

4.1 Definitions

In this Agreement unless the context otherwise requires:

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

"Agreement" means this agreement;

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

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

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

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

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

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

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

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

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

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

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

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

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

“Land” means the land described in item 2 of the Schedule;

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

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

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

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

“Schedule” means the schedule to this Agreement.

4.2 Interpretation

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

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

5 DEVELOPMENT CONTRIBUTION TO BE MADE UNDER THIS AGREEMENT

- 5.1 The Developer agrees to make, and the Council agrees to accept, the Development Contribution to be applied for the Public Purpose.

- 5.2 The Developer must pay the Development Contribution to the Council by bank cheque or electronic funds transfer 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 8 of the Development Consent is subject to increase in accordance with paragraph 7 of the offer made by the Developer referred to in Recital D.

6 APPLICATION OF THE DEVELOPMENT CONTRIBUTION

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

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

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

8 REGISTRATION OF THIS AGREEMENT

- 8.1 The Parties agree this Agreement is to be registered by the Registrar-General as provided for in section 7.6 of the Act.
- 8.2 The Developer warrants that they have done everything necessary to enable this Agreement to be registered under section 7.6 of the Act.
- 8.3 Without limiting clause 8.2, the Developer warrants that they have obtained the express written consent to the registration of this Agreement under section 7.6 of the Act from:
- (a) If this Agreement relates to land under the *Real Property Act 1900*, each person who has an estate or interest in the Land registered under that Act; or
 - (b) If this Agreement relates to land not under the *Real Property Act 1900*, each person who is seized or in possession of an estate or interest in the Land.
- 8.4 As soon as possible after entering into this Agreement and in any event prior to the issue of a Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary site sheds that relates to works contained in the Development Consent, 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; and
 - (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) and take any other necessary action so as to ensure this Agreement is registered on the title to the Land prior to the issue of any Construction Certificate.
- 8.5 Upon compliance with clause 8.4 by the Developer the Council will promptly lodge the Registration Application with the Registrar General.
- 8.6 The Parties will co-operate with each other to ensure that the Agreement is registered by the Registrar General.
- 8.7 Upon payment of the Development Contribution or surrender of the Development Consent, the Developer may request in writing the removal of the dealing created by registration of the Agreement from the title to the Land. The Council will not withhold its consent to such removal, provided the Developer pays all reasonable costs, expenses and fees of the Council relating to such removal.
- 8.8 Notwithstanding any other provisions to the contrary in this Agreement, should payment of the Development Contribution occur upon the date of this Agreement and prior to issue of a Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary site sheds that relates to works contained in the Development Consent, then:
 - (a) there will be no obligation to register this Agreement in accordance with this clause 8;
 - (b) there will be no obligation to provide the Bank Guarantee in accordance with clause 9.
- 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 works for construction purposes including site hoardings and temporary site sheds that relates to works contained in the Development Consent, the Developer must

deliver to the Council a Bank Guarantee, which must be:

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

9.2 **Calling on Bank Guarantee**

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

9.3 **Return of Bank Guarantee**

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

10 REVIEW OF THE AGREEMENT

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

11 DISPUTE RESOLUTION

11.1 Notice of dispute

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

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

11.2 Response to notice

Within 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 five business days after services by the Respondent of notice of its representatives;
- (ii) Use reasonable endeavours to settle or resolve the dispute within 15 business days after they have met.

11.4 Further notice if not settled

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

11.5 Mediation

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

- (i) The Parties must agree to the terms of reference of the mediation within 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, the Developer may request in writing the removal of the caveat from the title to the Land. The Council will not withhold its consent to such removal, provided the Developer pays all reasonable costs, expenses and fees of the Council relating to such removal and has complied with all its obligations under this Agreement.

13 NOTICES

13.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:

- (a) delivered or posted to that Party at its address set out below in Item 8 of the Schedule;
- (b) faxed to that Party at its fax number set out below in Item 8 of the Schedule;
- (c) emailed to that Party at its email address set out below in Item 8 of the Schedule.

13.2 If a Party gives the other Party 3 business days' notice of a change of its address, 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

- 15.1 Until the Development Contribution is paid in full, the Developer cannot sell, transfer, assign, novate, charge, encumber or otherwise deal with the Land or attempt or purport to do so.
- 15.2 The provisions of clause 15.1 do not apply to:
- (a) a mortgage or charge against the Land in circumstances where the mortgagee or chargee is bound by this Agreement; and
 - (b) the Developer entering into a contract for an off-the-plan sale (pending settlement and transfer of land associated with the sale only).

16 COSTS

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

17 ENTIRE AGREEMENT

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

18 FURTHER ACTS

Each Party must promptly execute all documents and do all things that another Party from

time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.

19 GOVERNING LAW AND JURISDICTION

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

20 JOINT AND INDIVIDUAL LIABILITY AND BENEFITS

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

21 NON FETTER

The Developer acknowledges and agrees that:

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

22 REPRESENTATIONS AND WARRANTIES

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

23 SEVERABILITY

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

24 MODIFICATION

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

25 WAIVER

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

26 GOODS & SERVICES TAX

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

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

27 EXECUTION IN TRIPLICATE

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

DRAFT

SCHEDULE

<u>Item Number</u>	<u>Particulars</u>	<u>Description</u>
1	Developer	BONDI AND WELLINGTON PTY LTD (ACN 658 083 777) ATF BONDI RD INVESTORS UNIT TRUST (ABN 90 224 181 823)
2	Land	Lot 1 in DP 230368, known as 1 Wellington Street, Bondi and Lot 2 in DP 230368, known as 222-234 Bondi Road, Bondi
3	Development Application	DA-317/2023 (as modified)
4	Development (description)	Substantial alterations and additions to two buildings, including two additional levels to the residential flat building on Wellington Street, two additional levels above the mixed-use building on Bondi Road and integrated basement parking
5	Development Contribution	\$3,272,000.00
6	Public Purpose	Bondi Road Streetscape Upgrade & Waverley Park Plan of Management and Bondi Local Area Traffic Management Priority Actions.
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 12, 37 York Street, Sydney NSW 2000
	Developer Email	shaun.bond@allambiproperty.com and jacki@allambiproperty.com

Council Address

55 Spring Street, Bondi Junction NSW
2022

Council Email

info@waverley.nsw.gov.au

DRAFT

EXECUTED by WAVERLEY COUNCIL pursuant to a resolution of Waverley Council
on

EMILY SCOTT

General Manager

EXECUTED by BOND AND WELLINGTON PTY LTD
(ACN 658 083 777) ATF BOND RD INVESTORS UNIT TRUST

In accordance with section 127 of the
Corporations Act 2001

SHAUN BOND

Sole Director/Secretary

REPORT

CM/7.11/25.08



Subject: Planning Agreement - 96-104 Ebley Street, Bondi Junction

TRIM No: SF24/5748

Manager: George Bramis, Executive Manager, Urban Planning

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

RECOMMENDATION:

That Council:

- Approves the planning agreement attached to the report applying to land at 96–100 and 102–104 Ebley Street, Bondi Junction, offering a total monetary contribution of \$946,400, with \$709,800 (75%) to be allocated to the Bondi Junction Road Safety and Renewal Program and Bondi Junction Community Facilities Upgrades, and \$236,600 (25%) to be allocated to the Affordable Housing Program, in accordance with Council’s Planning Agreement Policy.
- Authorises the General Manager to execute the agreement.

1. Executive Summary

This report seeks Council’s approval to execute the attached planning agreement associated with the approved development application DA-421/2020 as modified by DA-421/2020/B at 96 -100 and 102 - 104 Ebley Street, Bondi Junction. The application was approved as follows:

Table 1. Approval of DA-421/2020 as modified by DA-421/2020/B.

Item	Approved DA-421/2020 as modified by DA-421/2020/B
Development description	Demolition of an existing two storey commercial premises at 96-102 Ebley Street and the construction of a nine storey mixed-use project consisting of three basement parking levels, ground level retail shops, eight levels of commercial office space on Levels 01-08.
Maximum permissible gross floor area (GFA) and floor space ratio (FSR)	6,055 sqm GFA, equating to an FSR of 6:1
Approved GFA and FSR	6,419 sqm GFA, equating to an FSR of 6.4:1
GFA exceedance	363.8 sqm GFA, equating to a variation of 6% 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-421/2020 as modified by DA-421/2020/B at 96100 and 102-104 Ebley Street Bondi Junction

DA-421/2020/B was approved with a 363.8 sqm gross floor area exceedance above the maximum permissible floor space ratio for the site. With reference to Council's benchmark rates listed in the Planning Agreement Policy, a total monetary contribution of \$946,400 applies.

\$709,800 (75%) is proposed to be allocated towards the Bondi Junction Road Safety and Renewal Program and Bondi Junction Community Facilities Upgrades and \$236,600 (25%) to be allocated towards the Waverley's Affordable Housing Program. The original and modified development applications were approved by the Waverley Local Planning Panel on 26 May 2021 and 27 November 2024 respectively.

Planning agreement's monetary contribution to a public purpose

Section 7.4 of the EP&A Act requires that the monetary contribution from a planning agreement be allocated to a public purpose.

The recommended public purpose is expected to support the Bondi Junction Road Safety and Renewal Program and Bondi Junction Community Facilities Upgrades. The allocation of funding is based on a review of feedback received from consultation to confirm community needs and wants and target additional funding to maximise benefit to the community.

Public exhibition of the draft planning agreement

The draft planning agreement was drafted in accordance with section 7.5 of the EP&A Act, which requires an agreement to be exhibited for a period of 28 days. The draft planning agreement and explanatory note were exhibited from Tuesday 17 June 2025 to Tuesday 15 July 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

Four submissions were received during the exhibition period. One submission commented that Council facilities are rundown and need investment. Another submission commented that all VPA contributions should go towards the purchase of affordable housing. A third submitter also suggested that the contributions should go towards providing funding for the homeless and using Council facilities for homeless shelters. The fourth submission requested that greater landscaping and trees for Ebley Street.

As noted above, 25% of the contributions will go towards affordable housing while the remaining 75% is going towards works in Bondi Junction including road safety and renewal works and community facilities, given that this VPA was drafted before the change to the VPA Policy, requiring all funds be dedicated towards capital works. The new Affordable Housing Contributions Scheme will be the new source of funding for affordable housing. It is considered standard practice to allocate contributions to works located near to the proposed development. While there are no imminent public domain changes proposed for this part of Ebley Street, there are proposed changes to Ann Street, which runs perpendicular to Ebley and into Gray Street.

5. Financial Impact

Once the planning agreement has been executed, the applicant will be required to pay a total monetary contribution of \$946,400, in accordance with the 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 not used as a means of general revenue raising or to overcome revenue shortfalls.

The planning agreement document itself as a legal 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.

If Council decides to amend the VPA, then under s7.5(a) of the Act Council would be required to publicly exhibit the VPA again for 28 days, with officers to report back to the soonest available Council meeting. This may create a delay for the applicant in obtaining their construction certificate.

7. Attachments

1. Planning agreement [↓](#) .

WAVERLEY COUNCIL

(Council)

AND

**SCD EAST PTY LTD
(ACN 639 367 730)**

AND

**STEPHEN D'ERESBY DAVIDSON
(Developer)**

PLANNING AGREEMENT
(Development Contribution)

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

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

2025

PARTIES

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

SCD EAST PTY LTD (ACN 639 367 730) of 53 – 57 Oxford Street, Bondi Junction NSW 2022
AND STEPHEN D'ERESBY DAVIDSON of 4 Parsley Road, Vaucluse NSW 2030 (collectively the "**Developer**")

BACKGROUND/RECITALS

- A.** Stephen D'Eresby Davidson is the registered proprietor of the whole of the Land having finalised the acquisition of Lot 1/7333 62 from BJ PHOENIX PTY LTD in June 2024.
- B.** SCD East Pty Ltd along with Stephen D'Eresby Davidson are the Developer herein and responsible for carrying out the Development as described in the Schedule hereto.
- C.** The Council is the local authority constituted under the Local Government Act 1993 and the planning and consent authority constituted under the Act.
- D.** On 10 July 2024 the Developer caused an application to be made to Council to modify DA-421/2020.
- E.** On 9 May 2024 the Developer caused an offer 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. This offer was clarified and updated by letter dated 14 February 2025 to Council.
- F.** Development consent was granted for DA-421/2020/B on 27 November 2024.

- G. This Agreement is consistent with the Developer's offer as clarified and updated as 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 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-421/2020/B.

4 DEFINITIONS AND INTERPRETATION

4.1 Definitions

In this Agreement unless the context otherwise requires:

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

"Agreement" means this agreement;

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

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

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

Council;

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

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

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

“Development” means the development the subject of the Development Application 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
 - (a) the Development Contribution
herein, being as set out in condition 8A1. (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 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-421/2020/B, 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-421/2020/B.
- 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-421/2020/B, 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 as soon as possible.

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.

12.4 Not Used

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 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, , or otherwise deal with the Land or attempt or purport to do so without consent of Council unless the transferee, assignee or novate enters into an agreement with the Council in the same terms as this agreement and assumes the obligations of the Registered Proprietor and the Developer herein . Nothing in this clause prevents leases being entered into or off the plan unit sales being entered into, provided the off the plan unit sale does not complete prior to the obligations of the Registered Proprietor and Developer herein being met in full

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

- 27.1 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.
- 27.2 If permitted at law and in accordance with the Council protocols, this agreement may be executed electronically by a party using Docusign (or a similar secure digital signature platform), or by affixing an electronic signature.
- 27.3 Subject to clause 27.2, The parties agree to be bound by the electronic version of this agreement which has been signed in accordance with this clause.
- 27.4 Subject to clause 27.2, The parties agree they will be bound by, have complied with and will comply with the Electronic Transactions Act 2000 (NSW) and any terms and conditions of Docusign (or a similar secure digital signature platform), in relation to the execution of this agreement.

SCHEDULE

<u>Item Number</u>		<u>Particulars/Description</u>
1	Developer	SCD East Pty Limited ACN 639 367 730) AND STEPHEN D'ERESBY DAVIDSON
2	Land	Lot 1 in DP 733362 and Lot 1 in DP 568524, known as 96 – 100 and 102 – 104 Ebley Street, Bondi Junction
3	Development Application	DA-421/2020/B (being a modification of DA-421/2020)
4	Development (description)	Demolition of existing building and construction of a 9 storey mixed use building consisting of three levels of basement, ground level retail, 6 levels of commercial office space and 8 x 2 storey residential apartments above and modification B to replace the top two residential levels with commercial space within the mixed use building and other alterations including design refinements and additional floor space
5	Development Contribution	\$946,400
6	Public Purpose	Bondi Junction Road Safety and Renewal Program and Bondi Junction Community Facilities Upgrades (75%) and Waverley's Affordable Housing Program (25%)
7	Development Contribution Date (Payment date for the Development Contribution)	Prior to the issue of any Occupation Certificate for the Development
8	Developer Address	53 – 57 Oxford Street, Bondi Junction NSW 2022

Developer Fax	Not Applicable
Developer Email	jeremy@blare.com.au
Council Address	55 Spring Street, Bondi Junction NSW 2022
Council Fax	(02) 9387 1820
Council Email	info@waverley.nsw.gov.au

EXECUTED by WAVERLEY COUNCIL pursuant to a resolution of Waverley Council on

EMILY SCOTT

General Manager

**EXECUTED by SCD EAST PTY LTD
(ACN 639 367 730)**

In accordance with section 127 of the
Corporations Act 2001

STEPHEN D'ERESBY DAVIDSON

Director

CARMEN LEANNE DAVIDSON

Director

**EXECUTED BY STEPHEN D'ERESBY
DAVIDSON**

STEPHEN D'ERESBY DAVIDSON

WITNESS

WITNESS NAME:

WITNESS ADDRESS:

REPORT

CM/7.12/25.08



Subject: Charing Cross Streetscape Upgrade - Project Update

TRIM No: SF23/3929

Manager: Rodhan Haughton, Executive Manager, Major Projects

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council:

1. Treats the attachment to this report as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2)(d)(i) of the Local Government Act 1993. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Notes the project update on the Charing Cross Streetscape Upgrade, as set out in the report, including the progress of the preliminary electrical works, the Separable Portion 1 (SP1) civil works and the program acceleration already achieved without specific intervention.
3. Proceeds with the planning and design of the current SP2 civil works scope and continues to seek funding, in accordance with Option 1 set out in the report.

1. Executive Summary

The purpose of this report is to provide a progress update of the Charing Cross Streetscape Upgrade project and seek decision on the options relating to the SP2 civil works.

2. Introduction/Background

Charing Cross is a key southern village centre within Waverley, strategically located along Bronte Road, which connects the eastern beaches, Bondi Junction, Centennial Park and the City. The centre features a diverse range of local shops and services that cater to the daily needs of residents, workers and visitors. With its distinctive 'high street' character, the centre serves both as a vital local commercial hub and a major transport corridor, accommodating up to six different bus routes.

The existing public domain lacked clear definition, with boundaries that blurred into adjacent residential areas. High volumes of through-traffic created conflicts with the area's commercial function, disrupting local traffic movements and causing significant congestion throughout the precinct.

The project involves a comprehensive streetscape upgrade to Charing Cross's commercial precinct, designed to enhance the sense of arrival while improving safety and convenience for pedestrians, cyclists and public transport users.

A key idea indicated for the project in Council's Our Liveable Places Centres Strategy is to 'create safe movement corridors for pedestrians and laneways and on the road'. An important feature of the approved design is the removal of the slip lane from Bronte Road into Carrington Road following

observations of pedestrian over-crowding occurring on the existing pedestrian island. This results in pedestrians waiting to cross the road spilling into the pedestrian crossing of the slip lane. The removal of the slip lane and the safety improvement the removal provides is supported by Transport for NSW (TfNSW), the governing authority for the Bronte Road/Carrington Road/Victoria Street signalised intersection.

Detailed design of the project commenced in April 2023, marking the beginning of the technical development phase for this significant infrastructure upgrade.

Construction of the preliminary electrical works involving undergrounding of overhead powerlines commenced in June 2024, representing a critical first phase in improving the visual amenity of the precinct. Construction of separable portion 1 (SP1) civil works, being the project scope south of the Bronte Road/Carrington Road/Victoria Street intersection, commenced in February 2025.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 16 July 2024	CM/7.17/24.07	<p>That Council:</p> <ol style="list-style-type: none"> 1. Treats the tender evaluation attached to the report as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as it relates to a matter specified in section 10A(2)(d)(i) of the <i>Local Government Act 1993</i>. The tender evaluation contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 2. Under section 178(1)(a) of the <i>Local Government (General) Regulation 2021</i>, accepts the preferred tenderer CA&I Pty Ltd for the supply of the head contractor services for the Charing Cross Streetscape Upgrade civil works for the sum of \$7,902,850 (excluding GST). 3. Authorises the General Manager or delegate to enter into contract on behalf of Council with the preferred tenderer. 4. Notifies unsuccessful tenderers of the decision in accordance with section 179 of the <i>Local Government (General) Regulation 2021</i>.
Traffic Committee 23 May 2024	TC/TEAC.01/24.05	That Council notes the feasibility analysis of a left hand turn from Bronte Road into Carrington Road as part of the Charing Cross Streetscape Upgrade Project, as set out in the report.
Traffic Committee 28 March 2024	TC/C.01/24.03	<p><i>Council adopted the recommendation below.</i></p> <p>That Council:</p>

		<ol style="list-style-type: none"> 1. Approves the installation of traffic devices, signs and line marking in the Charing Cross commercial precinct, between Carrington Road and Albion Street, Waverley, as shown in Attachment 1 of the report. 2. Delegates authority to the Executive Manager, Infrastructure Services, to modify the designs should amendments be required. 3. Notes that: <ol style="list-style-type: none"> (a) The State road and traffic signal designs will be submitted to Transport for NSW (TfNSW) for approval, with any required design and signage changes being approved by TfNSW. (b) The Charing Cross Streetscape Upgrade Project was approved by Council in April 2023. (c) Contractors have been engaged to undertake early electrical works, commencing in April 2024.
Council 12 December 2023	CM/7.5/23.12	<p>That Council:</p> <ol style="list-style-type: none"> 1. Treats the tender evaluation attached to this report as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as the evaluation relates to a matter specified in section 10A(2)(d)(i) of the <i>Local Government Act 1993</i>. The evaluation contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it. 2. Under clause 178(1)(a) of the <i>Local Government (General) Regulation 2021</i>, accepts the preferred tenderer QMC for the supply of preliminary electrical works for the Charing Cross Streetscape Upgrade for the sum of \$4,019,567.39 excluding GST subject to the General Manager's determination for the project to proceed under delegation issued to the General Manager by Council at its meeting on 1 June 2021. 3. Authorises the General Manager or delegate to enter into a contract on behalf of Council with the preferred tenderer, subject to clause 2

		<p>above.</p> <ol style="list-style-type: none"> 4. Notifies unsuccessful tenderers of the decision, in accordance with clause 179 of the <i>Local Government (General) Regulation 2021</i>. 5. Officers, prior to the General Manager's final determination of the Review of Environmental Factors (REF) of the Charing Cross Streetscape Upgrade Project, email Councillors the final amended REF and provide a summary of the technical and community issues raised during public exhibition.
<p>Finance, Operations and Community Services Committee 4 April 2023</p>	FC/5.5/23.04	<p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the Charing Cross Streetscape Upgrade design intent, as set out in the report, to inform the detailed design with respect to the following components: <ol style="list-style-type: none"> a) Selection of appropriate tree species for heritage and non-heritage building façades. b) Street tree and furniture locations with consideration given to the Posted Awnings Strategy. c) Material interpretations and treatments to acknowledge original kerb alignment within the widened footpath. d) Material detailing for lighting, hanging baskets and street furniture. 2. Delegates authority to the Executive Manager, Infrastructure Services, to modify the design should design constraints and on-site circumstances warrant changes. 3. Notes that: <ol style="list-style-type: none"> a) The Charing Cross Precinct Committee has been consulted in recent months, and its feedback has been considered for the development of the final detailed design. b) The detailed design will progress to final completion, and Council officers will proceed to advertising a tender for the project to undertake the construction works.

		c) The Review of Environmental Factors will be publicly advertised as legislatively required and then the General Manager will make a decision on the project proceeding.
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4. Discussion

Construction works are currently underway and well progressed, with the construction services divided into two discrete contracts. QMC Pty Ltd is the head contractor for the preliminary electrical works, while CA&I Pty Ltd is the head contractor for the civil works. The civil works are further divided into two separable portions. The status of each project component is outlined below:

Preliminary electrical works progress

Refer to Attachment 1 for the preliminary electrical works staging plan. All trenching and conduit installation stages have been completed. The remaining work under the contract involves periodic power outage works to activate and reconnect all properties from the existing overhead powerlines to the new underground cables. These outage works are scheduled at the discretion of Ausgrid, with QMC aiming for an outage every 3-4 weeks. Assuming this periodic booking schedule is maintained, all activation work is projected for completion in late October 2025.

The most recent outage occurred on 6 August 2025, enabling activation of all low voltage (LV) pillars and property connections to 306-312 and 314-316 Bronte Road. The next scheduled outage is planned for 31 August 2025, which will allow activation of LV pillars from St Clare's Way to the Bronte Road/Carrington Road/Victoria Street intersection.

QMC's mobilisation and demobilisation for these scheduled outages will occur within the same work shift, resulting in minimal ongoing construction presence for the preliminary electrical works now that trenching works are complete.

With trenching works completed, the contractor's compound at Victoria Park will be fully demobilised in August 2025. A small compound area on the Victoria Street western arm of the Bronte Road/Carrington Road/Victoria Street intersection will remain to facilitate material storage for outage works. This area will only be accessed periodically during night-time power outages.

Civil works separable portion 1 (SP1) progress and program acceleration analysis

Refer to Attachment 2 for the civil works SP1 staging plan and Attachment 3 for the civil works SP1 and SP2 general arrangement plans. As of this report, the contractor has completed Stages 1-6, 8 and 9.

Current active and subsequent stage completion milestones are:

- Stage 7 – Completion early August 2025.
- Stage 11 – Completion mid-August 2025, followed by Stage 10 activation.
- Stage 12 – Completion late August 2025, followed by Stage 13 activation.

Significant on-site progress has been achieved in recent months. Two raised pedestrian crossings have been opened: one replacing the existing at-grade crossing on Bronte Road immediately north of the Albion Street intersection, and one new crossing on Bronte Road immediately east of the Albion Street intersection. Footpath paving adjacent to both pedestrian crossings is complete and operational (refer to Attachment 4, photos 1-5). Additional completed footpath areas include Stage 2 (Attachment 4, photos 6-8) and Stage 7 (Attachment 4, photo 9).

Concrete and brick footpath preparation works, along with associated sub-surface infrastructure including strata vault and tree pits systems, have been installed in Stages 2, 7, 8 and 9. The majority of construction activity is now concentrated on the eastern side of Bronte Road between the boundaries of Stages 8 and 11, and Stages 7 and 10, though progress has also been made on the western side in Stage 12 to complete the brick paving on the western side of the mid-block pedestrian crossing, allowing for it to be opened for public use.

The overall SP1 works completion timeline was initially estimated for end of November 2025, which has been communicated to the residents and business owners within Charing Cross and the surrounding area. Based on current progress, the contractor's latest program details completion of SP1 works by late-October 2025. This timeline remains subject to inclement weather and unexpected site delays in the upcoming months.

At the May 2025 Capital Works Review Committee (CWRC) meeting, the CWRC was presented with three civil works SP1 program acceleration options. This was subsequent to a series of meetings held on-site between a representative body of the local businesses within the Charing Cross Commercial Precinct, the Mayor, the General Manager and the Director, Assets and Operations, with an action taken to review feasible program acceleration options. The Committee identified Option 2 as most viable but recommended deferring the decision to allow further contractor discussions regarding actual costs, as the May presentation included only high-level estimates.

The additional costs and program savings presented to the May 2025 CWRC (Table 1) were based on acceleration options commencing from early June 2025. Updated figures capturing changes due to passage of time were discussed at the July 2025 CWRC.

Table 1. Program acceleration options (as per CWRC Report for May 2025) - Based on acceleration from beginning June.

	Option 1 - Single construction crew within with larger work zones	Option 2 - Two construction crews within larger work zones	Option 3 - Single construction crew within larger work zones & an extended shift
Projected program savings	2 weeks	6 weeks	3 weeks
Estimated additional costs (excl GST)	\$50k-\$70k	\$150k-\$250k	\$500k-\$600k
Parking impacts	Current work zone length: 80m (approx. 14 parking spots occupied) Proposed work zone length: 120m (approx. 20 parking spots occupied)		

The later any acceleration option commences, the less benefit the acceleration has. Noting that the CWRC does not have delegation to approve an acceleration intervention option, as such further passage of time has occurred since presenting the options to the May and July 2025 CWRC, and this Council report. Noting the construction progress since CWRC May 2025 reporting, Stages 1-9 and 11 are either completed or nearing completion pending powerline removal, representing approximately 75% of civil works SP1 scope. Large streetscape sections are complete, particularly at southern and eastern project extents with current on-site works are ahead of initial completion estimates.

Furthermore, a business and community drop-in session was held on 11 June 2025 at Charing Cross, inviting stakeholders to discuss the project with Council officers and CA&I representatives. No additional acceleration requests emerged from this session.

The program saving benefits of the above options become almost redundant should they be contemplated for implementation from the beginning of September (after a potential Council resolution). All acceleration options are currently unfunded and would therefore also require additional budget at Q1.

Given the progress made on site in recent months, program acceleration has been achieved without the need to activate specific acceleration interventions such as the Options noted above. The updated timelines for completion based on current program will be communicated with the community, to advise of the improved timelines.

Civil works Separable Portion 2 (SP2)

Refer to Attachment 3 for the civil works SP1 and SP2 general arrangement plans. The current approved SP2 civil works scope includes:

- Supply and installation:
 - o Kerb and gutters.
 - o Concrete and brick footpath pavement.
 - o Tree pits, rain gardens and passive irrigation systems.
 - o Road resheeting and line marking.
 - o Planting and soft landscaping.
 - o Service utility relocations/upgrades.
- Installation:
 - o Multi-function poles.
 - o Traffic control signal (TCS) lanterns.
 - o Applicable roadway signage.
 - o EV chargers.

The endorsed signalised intersection upgrade design includes the removal of the existing slip lane from Bronte Road into Carrington Road. The design also requires the removal of any left-hand turn from Bronte Road into Carrington Road. This restriction considers:

- Removal of the existing slip lane to increase available footpath area and prevent pedestrians from spilling into the crossing area.
- Significant safety improvements for all motorists and pedestrians using either the Bronte Road south pedestrian crossing or Carrington Road south.
- Alignment with TfNSW design guidelines and securing governing authority support for the intersection upgrade

The SP2 civil works scope is under contract with CA&I Pty Ltd. At time of contract execution, it was planned that the SP2 civil works would follow on immediately after the SP1 civil works.

There are two constraints in this occurring:

- TfNSW traffic control signal (TCS) approval process.
- SP2 funding.

The Council-approved SP2 design has received TfNSW's agreement in-principle (AIP) for the TCS design. Although not directly comparable, it can be thought of as almost akin to achieving development application approval. The detailed design and approval process for TCS design can be extremely lengthy, with recent examples of this taking 12-18 months on other projects.

The Long Term Financial Plan (LTFP) assigns budget in financial year 2026-27 for the SP2 civil works, totalling \$3,280,000. However, this is contingent on receiving a grant of \$1,600,000 contributing to almost half of the LTFP funding. Refer to Attachment 5 for TfNSW's letter of support. The letter reaffirms TfNSW's support for the scope of works, acknowledging the importance of the location and Council's commitment to improving safety and accessibility. The letter also outlines TfNSW's commitment to financially support Council in delivering these improvements with confirmation that they are prepared to contribute up to the figure noted in the letter under a co-funding agreement subject to further governance and assurance processes.

The immediate delivery of SP2 civil works following the completion of SP1 civil works is not feasible, due to the lengthy TCS approval process and the need to continue progression and formal finalisation of funding.

Four strategic options are presented for Council consideration of how to proceed with SP2 civil works. The decision will determine whether the project delivers the full vision of enhanced pedestrian safety and streetscape amenity or adopts a more limited scope reflecting funding constraints and community feedback. Some community members have expressed concerns about removing the left turn from Bronte Road into Carrington Road. Prior technical and modelling analysis of this has been reported to the Waverley Traffic Committee (WTC) at the time of WTC and Council endorsement of the project design. In discussions with TfNSW and reviewing feasibility of the intersection upgrade while retaining a left turn movement per above, TfNSW is supportive of the restriction and would not entertain introducing the left turn in the upgraded design. For that reason, there is no option proposed below to re-design the intersection to allow provision of the left turn being retained.

Option 1 – Proceed with current SP2 civil works scope, continue seeking funding

Continue pursuing the current approved design, which has TfNSW support as governing authority and their co-funding commitment. Continue collaboration to secure the co-funding commitment. Pursue other potential opportunities to increase grant funding to match the LTFP, or review cost saving measures to align with the co-funding commitment. Council Officers would liaise with the contractor and seek to gain their agreement to wait for SP2 funding to be obtained prior to activation of the construction works. This strategy has been implemented on the Curlewis Street Streetscape Upgrade project successfully. If funding has not otherwise been obtained, reassess viability of SP2 civil works towards the end of financial year 2025-26 with a report due back to Council detailing an update of funding progress.

Option 2 – Cease upgrade works at completion of SP1 civil works, permanently reinstate all trenching within SP2 footprint without further upgrades

This option removes the SP2 civil works upgrade entirely from the project scope. Only the preliminary electrical works would be completed within the signalised intersection area, leaving Council with necessary conduits and LV pillars installed for future proofing but with no live assets, i.e. the area would remain with overhead powerlines and Ausgrid lighting. All trenches within the area would be permanently reinstated to match adjoining materiality. Future overhead powerline removal within the signalised intersection could be completed at a later date with relatively minimal site disturbance as all relevant conduits have been installed in ground. These works would involve cable pulling, LV pillar activation, property reconnection to new underground infrastructure, and powerline removal.

Option 3 – Complete relevant SP2 civil works upgrades that do not overlap with the TCS intersection works

Referring to Attachment 3, sections of SP2 civil works fall outside the influence of the intersection upgrade. For example, large sections of upgrade works on the Carrington Road north and Bronte Road north arms can be completed without overlapping with the intersection design.

This option would allow completion of upgrade works outside the footprint of any future intersection works that may occur subject to future funding or TfNSW initiatives.

Option 4 – Proceed with an upgrade of the SP2 civil works area to match materiality of the hard landscaping and soft landscaping elements, but maintain existing intersection operation, geometry and traffic signal assets

This option would see completion of upgrade works to the SP2 civil works area consistent with project materiality while retaining all current intersection geometry, alignments and traffic signal assets. This would see benefit of completing upgrades to the area, but risk redundancy should future intersection upgrade works occur. In discussions with TfNSW, TfNSW has indicated a desire to improve the intersection operations and safety, noting that they are in support of the current TCS design.

5. Financial Impact

Overview

Council's LTFP assigns \$3,750,000 for the Charing Cross Streetscape Upgrade in financial year 2025-26. This budget is for the remaining delivery of the preliminary electrical works and the SP1 civil works.

At the time of this report, the remaining projected expenditure of the preliminary electrical works and the SP1 civil works, when considering approved and upcoming variations / savings, is expected to fully utilise the remaining funding with no remaining contingency for additional variations in the final months of construction. Council officers are closely monitoring the projected expenditure of the project, and continuously value engineering the scope of the project to ensure the expenditure reflects the best value for money ratio possible.

As noted above, the LTFP assigns further budget in financial year 2026-27 for the SP2 civil works, totalling \$3,280,000. However, this is contingent on receiving a grant of \$1,600,000 contributing to almost half of the LTFP funding.

Council officers will work directly with CA&I to determine the optimal way to manage the contract and any associated costs caused by the SP2 civil works options outlined in this report.

SP2 scope option costings

Option 1 – The complete cost of the SP2 works is projected to be \$3.1m (with contingency to be applied on top of that) and is currently covered under the construction contract Council has with CA&I Pty Ltd. The only consequence of delay in commencement of SP2 civil works while Council secures the outstanding funding balance of the contracted works is estimated at approximately \$25k for an additional second set of demobilisation and remobilisation costs for the contractor, i.e. demobilisation at completion of SP1 and re-mobilisation at future commencement of SP2.

Option 2 – If this option was chosen, the above mentioned \$3.1m costs would be cancelled, with minor additional costs associated with transitions between extents of completed SP1 civil works and the remaining existing conditions. These costs are projected to be within the vicinity of \$50k, though are pending the actual resolution of the instruction from Council with CA&I Pty Ltd.

Option 3 – The projected cost of this is \$1m, pending the actual resolution of the instruction from Council with CA&I Pty Ltd. This would fall within the current financial year 2026-27 Council funded budget. In proceeding with this option, the works would follow on from SP1 completion with required funding being brought forward into financial year 2025-26.

Option 4 – The projected cost of this is \$2.75m. Noting that this option does not see an upgrade of the TCS and intersection design and is therefore not realistic to obtain funding from TfNSW. This leads to a more expensive option for Council to cover the costs and is not deemed feasible from a financial sustainability perspective. As mentioned above, this option would also see potential risk of redundancy should TfNSW upgrade the intersection at a later date. The same cost resolution process in response to instruction from Council would still need to occur with CA&I Pty Ltd.

6. Risks/Issues

Public perception/consequence of SP2 scope change

Through the array of consultation that has occurred over the recent years for the project, the detailing and expectation of what will be delivered for the Charing Cross Streetscape project has become very clear. Council officers have used this expectation to increase anticipation and excitement to help residents and businesses bear the inconvenience and disruption during construction. Though the bulk of the Charing Cross commercial precinct is receiving the upgrade works within the extent of the SP1 civil works, the view and opinions of businesses who would be impacted by a change in the scope of SP2 could have an adverse effect on the community's opinion of the project.

Whichever option is chosen, it would be prudent for Council officers to undertake a dedicated communications and engagement strategy to inform the community of the changes to either the scope and/or the schedule of the project (i.e. delays in SP2 commencement for Options 1 and 4 until funding is secured) and why to realign the expectations of the community.

Contractor/industry relationships

It is the intention of Council officers to provide as clear instruction to CA&I Pty Ltd on the commencement of SP2 as possible so reduce the internal resource allocation risk on their part, and promote the contractor and industry relationships of Council. As indicated above, the completion date for the SP1 civil works is late-October, pending weather, and the more notice and decisive strategy that can be confirmed between Council and CA&I Pty Ltd the better to promote these relationships and Council's overall market reputation.

Financial

As indicated in section 5, the cost of the preliminary electrical works and the SP1 civil works is expected to fully utilise the available financial year 2025-26 funding with no budget remaining for contingency in the final months of construction. Council Officers are closely monitoring the projected expenditure of the project, and continuously value engineering the scope of the project to ensure the expenditure reflects the best value for money ratio possible.

There is currently inadequate funding for the scope of the SP2 civil works, with various options put forward in this report that will result in altered financial commitments/outcomes. If Council choose to do so, streetscape upgrades that exclude intersection upgrade works (Option 3) could be executed with the existing Council funding (independent of grant funding), and would include the applicable kerb and gutters, and footpath/tree/planting upgrades that are outside the zone of influence of the intersection upgrade.

7. Attachments

1. Preliminary electrical works staging plan (under separate cover) ➡
2. SP1 civil works staging plan (under separate cover) ➡
3. Civil works SP1 and SP2 general arrangements plan (under separate cover) ➡
4. SP1 civil works progress photos (under separate cover) ➡
5. TfNSW letter of support (confidential) .

REPORT

CM/7.13/25.08



Subject: Council Chambers Redevelopment - Concept Options - Exhibition

TRIM No: SF25/3189

Manager: Rodhan Haughton, Executive Manager, Major Projects

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council:

1. Publicly exhibits the three high-level concept (test fit) options for the Council Chambers Redevelopment attached to the report (Attachment 1).
2. Officers prepare a report to Council following the exhibition period.
3. Defers the decision on the short-term use of the site pending the outcome of community consultation.

1. Executive Summary

The purpose of this report is to present three high-level concept options as test fits for the Waverley Council Chambers Redevelopment Project and to seek Council's approval to publicly exhibit and consult the community on the test fit options and community needs for the site for 28 days.

Council's Strategic Property Review Committee (SPRC) recommended at the 27 March 2025 and 1 May 2025 meetings to demolish and rebuild at the Council Chambers site, a community/recreational hub. These minutes were subsequently noted at the 20 May 2025 and 17 June 2025 Council meetings respectively.

The scope for the high-level test fit options analysis was identified in collaboration with the SPRC at the March 2025 meeting. Three initial high-level test fit options were developed by the consultant and reviewed by the SPRC at the 24 July 2025 meeting. Based on the feedback of the SPRC, two of the initial high-level test-fit options were recommended to be excluded from further work and three variations of the third option have been developed for Council's approval to proceed to public exhibition and community consultation.

2. Introduction/Background

The Council Chambers building on Bondi Road has been the centre of civic life of the Waverley community for over a century. Unfortunately, the building is no longer functional and does not meet modern safety standards or code with an unrepairable failed air conditioning system, significant water ingress and a lack of accessibility. Chambers-based staff and services were relocated to Bondi Junction in October 2024.

Eight alternative options for the future use of the site were presented to Councillors at a briefing on 28 January 2024. These eight options and the Councillor feedback were considered at the 27 March 2025

SPRC. The SPRC recommended that the Council Chambers be demolished and rebuilt, and for Council officers to explore two conceptual options, one option as combined Council Chambers and community use, and one option solely as community use. These minutes were subsequently noted by Council at the May 2025 meeting. The SPRC provided further clarification of the scope at the 1 May 2025 meeting to develop options for a multi-purpose recreational community facility with ancillary community space and inclusion of Council Chambers as a flexible space. These minutes were subsequently noted by Council at the 17 June 2025 Council meeting.

Concurrent to this project is work on a potential planning proposal being undertaken by Council's Strategic Planning team as reported to 15 July 2025 Council meeting (CM/7.16/25.07). There are several interdependencies between the two projects:

- Community consultation will inform the proposed building uses and scale.
- Site zoning will determine what uses will be permissible. Current zoning is SP2 Infrastructure. A report is scheduled to be submitted to the October 2025 Council meeting with a planning proposal suitable for seeking a Gateway determination from the NSW Department of Planning, Housing and Infrastructure regarding rezoning.
- Council deferred the decision on changing the reserve purpose and preparing a plan of management pending the outcome of initial consultation with the community on the future of the site.

Strategic context

The proposed test fit options align with the endorsed Open Space Recreation Strategy 2021-2031 and Waverley Park Plan of Management 2024.

The Open Space Recreation Strategy 202-2031 identifies the need in and around Bondi Junction for additional indoor multi-use courts that can be used for casual and match play, such as basketball.

The Waverley Park Plan of Management 2024 includes the areas adjoining the Council Chambers site (but not the site itself) and requires that there should be: no net loss of park area, and improved universal pedestrian access at the rear of Council Chambers.

The Bondi Junction Master Plan is in the process of development with community consultation scheduled for later in 2025. There is potential for the outcomes of the community consultation for the Council Chambers test fit options to also feed into the Master Plan.

The Our Liveable Places Centres Strategy 2020-2036 includes Bondi Road from east of Waverley Park. Although the Council Chambers site is not included in the strategy, there is potential to improve adjacent public domain spaces through the undergrounding of electrical wires as part of the project.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 15 July 2025	CM/7.16/25.07	That Council: 1. Prepares a planning proposal to rezone the Council Chambers site from SP2 Infrastructure to RE1 Public Recreation, listing 'public administration building' as an additional permitted use under schedule 1 of the Waverley Local Environmental Plan 2012.

		<ol style="list-style-type: none"> 2. Officers prepare a report to Council by October 2025 with a planning proposal suitable for seeking a Gateway determination from the NSW Department of Planning, Housing and Infrastructure. 3. Defers the decision on changing the reserve purpose and preparing a plan of management pending the outcome of the initial consultation with the community on the future of the site.
Council 17 June 2025	CM/7.2/25.06	That Council notes the minutes of the Strategic Property Review Committee meeting held on 1 May 2025 attached to the report.
Council 20 May 2025	CM/7.1/25.05	<p>That Council notes the minutes of the Strategic Property Review Committee meeting held on 27 March 2025 attached to the report, subject to the first dot point and sentence on page 4 being amended to read as follows:</p> <p>‘The Committee recommends that the Council Chambers Building be demolished and rebuilt.’</p>
Council 29 April 2025	CM/8.3/25.04	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes that the current zoning of the Council Chambers on Bondi Road is SP2 Infrastructure. 2. Notes that any future uses for the Council Chambers site are to be limited to land uses compatible with the location and surrounding recreational and open space zoning. 3. Initiates a planning proposal to rezone the Council Chambers site from SP2 Infrastructure to RE1 Public Recreation. 4. Officers prepare a report to Council no later than July 2025 on a draft planning proposal to rezone the Council Chambers site from SP2 Infrastructure to RE1 Public Recreation and other options available to Council to rezone the site.
Council 18 February 2025	CM/8.5/25.02	<p>That Council:</p> <ol style="list-style-type: none"> 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.

		<p>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.</p> <p>4. Informs all Precincts of this motion and publishes it on Council's website.</p>
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4. Discussion

The project vision is to create a community/recreational and potential civic hub as part of the Waverley Park precinct. CHROFI was engaged by Council to deliver high-level test fit design consultancy services.

Proposed facilities

The proposed facilities outlined below have been informed by community consultation (undertaken as part of the development of strategic plans), review of the project background, relevant sports association standards, benchmarking studies, and internal consultations.

The building uses, area allocations and associated costings are provisional only. They are intended to be further refined post community and internal consultation and more detailed technical investigations as the project progresses.

High-level test fit options

Three test fit options were presented to the SPRC on 24 July 2025. These initial test fit options (Options 1, 2 and 3) proposed a building footprint that aligned with the site boundary on the south. These are shown in Attachment 2 to this report.

The building was set back from Bondi Rd to create a strong connection to the War Memorial. The extent of the building footprint on the east and west was restricted by the location of the significant trees. The proposed rear parking area included 21 compliant parking spaces with potential for expansion for an additional 12 compliant parking spaces at a later project stage.

Option 1 and Option 3 include a full-size multipurpose court, flexible multipurpose rooms, café and amenities with improved pedestrian access and parking at the rear. Option 1 with a gross floor area (GFA) of 1,465 m² aligned with the project budget of \$18 million whereas Option 3 with a GFA of 2,273 m² exceeded the project budget. Also, Option 3 with a chamfered building design provides improved sight lines and connection to the entry to the park from the corner of Bondi Road and Paul Street.

Option 2 included a half-size multi-purpose court, Council Chambers with viewing gallery and supper space with commercial kitchen, multipurpose rooms, club rooms/meeting rooms, café and amenities with improved pedestrian access and parking at the rear. This option with a GFA of 1,339 m² aligned with the project budget.

The SPRC recommended that Option 1 and Option 2 be excluded from further work and three variations of Option 3 be developed for Council's approval to proceed to public exhibition and community consultation. Options 3A, 3B and 3C have been developed and the style altered to make them suitable for community consultation. They are provided as Attachment 1 to this report.

Options 3A, 3B and 3C are all within the 20 m permissible building height, permissible GFA of 3,380 m² and are all characterised by the following inclusions, improvements and limitations:

Inclusions

- Full-size multi-purpose court that allows for: 1x basketball, 5 x roll-out cricket nets, 1 x netball, 1 x volleyball, 4x badminton, 3 x pickleball.
- Flexible community space with operable walls to form larger/smaller spaces as required including potential for inclusion of Council Chambers.
- Amenities and change rooms.
- Venue office.
- Reception and first aid.
- Café.
- Waste storage.
- Bike storage.
- Outdoor terrace.
- Public domain upgrade including undergrounding of nearby electrical wires.

Improvements

- Connection with the park.
- Strengthen relationship with the War Memorial.
- Pedestrian access around the building (separate to vehicle access).
- Additional, compliant and accessible parking at the rear.
- Access for waste and recycling trucks.
- Provide new usable public domain space adjacent to the building.

Limitations

- Exceed the current project budget.
- Encroach on the adjoining easement which is no longer in use by Sydney Water.
- Impact on the existing trees to the west and east of the site which are offset by additional planting.
- Do not allow for spectator or team benches.
- Allow for a reduced runoff for netball.

The flexible community space depicted in each option could be utilised in multiple ways including as: flexible coworking spaces; leased working tenant spaces; exhibition or display spaces; Council Chambers space. Should the space be tenanted, it has potential to be utilised by non-for-profit community organisations to provide community services.

The key characteristics of Options 3A, 3B and 3C are outlined in Table 1 below.

Table 1. Test fit options analysis.

Test-Fit Options	Key Characteristics	Area	Total Building Height	Estimated Total Project Cost
1. Option 3A	<ul style="list-style-type: none"> 3 level building Multi-purpose court located downstairs Flexible community space located upstairs 	<ul style="list-style-type: none"> GFA 2,259 m² Public Domain Upgrades 1,800m² 	13.8 m	\$26,000,000

2. Option 3B	<ul style="list-style-type: none"> ❑ 4 level building (additional level) ❑ Multi-purpose court located downstairs ❑ Flexible community space located upstairs. ❑ Bulk of second storey multi-purpose court requires consideration 	<ul style="list-style-type: none"> • GFA 2,933 m2 • Public Domain Upgrades 1,800m2 	17.8 m	\$33,730,000
3. Option 3C	<ul style="list-style-type: none"> ❑ 3 level building ❑ Multi-purpose court located upstairs (flipped layout) ❑ Flexible community space located downstairs ❑ Activation of ground floor space requires consideration 	<ul style="list-style-type: none"> • GFA 2,836 m2 • Public Domain Upgrades 1,800m2 	16 m	\$33,181,000

These three high-level test-fit options are in line with the feedback from the Strategic Property Review Committee. As a result, approval is sought by Council to undertake 28-day public exhibition and community consultation period for the three test-fit options included in Attachment 1.

It is proposed that as part of community consultation that community preferences for the potential uses of the proposed community and recreational hub be captured. This will provide valuable data to inform refinement of the project scope; seek project funding; inform the potential planning proposal; inform the potential plan of management; and inform design development. Table 2 outlines potential uses that could be consulted on.

Table 2. Test fit options analysis.

Categories of uses	Potential uses
Sports and recreation	<ul style="list-style-type: none"> • Flexible multi-purpose court (basketball, volleyball, badminton, netball, pickleball, floorball, roll out cricket nets, etc) • Flexible synthetic sports pitch (futsal, cricket nets, etc) • Flexible sports and recreation administration spaces
Community	<ul style="list-style-type: none"> • Flexible community organisation coworking spaces • Office space to accommodate not for profit community tenants
Cultural	<ul style="list-style-type: none"> • Flexible cultural tenant co-working spaces • Flexible exhibition/display spaces
Public administration	<ul style="list-style-type: none"> • Council Chambers and ancillary spaces
Other	<ul style="list-style-type: none"> • Café • Function space including civic events

Time frame

An estimated time frame for the project is provided in Table 3 below.

The site is required to be rezoned from SP2 Infrastructure (public administration) prior to the lodgement of a development application for the proposed demolition and construction of the new community and recreation hub building. It is estimated the planning proposal and new plan of management will be completed in around 16 months.

Table 3. Time frame.

Milestone	Estimated Completion
Public exhibition and community consultation test fits	September – October 2025
Council report community consultation	October 2025
RFT head consultant design & documentation (prepare, release, assess)	March 2026
Tender report to Council	April 2026
Contract finalisation head consultant	April 2026
Concept design and DA documentation	September 2026
Council report to submit DA	October 2026
Assumed completion of planning proposal and plan of management	December 2026
Submission of DA documentation	January 2027
Statutory DA public notification	February 2027
DA determination	July 2027
Detailed design	August 2027 – October 2027
RFT head contractor	November 2027 – March 2028
Commence construction	May 2028

Short-term use

There is an estimated three-year duration prior to commencement of construction of the proposed development. The following options for potential short-term use of the site/building have been considered at a high-level.

The advantages and disadvantages of the proposed options are outlined in Table 3 below. Both options are currently unfunded. It is proposed to defer the Council decision regarding a short-term use until a decision is made on the preferred longer-term option so that the funding and timeline can be considered holistically.

Table 4. Short-term use options analysis

Short Term Use Options	Pros	Cons
1. Basic services upgrade (air-Conditioning, electrical, audio visual, hydraulic and fire)	<ul style="list-style-type: none"> Brings the building back online to be used for community use. 	<ul style="list-style-type: none"> Significant additional cost outside of project budget Lengthy program to develop scope of upgrades, procure contractors and carry out construction project to deliver upgrades. Possible need for rezoning and development of plan of management Excludes compliance upgrade to current National Construction Code. Uncertainty over suitability for

		proposed community use.
2. Demolish building and carry out park improvements with car parking	<ul style="list-style-type: none"> • Provision of additional parking with improved and compliant parking. • Improved pedestrian access to the park. • Improved access for waste trucks. • Improved connection to War Memorial. 	<ul style="list-style-type: none"> • Significant additional cost outside of project budget. • Authority planning approval required for demolition. • Timeline for rezoning and development of plan of management. • Procurement timeline for design and construction. • Timeline for design documentation.

5. Financial Impact

The current Long Term Financial Plan (LTFP) includes a total \$18 million project budget across financial years 2025-26, 2026-27 and 2027-28. This also includes a base grant funded amount of \$3.7 million.

The test fit option 3A is estimated to be \$26 million, the test fit option 3B is \$34 million and 3C is \$33 million. This includes the fees for design, construction, authority approvals and 15% project contingency.

Additional cost for short term use is excluded from the Option 3 estimates. Design and construction of expansion of the car park is also excluded from the cost estimates.

6. Risks/Issues

Risks and issues are as follows:

- Risk of abortive work or misalignment if concurrent planning projects (e.g. the Bondi Junction Vision and Master Plan) are not adequately coordinated with this project.
- Cost estimates for options 3A, 3B and 3C exceed the current budget. Additional funding will be required to be identified to proceed.
- Cost estimate likely to increase with design development therefore adequate contingency required.
- The extent of the building footprint on the east and west has been restricted by the location of the significant trees on Chambers site. Further investigations required to ascertain potential impact on trees.
- Current design encroaches on easement that is no longer in use by Sydney Water. Approval from Sydney Water required to construct on Sydney Water land or alternatively, progression of ongoing discussions for purchase of easement.
- Council Chambers site is required to be rezoned prior to the lodgement of the DA for the new development. A decision is required on the future uses of the building to inform the rezoning proposal.

7. Attachments

1. Options 3A, 3B and 3C (under separate cover) ➡
2. Options 1, 2 and 3 (under separate cover) ➡ .

REPORT

CM/7.14/25.08



Subject: Bronte Pool - Pump House Upgrade and Pump Replacement - Project Update

TRIM No: SF21/4211

Manager: Rodhan Haughton, Executive Manager, Major Projects

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council:

1. Treats the attachment to this report as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2)(g) of the Local Government Act 1993. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Approves the 75% detailed design for the Bronte Pool Pump House and Pump Replacement project attached to the report (Attachments 1–3).
3. Notes that:
 - (a) The Review of Environmental Factors (REF) for the project, including detailed design progressed from the 75% package, will be publicly exhibited for 28 days.
 - (b) The General Manager, under delegation, will review the REF and consider community feedback to determine whether to proceed with the project.
 - (c) Council will tender for construction services should the General Manager decide to proceed with the project.
4. Authorises the Executive Manager, Infrastructure Services, to modify the remaining design should design constraints and on-site circumstances warrant changes.

1. Executive Summary

The purpose of this report is to seek Council's approval of the Bronte Pump House Upgrade and Pump Replacement project's 75% detailed design, approval to proceed to public exhibition of the REF, the finalisation of the detailed design and to proceed to tender should the General Manager approve for the project to proceed.

2. Introduction/Background

Bronte Pool is a popular and iconic heritage listed swimming pool. It was constructed in the late 1800s and upgraded in the 1920s to include a pool pump and pump house. Council has undertaken a series of upgrades including in 2018 and 2019. An upgrade of the pool pump electrical, valve, suction line

and operational components was undertaken in 2018. In 2019, Council undertook works to improve the pump system, including remote Wi-Fi operating system.

Following these upgrades, further investigative work was undertaken by PanovScott Pty Ltd who were the head consultant for the Bronte changerooms project to determine the feasible remaining lifespan of the existing pumphouse and pump system. This investigative analysis, which was finalised in 2021, concluded that the pumphouse and pump system was past its serviceable life, and recommended that an upgrade was the best course of action. In continuation of this upgrade trajectory for the project, PanovScott Pty Ltd undertook an options analysis. Of these options, Option 2 (new pump house and stairs) was approved by the Finance, Operations and Community Services Committee at their November 2022 meeting.

In February 2023, PanovScott Pty Ltd was engaged to undertake head consultant design services for the concept, detailed design, tender documentation and construction phase services.

In response to the resolution passed at the February 2024 Finance, Operations and Community Services Committee meeting, the project's detailed design has progressed to 75% completion, with design progress periodically monitored by the Project Control Group (PCG). Refer to Attachments 1-3 for the 75% detailed design, Attachments 4 for the statement of heritage impact and Attachment 5 for the marine ecology assessment.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Finance, Operations and Community Services Committee 6 February 2024	FC/5.5/24.02	That Council proceeds to detailed design of Option 2 (new pump house and stairs) for the Bronte Pool pump house.
Finance, Operations and Community Services Committee 1 November 2022	FC/5.6/22.11	That Council: <ol style="list-style-type: none"> Approves Option 2 (new pump house and stairs), as set out in Attachment 1 of the report, for the Bronte Pool pump house to address structural issues and access requirements. The new design accommodates elements that discourage users of the pool from jumping off the rocks or from the top of the fence into the pool. Incorporates a wider pipe intake and new pump, as well as best practice filters and strainers, into the design and construction of the pump house to improve pool water quality. Publicly exhibits the concept design for the new pump house and stairs for a period of 28 days. Officers prepare a report to Council following the exhibition period. Notes that in parallel with the pump house upgrade, officers will investigate options for replacing the pool surface.

		6. Notes that the concept designs for Option 1 and Option 3 are not included in this report and remain confidential.
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4. Discussion

Pool lining replacement works complete

In tandem to the progress of the 75% detailed design, and in response to clause 5 of the unanimous resolution passed at the November 2022 Finance, Operations and Community Services Committee meeting, an options analysis was undertaken by the project consultant and Council officers, which was presented at a Councillor briefing in August 2023.

Four options were presented, with the preferred option being to remove the render layer, reverting the pool surface back to its pre-render overlay state. This option also included repairs to the existing surface in the form of grinding/patching where necessary to provide a smooth concrete finish, and new line marking for laps swimming.

This work has since been completed.

Recent pool pump repairs/replacement

In June 2025, the shaft seal on the existing pump failed, with the resulting repairs requiring the entire pump to be dismantled and removed from site to allow for the installation of new bearings and to fabricate the seal. The existing pump was then returned to site, requiring a full re-build and wet testing.

In the quote provided by the contractor (SAS Water Solutions), it was declared that the pump is operational, but only just, and the failure on the shaft seal had been progressively getting worse over the past two to three months with the potential to cause additional damage and wear to the internal components. This seal significantly affects the pump's ability to prime the lines and is now at a point where it can only be re-started on a high tide.

The scale of this repair work demonstrates how near the existing system is to the end of its serviceable life without maintenance and repair works which are becoming more significant, and more expensive.

Pump house upgrade and pump replacement design analysis

In response to the unanimous resolution passed at the February 2024 Finance, Operations and Community Services Committee meeting (FC/5.5/24.02), the project consultant proceeded with the detailed design for the pumphouse upgrade and pump replacement project.

The detailed design was structured with interim PCG presentations at the 50% and 75% statuses to ensure the design accurately aligned with the expectations of the scope for the project.

Pump house (Figure 1 and Attachment 1)

The pump house itself will comprise of a marine grade concrete shell fixed to the existing concrete footing via doweling and poured in situ to ensure maximum structural integrity given the extreme coastal environment the pool and pumphouse are situated in.

Given Bronte Pool is a locally listed heritage site, external finishing materials of grey and sand oxide concrete have been selected following consultation with heritage and planning specialists to be as

sensitive to the outcrop and the coastal façade it sits within. The internal surfaces of the pump house will be painted with Murobond Murowash paint to promote the longevity of the internal surfaces and prevent the corrosion of the shell the current pump house has been subject to. The upkeep of this internal surface will be an operational requirement of Council, and the intervals of repainting will be in accordance with operations and services manuals provided by the Contractor at the completion of construction.

To ensure operational efficiency, the size and height of the pump house is based on the minimum working zones around the respective pump components to allow Council officers to service, maintain, and swap any parts out as necessary in a way that meets operational and safety requirements for infrastructure of this nature.

To further ensure operational efficiency, there are service hatches proposed on the north and south-western sides of the pump house. These hatches have been positioned to coincide with pump system configuration to reduce the necessity for Council officers to navigate around existing components unnecessarily, hence reducing the operational risk of injury or similar, have been engineered in accordance with coastal environment infrastructure and fabricated out of 316 stainless steel to ensure longevity and resistance to corrosion.

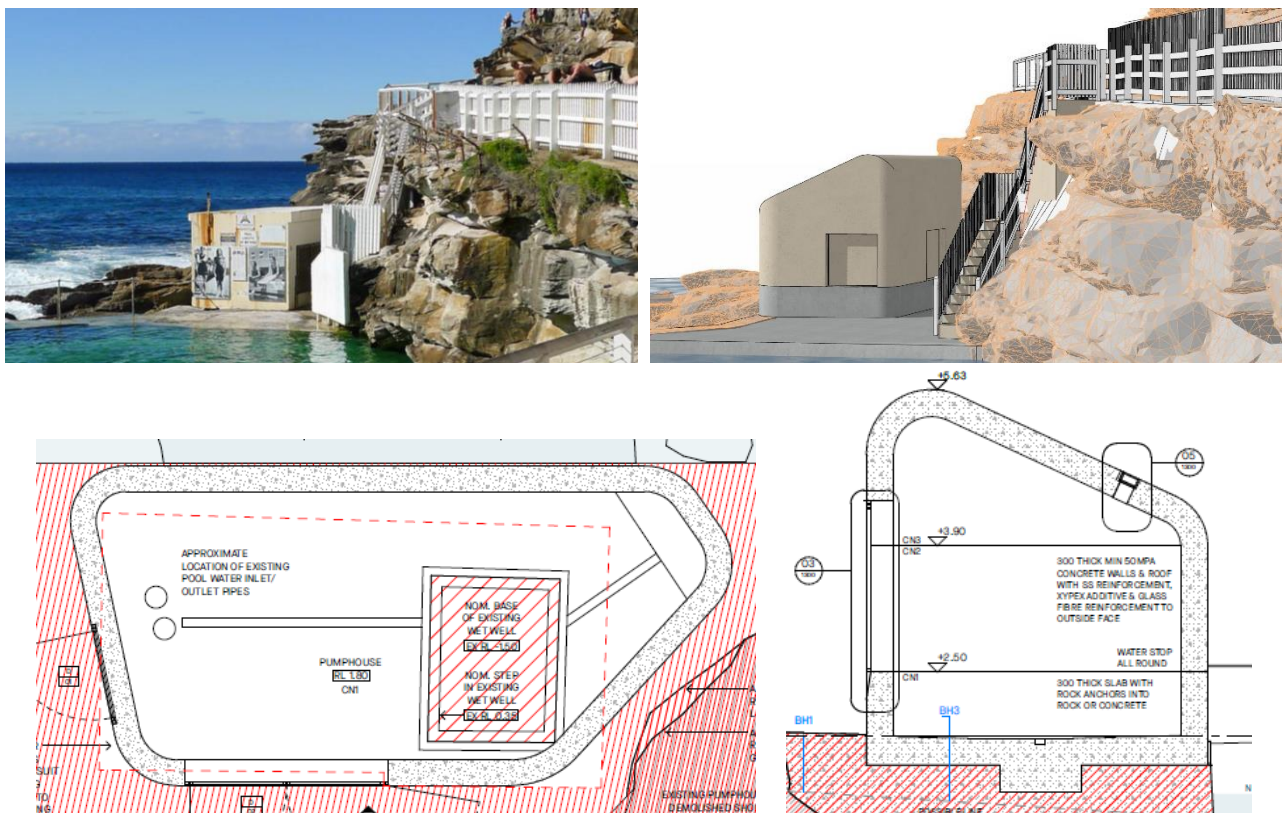


Figure 1. Pump house before and proposed after imagery and plan and section view.

Dual pump system (Figure 2 and Attachment 2)

In continuation of the concept design proposal, the project consultant has proposed for a dual pump system each with a maximum capacity of 60L/sec output. The main benefits of this dual pump system are:

- The ability for the pool to still be emptied and filled even if one of the pumps is out of commission due to interval maintenance or breakdown.

- The ability to scale up the emptying and refilling of the pool should Council officers require for this to occur (i.e. if the tide is rising faster than expected and the optimal pool cleaning/maintenance window is closing).
- The ability to stagger the installation of the pump house and stair upgrade and pump replacement into stages to provide Council with an upgraded pump house and single pump system initially, with the contingency to install the second pump and stair upgrade works later. This will reduce Council's initial financial burden, with the option to seek additional funding via a grant, or internal reallocation of funds to complete the other stages of the project pending the costs of the initial pump house and first pump works.

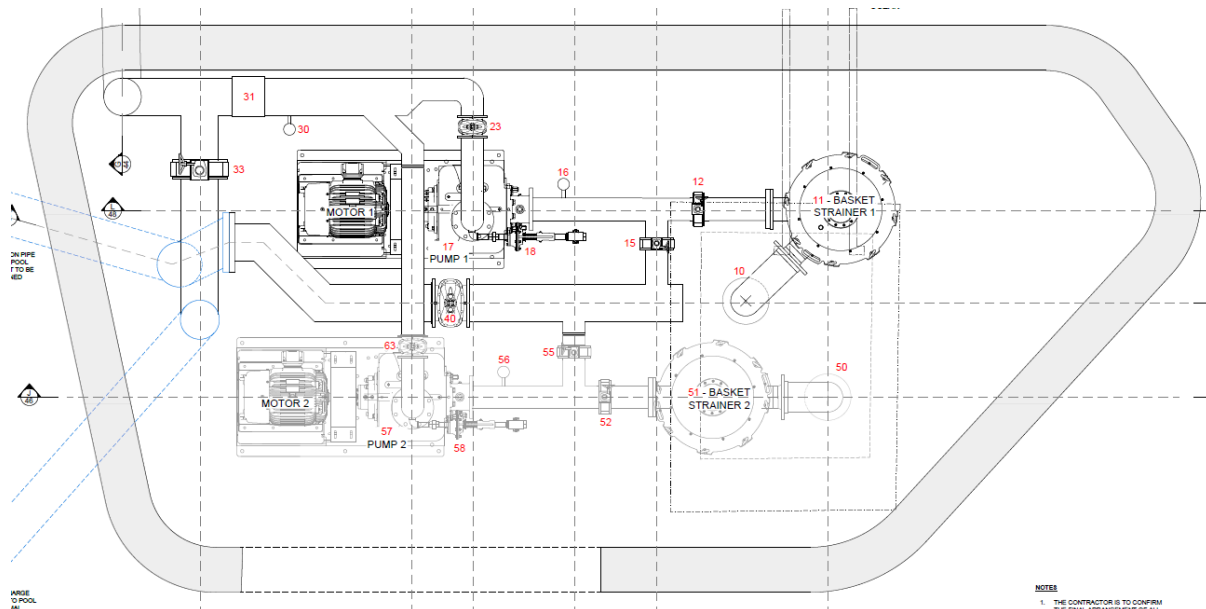


Figure 2. Pump schematic plan view.

Operational stairs (Figure 3 and Attachment 1)

To further promote the operational improvements of the pump house upgrade and pump replacement project, and in response to the deliverables under the Bronte Park Plan of Management (PoM), the current non-compliant stairs have been reconfigured to ensure compliance against Australian Standards.

This includes the detailed handrails, tactiles nosing traction, and non-climbable fence height requirements. This will ensure that Council officers are able to undertake their work in as safe a working area as possible. To compliment this, there is also a temporarily erectable gantry proposed within the footpath at the top of the stairs to assist lifting of replacement pump parts, and general servicing equipment.

In response to clause 1 of the 1 November 2022 Finance, Operations and Community Services Committee resolution (FC/5.6/22.11), the design considerations of the stairs that respond to discouraging users of the pool from jumping off the rocks from the top of the fence and into the pool are:

- The extension of the pathway that approaches the top landing of the stairs. This is to reduce the amount of surface area on the outside of the fence (i.e. rock shelf), discouraging users from climbing the fence with a semi-stable footing to climb on to on the other side.
- Inverting the directional run of the stairs, and the configuration between landings. The current arrangement has a landing near the top of the run of stairs which leaves an area of vulnerability where the existing non-climbable fence is not as high as in other areas. With the consistent

run, and the first landing further away from the rocks, users who utilise the stairs will be away from the opportunity to climb on the rocks with the landing and the stairs having descended nearly the whole way to the pool deck level.

- The incorporation of a visually sensitive non-climbable fence that complies with balustrade and pool fence codes but does not adversely impact the views for users above the fence line on the nearby viewing platform, or from the northern extent of Bronte Beach for users looking back at the southern headland. Given this is a locally heritage-listed site, the visual impact of such a structure needed careful consideration from heritage and planning perspectives.

At this stage, and in consultation with the coastal walk risk project control group, these design features are being independently assessed for their effectiveness to manage the risk of user jumping off the rocks from the top of the fence/rock shelf and into the pool. These findings will be considered by the PCG, with any design changes authorised under the delegation.

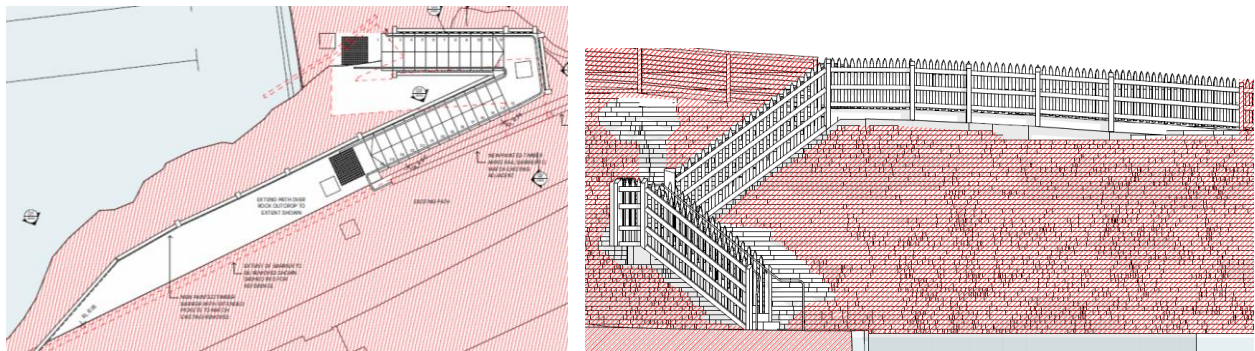


Figure 3. Stairs Plan and section view.

Review of Environmental Factors (REF)

The Review of Environmental Factors (REF) is currently being formulated on the content of the 75% detailed design documentation. It will be updated to capture design progression to 100% before it is released for community consultation, and it will also be circulated to Councillors at this time.

The REF will be finalised following the incorporation of any recommendations made by the peer-review planning consultant post the community consultation period. After which, the General Manager, under delegation, will consider the REF outcomes and feedback from the public exhibition to determine whether the project will proceed.

5. Financial Impact

The budget is funded from the Bronte Pump House Upgrade and Pump Replacement project within the Build 01 category of the Capital Works Program.

Council's Long Term Financial Plan (LTFP) assigns \$800,000 and \$820,000 for the upgrade across financial years 2025-26 and 2026-27 respectively.

As per Figure 4 below, it is the intention of Council officers to set up the procurement of the head contractor with a staged approach to construction. The project and its documentation have been strategically divided into these stages (i.e. separable portions under the construction contract), with each stage having a detailed program to facilitate the full scope's implementation. This will minimise the construction impacts and funding requirements from the inception of the Contract. The second and third stages would require a formal notice to proceed to be issued by Council to activate it with a prospective contractor.

The scope of each stage of work would be:

- Stage 1 – Pump house upgrade and single pump system installation.
- Stage 2 – Second pump system installation.
- Stage 3 – Operational stairs upgrade.

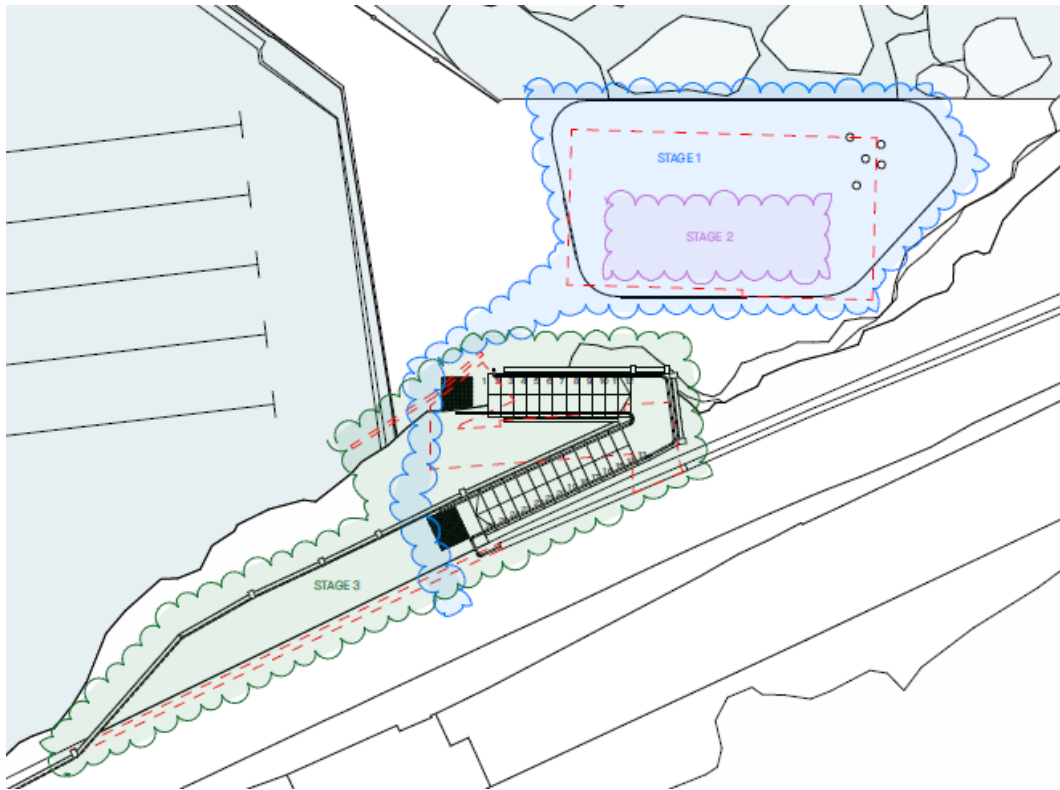


Figure 4. Staging Plan.

Current cost estimate plan estimates costs of \$1.55m, \$290k and \$135k for Stages 1, 2 and 3 respectively. As such, the current funding is only sufficient to cover estimated Stage 1 costs, with no allowance for contingency.

The intended procurement and contract staging set up gives Council the opportunity to react to the tendered cost of stages 2 and 3, and either obtain alternative funding sources (such as the awarding of a grant) or reallocate internal funding allocations to the project. With the activation provisions under the contract for Stages 2 and 3, at time of contract execution, Council would only be liable for Stage 1 of the total contract amount when the tender for the works is resolved in early 2026.

6. Risks/Issues

Public safety - Jumping off rocks risk mitigation

The project consultant is currently reviewing the risk mitigation recommendations in Attachment 6 and will update the detailed design to suit. In consultation with the PCG, the revised design will be tested against the risk tolerances detailed in the report and a revised outcome returned. Should the revised design be acceptable, it will be approved by the Executive Manager, Infrastructure Services, under delegation.

Finance

When considering the cost plan of the detailed design, the budget allocation in the LTFP is only adequate funding for Stage 1 with no contingency. To reduce Council's initial financial exposure, the procurement for a head contractor would proceed in a staged approach as outlined in section 5 of this report.

7. Attachments

1. 75% Architectural Docs (under separate cover) [⇒](#)
2. 75% Hydraulic Docs (under separate cover) [⇒](#)
3. 75% Structural Engineering Docs (under separate cover) [⇒](#)
4. 75% Statement of Heritage Impact (under separate cover) [⇒](#)
5. 75% Marine Ecology Assessment (under separate cover) [⇒](#)
6. Bronte Pool Design Safety Risk Assessment (confidential) .

REPORT

CM/7.15/25.08



Subject: Waverley Park - Drainage Rectification

TRIM No: A24/1060

Manager: Nikolaos Zervos, Executive Manager, Infrastructure Services

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council:

1. Approves in principle Option 1, as set out in the report, to undertake minor earthworks and to regrade the turf swale and mounding in Waverley Park adjacent to Field 3 to rectify drainage issues.
2. Notes that the cost of Option 1 is \$17,682 (excluding GST).
3. Considers funding the project at the Q1 budget review.

1. Executive Summary

At its meeting on 18 March 2025, Council resolved to assess the existing drainage system at Waverley Park near Fields 2 and 3. After heavy rainfall events, pooling of water has been observed in the area near the shared path, reducing the usability of a small portion of the park directly adjacent the shared path.

An assessment of the drainage system near Fields 2 and 3 has been conducted, and options for drainage improvements have been developed for consideration. Council officers recommend that Council allocates funding to regrade and returf the existing swale and mounding in the area to improve surface drainage. This will alleviate water pooling and reduce surface damage to the park's turf areas.

2. Introduction/Background

Council officers have assessed the existing topography and drainage systems within Waverley Park. Fields 2 and 3 are located at the bottom of a large, tree-covered embankment that rises toward the Sydney Water Reservoir elevated building. During rain events, surface water flows in an easterly direction towards the shared path adjacent to Fields 2 and 3. To prevent water from entering these fields, a grass swale captures water on the eastern side of the shared path.

A synthetic turf field (Field 2) was constructed at Waverley Park in 2016. The excavated spoil from its construction was spread over the area of Field 3, raising its level relative to Field 2. A swale was constructed along the western edge of Fields 2 and 3 to prevent surface water from entering the playing surfaces.

Due to the raised level of Field 3, a low point has formed in the swale to the south-western corner of Field 3. The current slope of the swale is inadequate for draining surface water effectively, and there is no existing subsoil drainage in this area. As a result, water tends to pool in this location after heavy

rainfall. Although this pooling does not affect the playability of Fields 2 and 3, it does create a minor hazard for patrons accessing the fields from the shared path.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 18 March 2025	CM/8.11/25.03	<p>That Council:</p> <ol style="list-style-type: none"> 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. 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. Informs relevant stakeholders, including local sporting clubs, community groups and park users, of the findings and any proposed solutions once adopted by Council.

4. Discussion

Council officers have prepared four options for consideration to address the drainage issues. The concept plans for each option are attached to this report.

Option 1 – Turf regrading

Option 1 proposes minor earthworks and regrading of the existing mound and swale to the southwestern corner of Field 3. This will eliminate the low point in the area and will improve surface water flow down to the embankment on the southern side of the field. After regrading works, new turf will be installed to restore any disturbed areas.

Option 2 – Subsoil drainage

Option 2 involves excavating a trench along the length of the existing swale and installing a subsoil drainage pipe within a free-draining aggregate layer. This will allow surface water to infiltrate the aggregate layer and be collected by the subsoil drainage line. The subsoil drainage line will be laid with a sufficient gradient to direct water to the existing stormwater system along Birrell Street. After installation, the trench will be backfilled, and turf will be replaced to restore any disturbed areas. Additionally, minor regrading will be undertaken on the existing mounding to the south-western corner of Field 3 to facilitate improved overland flows to this area.

Option 3 – Garden bed

Option 3 proposes replacing the existing turf swale with a 3-metre-wide garden bed adjacent to the shared path. The garden bed will be planted with plants tolerant of wet conditions and will provide an area for the water to pool and infiltrate into the ground to reduce damage to turf areas. This option

minimises the amount of excavation and earthworks required. Additionally, minor regrading will be undertaken on the existing mounding to the south-western corner of Field 3 to facilitate improved overland flows to this area.

Option 4 – Rain garden

Option 4 involves excavating a 3-metre-wide trench adjacent to the shared path and converting the swale into a planted rain garden. Several absorption pits will be created by excavating a volume of soil and installing free-draining aggregate to allow surface water to infiltrate. The 3-metre-wide trench will be planted with native grasses and groundcovers, and a pedestrian access path will be provided midway along the rain garden. Additionally, minor regrading will be undertaken on the existing mounding to the south-western corner of Field 3 to facilitate improved overland flows to this area.

Recommended option

Due to its lower cost and reduced construction impacts, Council officers recommend undertaking Option 1 as the most cost-effective solution to address the area's surface drainage issues.

Should additional funding be available, then Council officers recommend undertaking Option 2 for a more advanced and effective drainage solution.

5. Financial Impact

An itemised preliminary cost estimate has been prepared for all four options.

Table 1. Cost estimates.

Description	Option 1	Option 2	Option3	Option 4
Preliminaries	\$2,090	\$5,544	\$3,549	\$4,450
Earthworks	\$2,000	\$4,300	\$8,500	\$12,500
Drainage Works	\$6,750	\$13,550	-	\$6,150
Paving	-	-	-	\$8,250
Landscaping	-	\$2,250	\$14,975	\$19,865
Maintenance	\$6,000	\$6,000	\$9,000	\$9,000
Contingency	\$842	\$1,582	\$1,801	\$3,011
Total (ex GST)	\$17,682	\$33,226	\$37,825	\$63,226

There is an opportunity for efficiencies in Council resourcing and procurement processes, that the scope of proposed civil and landscape works be included as part of the Waverley Park Playground and Fitness Station Upgrade - Stage 3 to be constructed this year. However, there is no funding allocated in the 2025-26 financial year Capital Works Program to carry out these drainage rectification works.

Council officers propose to review the Capital Works Program at Q1 and provide options for Councillor consideration of potential projects(s) to reduce funding and scope of deliverables and reallocate funding to the drainage project. If this is not feasible, it can be included in the draft Capital Works Program for 2026-27.

The alternative is to accept it is a minor risk and nuisance and address the issue in 2027-28 when Field 2 is scheduled to be upgraded.

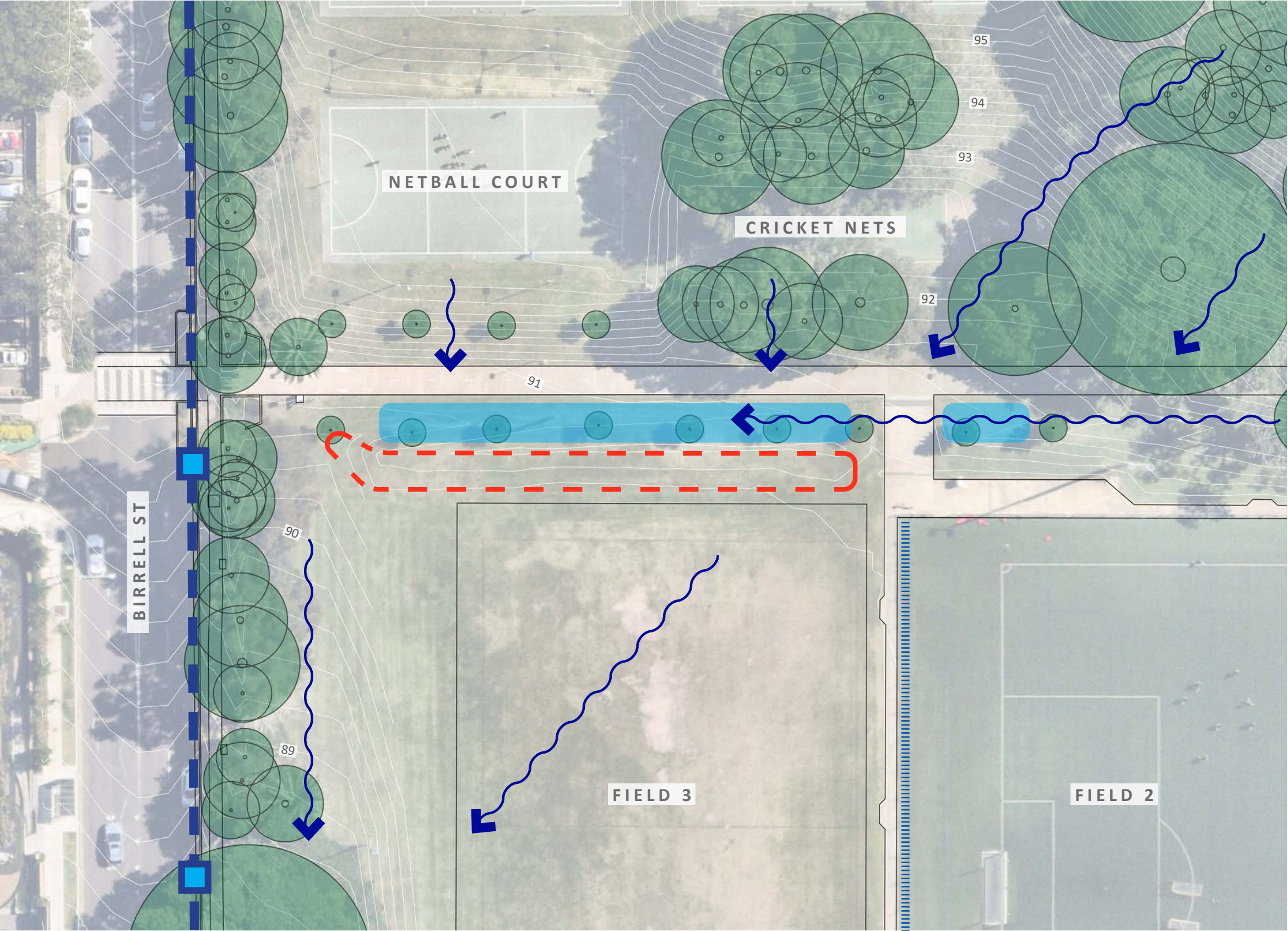
6. Risks/Issues

The current pooling of water is a nuisance and ongoing minor risk to public safety and the usability of the space. The proposed drainage rectification works will cause some minor disruption to park users during construction.

This nuisance water only affects the site during extended periods of rain and naturally absorbs into the ground. This has been the scenario since the completion of the synthetic pitch in 2016. Council has received limited complaints from residents in relation to this matter. Council could accept the standing water issue remain and look to funding more extensive works as part of a future capital works project.

7. Attachments

1. Concept plans [↓](#) .



LEGEND

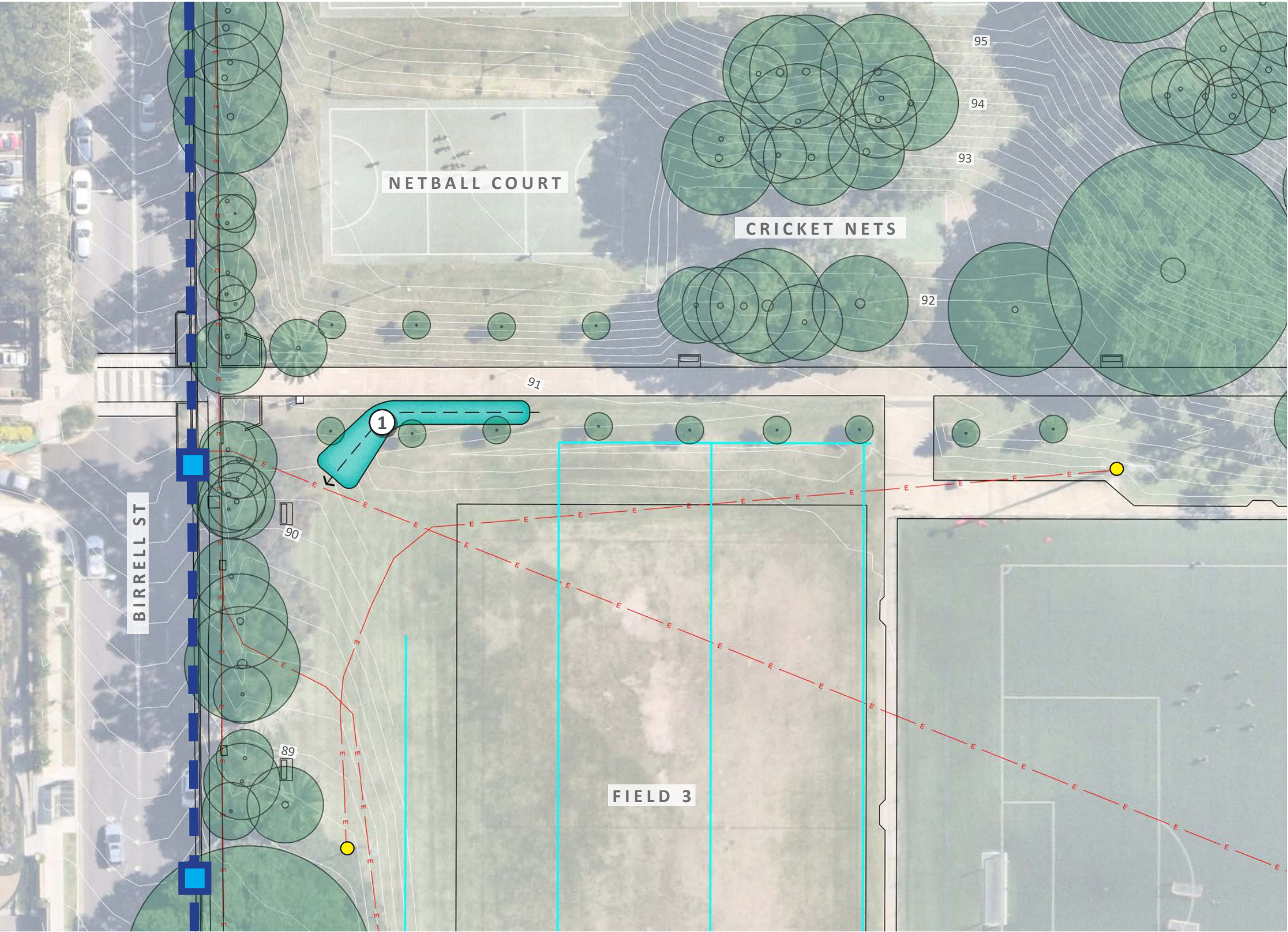
- Surface flow
- Ponding location
- Earth mounding impeding surface flow
- Stormwater pipe
- Stormwater pit
- Subsoil drainage pipe
- Tree

Project Title: **WAVERLEY PARK
DRAINAGE WORKS**

Drawing Name: **Existing Conditions**
Drawing No: **SK-01**

Date: July 2025
Drawn by: NB
Scale: 0 10m





- LEGEND**
- Stormwater pipe
 - Stormwater pit
 - E Underground power
 - T Telstra
 - W Potable water
 - Irrigation line
 - Tree
 - Light pole

1 Regrade mound to remove low points and direct overland flow towards Birrell Street. Make good disturbed areas with new turf.

Project Title: **WAVERLEY PARK
DRAINAGE WORKS**

Drawing Name: **Proposed Drainage Works - Option A**

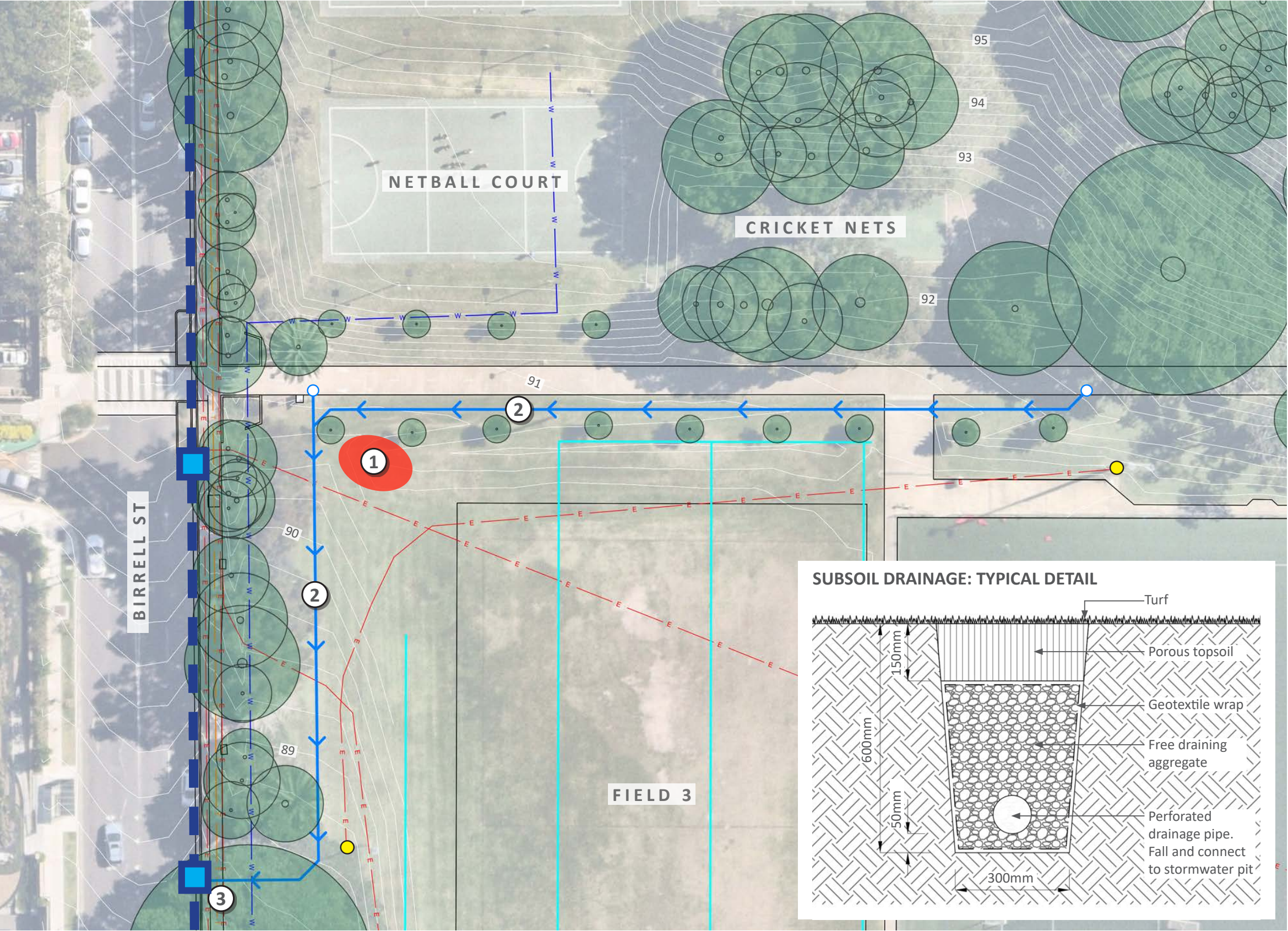
Drawing No: **SK-02**

Date: July 2025

Drawn by: NB

Scale: 0 10m





- LEGEND**
- Stormwater pipe
 - Stormwater pit
 - Underground power
 - Telstra
 - Potable water
 - Irrigation line
 - Tree
 - Light pole
 - Proposed subsoil drainage
 - Proposed subsoil flushing point

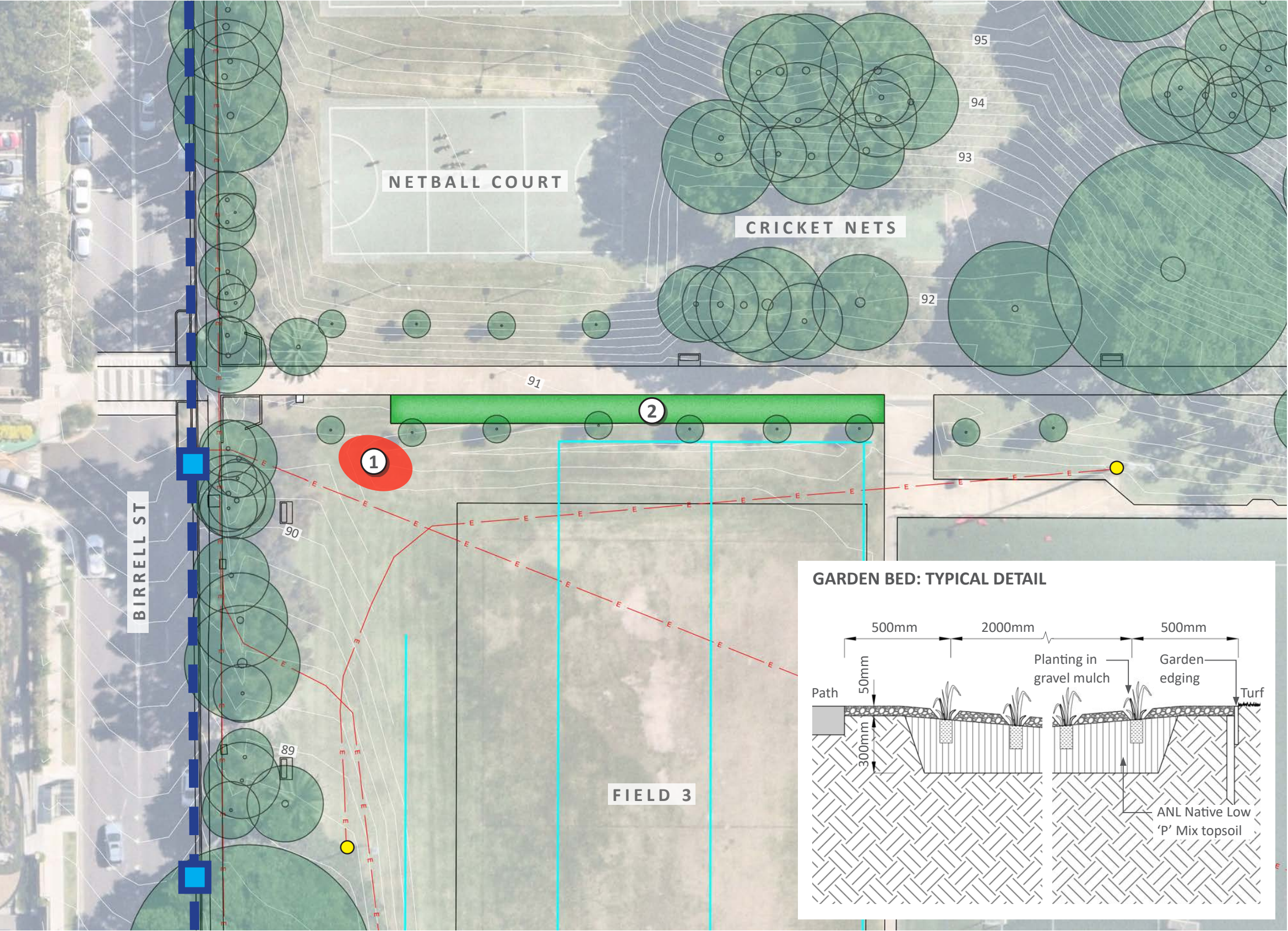
- 1 Minor earthworks to reduce extent of mounding. Respread soil to garden bed along Birrell Street.
- 2 Excavate trench and install subsoil drainage line in free draining aggregate and geotextile wrap. Backfill and make good with new turf.
- 3 Connect subsoil drainage line to existing stormwater kerb inlet pit.

Project Title: **WAVERLEY PARK
DRAINAGE WORKS**

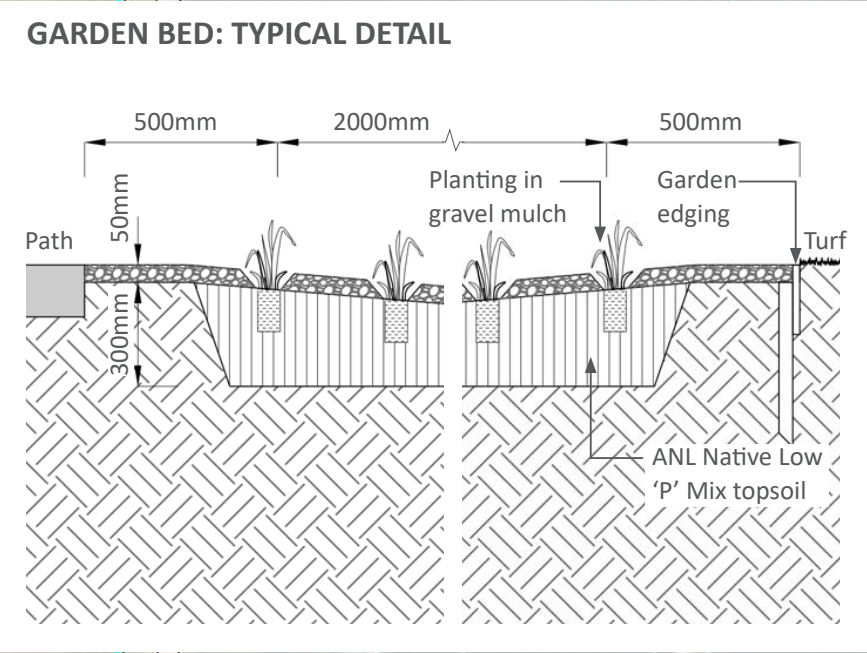
Drawing Name: **Proposed Drainage Works - Option B**
Drawing No: **SK-03**

Date: July 2025
Drawn by: NB
Scale: 0 10m





- LEGEND**
- Stormwater pipe
 - Stormwater pit
 - Underground power
 - Telstra
 - Potable water
 - Irrigation line
 - Tree
 - Light pole
 - Proposed mulched garden bed



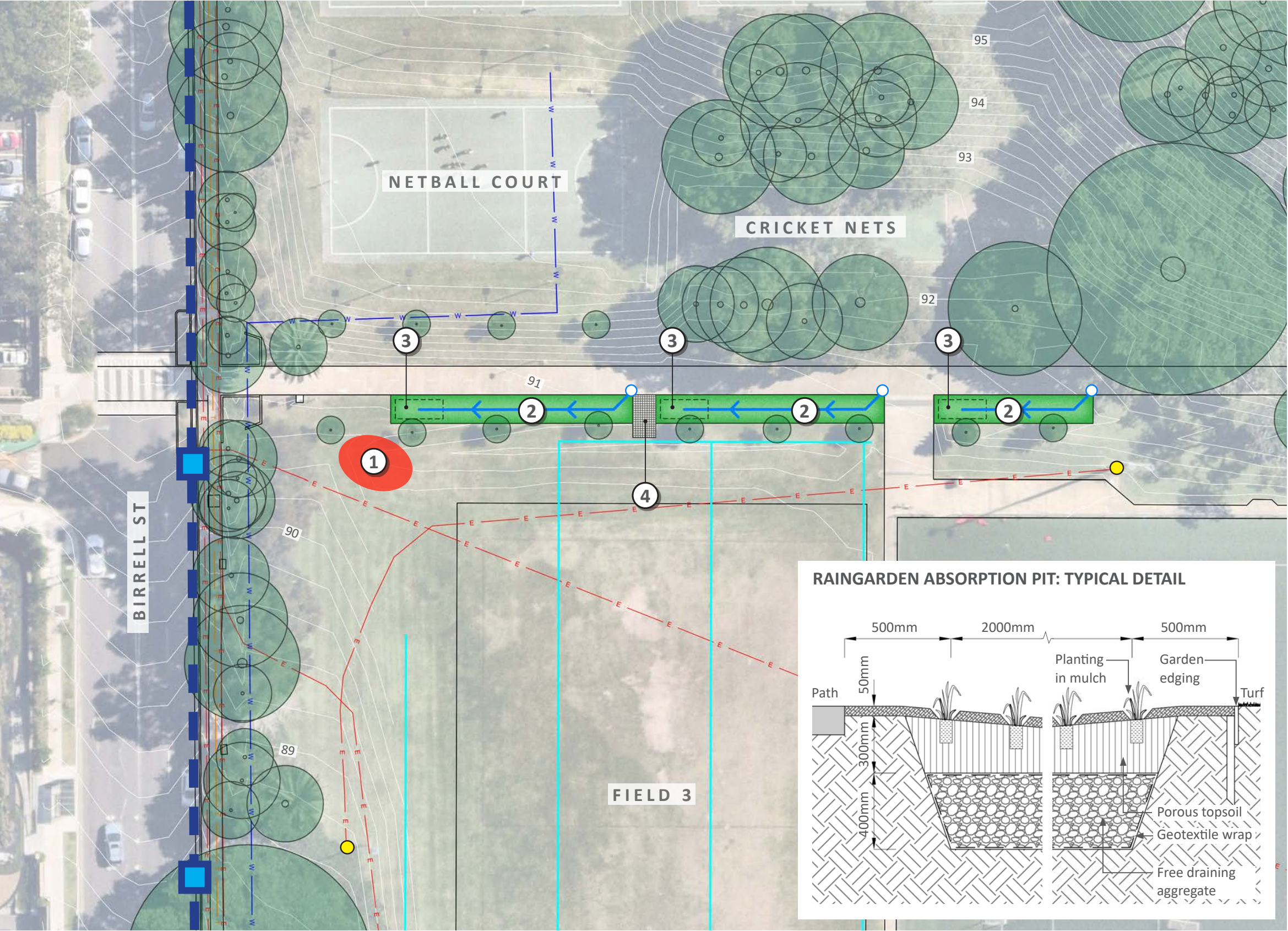
- 1 Minor earthworks to reduce extent of mounding. Respread soil to garden bed along Birrell Street.
- 2 Strip turf and install gravel mulched garden bed with moisture tolerant plants.

Project Title: **WAVERLEY PARK
DRAINAGE WORKS**

Drawing Name: **Proposed Drainage Works - Option C**
Drawing No: **SK-04**

Date: July 2025
Drawn by: NB
Scale: 0 10m





LEGEND

- Stormwater pipe
- Stormwater pit
- Underground power
- Telstra
- Potable water
- Irrigation line
- Tree
- Light pole
- Proposed subsoil drainage
- Proposed subsoil flushing point
- Proposed raingarden with absorption pit

- 1** Minor earthworks to reduce extent of mounding. Respread soil to garden bed along Birrell Street.
- 2** Strip turf and install mulched raingarden with subsoil drainage line in free draining aggregate and geotextile wrap.
- 3** Excavate and install stormwater absorption pit in raingarden comprising:
 - 400mm depth free draining aggregate in geotextile wrap
 - 300mm depth planting soil
 - Plants in 50mm mulch
- 4** Install fibre reinforced plastic grated pedestrian access path to field.

Project Title: **WAVERLEY PARK
DRAINAGE WORKS**

Drawing Name: **Proposed Drainage Works - Option D**
Drawing No: **SK-05**

Date: July 2025
Drawn by: NB
Scale: 0 10m



REPORT

CM/7.16/25.08



Subject: Tender Evaluation - SSROC - Road Signs and Traffic Control Equipment

TRIM No: SF17/2878

Manager: Teena Su, Executive Manager, Finance

Director: Tara Czinner, Director, Corporate Services

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. Under section 178(1)(a) of the *Local Government (General) Regulation 2021*, accepts the following SSROC-approved supplier panel for the supply of road signs and traffic control equipment for three years with two one-year options at the discretion of SSROC and Council:
 - (a) Central Signs Road and Safety Aust Pty Ltd.
 - (b) G&B Services (NSW) Pty Ltd.
 - (c) Hunter Valley Signs Pty Ltd.
 - (d) Traffic Facilities Maintenance Pty Ltd.
3. Note that SSROC will notify unsuccessful tenderers of the decision in accordance with section 179 of the *Local Government (General) Regulation 2021*.

1. Executive Summary

This aggregated procurement by the Southern Sydney Regional Organisation of Councils (SSROC) has provided participating councils with a selection of high-quality, well-established road signage and traffic control equipment supplier organisations on the panel.

The four companies recommended each have an extensive capability within their specialisations and cover all sought aspects of the goods and services sought in the tender request.

The companies recommended have well developed internal business, safety and performance management systems, with some being third party accredited to Australian and international (ISO) standards in safety, environment and quality areas.

2. Scope of Tender

The requirements sought and to be provided by the procurement include:

- Goods:
 - o Road signs creation and supply to Transport for NSW (TfNSW) standards including regulatory signs (bicycles, give way, roundabouts, speed, stop, turn, load limit, crossings etc, warning signs (children about, road hump, bicycle, pedestrian, etc.), guide signs, parking signs (hours, works zones, bus zones, disables, loading, 'No Parking', drop-off, etc.).
 - o Hazard markers.
 - o Roadwork signing devices.
 - o Street names signs and fittings.
 - o Brackets and signage attachment products.
 - o Barber board and A-frame signage.
 - o Delineators and traffic cones.
 - o Mesh and fencing.
 - o Lights/battery packs,
 - o Raised pavement markers.
- Services:
 - o Install, relocate/reinstate, remove posts and signages, and all on-site traffic controlling equipment as required by councils.
 - o Sign cleaning and maintenance.
 - o Graffiti removal from signs.
 - o Traffic control - Personnel plus vehicles at varying configurations, electronic traffic control.
 - o Delivery of goods as provided with or without installation.

3. Reason for Tender

The procurement will provide council asset managers with direct access to the four companies, three of which are prior contract incumbents to SSROC contracts and are well-known suppliers of councils for their planned and ad hoc road signage and traffic control system works.

Prices (schedules of rates) tendered and achieved via the recommended organisations are ranked very well against the market as represented through the open market tender request.

The request for Tender (RFT) was coordinated in communication and collaboration with participating councils and aimed to renew the current SSROC road signs contract (T2020-01).

4. Relevant Council Resolutions

Nil.

5. Discussion

Invitation to tender

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

- Mark Bye – Civil Works Coordinator, Strathfield Council.
- Mark Woodhead – Manager Fleet, Waverley Council.

- Roger Bramble – Strategic Regional Procurement Project Officer, SSROC.

Complete procurement oversight and probity was also managed by Roger Bramble at SSROC.

A Request for Tender Evaluation and Probity Plan was developed with the agreed evaluation weightings against the selection criteria prior to the assessment of tenders. The criteria without the weightings were listed in the request for tender document.

The request for tender was advertised by Randwick City Council (host council) on its website, SSROC's website and tendering portal Vendor Panel on 25 February 2025. The tender submission close date was 20 March 2025.

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:

- Artcraft Pty Ltd.
- Central Signs Road and Safety Aust Pty Ltd.
- Evolution Traffic Management Pty Ltd.
- G&B Services (NSW) Pty Ltd.
- Hunt Civil Pty Ltd.
- Hunter Valley Signs Pty Ltd t/as HIVIS Group.
- Traffic Facilities Maintenance Pty Ltd.

Late tenders

Nil.

Non-conforming tenders

Nil.

Alternative tenders

Nil.

Tender evaluation

The following seven tenders met the mandatory requirements and proceeded to detailed evaluation:

- Artcraft Pty Ltd.
- Central Signs Road and Safety Aust Pty Ltd.
- Evolution Traffic Management Pty Ltd.
- G&B Services (NSW) Pty Ltd.
- Hunt Civil Pty Ltd.
- Hunter Valley Signs Pty Ltd t/as HIVIS Group.
- Traffic Facilities Maintenance Pty Ltd.

Conforming tenders were evaluated in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2021*, Council's Procurement Procedure, the Office of Local

Government's Tendering Guidelines for NSW Local Government and the RFT Evaluation and Probity Plan.

The Panel agreed on the following advertised selection criteria:

- Tendered price and rates (pricing schedule).
- Tenderer profile/staff (forms 9, 12, 13):
 - o Capability and capacity to perform required services.
 - o Size/history of organisation.
 - o Prior performance (formally documented) references and relevant experience (forms 12 and 14).
- Service standards and delivery methodology (form 16):
 - o Services delivery methodology– (order to delivery - timeframes and process)
 - o Technology- systems, data collection etc.
 - o Reporting/invoicing.
 - o Delivery processes and timing.
 - o Innovation/value additions (not price).
 - o Modern slavery- products sourced ethically.
 - o Quality assurance systems and processes.
- Sustainability and environment:
 - o demonstrated environment management systems/policies.
 - o sustainability of processes/systems.
 - o relevant documentation/accreditation.
 - o product sustainability/sustainable product options.
- Statement of conformance.
- Conflict of interest.
- Fair work performance.
- Proposed contract departures.
- Insurances and claims.
- Work, health and safety.

Tenders were given a score on each of the evaluation criteria and ranked in accordance with their scores. Final scores and rankings are shown in the confidential tender evaluation attached to the report. The attachment also contains the schedule of rates of the preferred tenderers.

Tender Evaluation Panel's recommendation

Following evaluation of the tenders, the Tender Evaluation Panel recommends the preferred tenderers because:

- Preferred tenderer 1 is based in Caringbah, Sydney. It scored second in non-price 41.13/60 (69%), first for pricing scored 36.63/40 (92%), and first overall. It is a certified supplier across ISO 14001 Environmental Management Systems, ISO 9001 Quality Systems, ISO 45001 Safety Systems. It has a relationship with the indigenous organisation Yamari Ochre Signs (YOS) and supplies their products as part of their supply service. And it is a prior incumbent.
- Preferred tenderer 2 is based in Prospect, Sydney. It tendered well and was ranked fourth for non-price 44.83/60 (75%), second for pricing 39.09/40 (98%) and second overall. It has a quality management system (QMS) which covers sign production and the processes of the organisation. And it has established waste, sustainability, environment, work health safety (WHS) and anti-slavery policy statements in place.

- Preferred tenderer 3 is based in Carrington, Newcastle. It was ranked first for non-price 49.37/60 (82%), third in its supply only category for pricing 27.30/40 (68%) and fourth overall. It has a complete high-quality road sign production facility and process for the creation and delivery of signs to the most modern and high quality standards. In particular, these include metals, printing and laminating processes at its 3,800 sqm factory in Carrington. It can work with and print to fleet, buildings, plant and most surfaces if asked and aid design specifications if not specifically designated by TfNSW. It is certified in ISO 9001 Quality Management Systems, and ISO 14001 Environmental Management system and policies. And it is a prior incumbent.
- Preferred tenderer 4 is based in Meadowbank, Sydney. It was ranked for fifth for non-price 44.67/60 (74.44%), second for pricing 33.99/40 (85%) and third overall. It holds organisational policies across management and operational areas of the business including discrimination, and diversity and inclusion, environmental/sustainability management, hazard, risk and incident management, WHS, indigenous participation and modern slavery. It is a socially conscious company that has a large percentage of indigenous and women staff at 27% and 45% respectively. And it is a prior incumbent.

6. Financial Impact

This is a schedules of rates panel contract with no financial commitment.

It is advantageous to use SSROC panel contracts for better value and to save time in the supplier selection process.

7. Risks/Issues

The Evaluation Panel's risk assessment classified the goods and services being tendered and the tenderers' submissions, in general, as low risk. Only one identified risk was ranked as medium risk.

The risk assessment methodology and the recommended treatment actions are detailed in the attached confidential tender evaluation.

8. Attachments

1. Tender evaluation (confidential) .

NOTICE OF MOTION

CM/8.1/25.08



Subject: Waverley Art Prize - Celebrating 40 Years in 2026

TRIM No: A24/0018

Submitted by: Councillor Fabiano

MOTION:

That Council:

1. Notes that 2026 marks the 40th anniversary of the Waverley Art Prize, a significant cultural program that has supported and showcased artists from across Australia since its establishment in 1986.
2. Acknowledges the important role the Waverley Art Prize has played in:
 - (a) Supporting emerging and established visual artists.
 - (b) Enhancing Waverley's cultural life and reputation.
 - (c) Contributing to Australia's creative and cultural economy.
3. Recognises and thanks all artists, arts workers, judges, partners and staff who have contributed to the success of the Waverley Art Prize over the past four decades.
4. Officers prepare a report to Council outlining options for commemorating the 40th anniversary of the prize in 2026, including:
 - (a) A retrospective exhibition or publication celebrating past winners and finalists.
 - (b) Community engagement activities that explore the history and significance of the prize.
 - (c) Promotion of and education about the prize and its enduring contribution to visual arts.
 - (d) Opportunities to integrate the anniversary into other cultural events across Waverley during the year.
 - (e) Inviting past winners to the launch of the 2026 Art Prize to celebrate the anniversary and Waverley's commitment to the visual arts.
5. Officers provide an update to Council by March 2026 on the proposed program, including indicative timelines, partnership opportunities and budget considerations.

Background

Established in 1986, the Waverley Art Prize is one of the longest-running and most respected local government art awards in Australia. Jointly presented by Waverley Council and Waverley Woollahra

Art School, the prize has provided a platform for both emerging and established artists to showcase their work, build professional careers, and engage with diverse audiences.

Over the past four decades, the Waverley Art Prize has evolved into a significant cultural event in the region, supporting the visual arts and contributing to Waverley's reputation as a creative and culturally vibrant community. Many past winners and finalists have gone on to achieve national and international recognition, underscoring the Prize's role in fostering artistic talent.

Held annually, the Waverley Art Prize has consistently attracted high-quality submissions from across the country, judged by esteemed curators, artists and arts leaders. The exhibition of finalists, held at the Bondi Pavilion Gallery and more recently online, provides a valuable opportunity for public engagement with contemporary Australian art.

As the Waverley Art Prize approaches its 40th anniversary in 2026, there is an opportunity to reflect on its legacy, celebrate its impact and ensure its continued success. A dedicated program to mark this milestone can help honour the contributions of participating artists, engage the community, and reaffirm Council's commitment to supporting the arts.

Celebrating this anniversary in a meaningful way aligns with Council's Community Strategic Plan goals of cultural vitality, lifelong learning and creative expression. It also supports economic and social outcomes by activating public spaces and fostering local pride and participation.

General Manager's comment

Council officers have commenced planning for the 40-year anniversary of the Waverley Art Prize in 2026. If resolved, Council officers will incorporate the resolution into planning and report back as requested.

Ben Thompson

Director, Community, Culture and Customer Experience

NOTICE OF MOTION

CM/8.2/25.08



Subject: Affordable Housing

TRIM No: A25/0312

Submitted by: Councillor Stephenson
Councillor Nemesh

MOTION:

That Council:

1. Notes that there is currently no comprehensive public register of affordable housing in NSW, making it difficult to track the location, ownership and management of these dwellings.
2. Acknowledges that while Waverley is seeing an increase in affordable housing delivered through planning incentives, such as floor space and height bonuses under the Housing State Environmental Planning Policy (SEPP), there is currently no reliable way to monitor or verify how and where this housing is delivered or maintained.
3. Welcomes the NSW Government's Community Housing Providers (Adoption of National Law) Amendment Bill 2025, particularly its introduction of a:
 - (a) State-wide public register of affordable housing dwellings.
 - (b) Requirement for affordable housing to be managed by a registered provider.
 - (c) Framework for compliance and enforcement to support transparency and accountability.
4. Requests the Mayor to write to the NSW Minister for Planning and the Minister for Housing and Homelessness to:
 - (a) Express Council's support for the reforms in the Bill.
 - (b) Recommend that the public register include key data to support councils and the community in understanding the distribution and status of affordable housing across NSW and Waverley.

Background

Waverley Council, like many councils in NSW, has limited visibility over the delivery and ongoing management of affordable housing within its local government area. Although planning controls allow developers to access significant development bonuses in exchange for providing a portion of affordable housing, there is no centralised system to track whether these homes are delivered, where they are located or who manages them and occupancy information.

The Community Housing Providers (Adoption of National Law) Amendment Bill 2025, passed by the NSW Parliament in June this year, seeks to address this gap through the creation of a public register.

The Bill also requires developers to appoint registered affordable housing managers and introduces a framework for compliance and enforcement. These reforms are intended to improve transparency and data access across the sector, enabling better oversight and policy development by councils and the State.

General Manager's comment

If resolved by Council, officers will undertake the actions as per the motion.

Fletcher Rayner
Director, Planning, Sustainability and Compliance

NOTICE OF MOTION

CM/8.3/25.08



Subject: Bondi Pavilion - Community Spaces Consultation

TRIM No: A15/0272

Submitted by: Councillor Wy Kanak

MOTION:

That Council consults further with the community, Precincts and stakeholders on the Strategic Property Review Committee's recommendations, as noted by Council at its meeting on 17 June 2025, before proceeding with the recommended changes to the Bondi Pavilion Welcome Centre and Venue Office.

This item was deferred from the Council meeting on 15 July 2025.

Background

At its meeting on 17 June 2025, Council noted the minutes from the Strategic Property Review Committee meeting held on the 1 May 2025. The committee minutes state as follows:

Bondi Pavilion Space Optimisation Options:

The Committee received and discussed a briefing note to present information for consideration of the Committee in relation to the proposed reconfiguration and reuse of spaces at Bondi Pavilion.

Committee Recommendation:

The Committee supported the proposal to install a community gallery in the existing Bondi Story Room space.

The Committee supported Option 2 – strip out of both the existing Welcome Centre and the Venue Office, for commercial use, to accommodate either one large tenancy or two smaller tenancies. With an alternative customer service/venue office to be constructed in the existing High Tide Room storeroom.

Community/stakeholder representations on this matter have been received objecting to the implications of going ahead with the Strategic Property Committee recommendations and seeking further community consultation on community spaces at Bondi Pavilion. The ratio of community-preferred spaces as opposed to commercial spaces was a strong factor in the community campaign for Bondi Pavilion known as 'A Makeover NOT a Takeover.'

General Manager's comment

It is noted that this motion refers to noting the minutes of the Strategic Property Review Committee (SPRC) from 1 May 2025. The SPRC is not a decision-making committee. Council considered a report on this item at the May 2025 Council meeting (CM/7.12/25.05 - Bondi Pavilion - Internal Space) and resolved unanimously as follows:

That Council:

1. *Replaces the Bondi Story Room at Bondi Pavilion with a community gallery space*
2. *Constructs a new Customer Service and Venue Office adjacent to the High Tide Room at Bondi Pavilion, including the installation of interactive screens that allow the public to continue to access the Bondi Story Room exhibit.*
3. *In respect of the existing Welcome Centre and Venue Office:*
 - (a) *Publicly notifies and exhibits for 28 days the proposal to grant a lease of the space up to a maximum of ten years for the provision of beach related refreshments, in accordance with section 47 of the Local Government Act 1993.*
 - (b) *Officers prepare a report to Council following the exhibition period.*
 - (c) *Lodges a development application to change the use of the space to enable the commercial provision of beach related refreshments.*
4. *Notes that Council officers will notify Friends of Bondi Pavilion and local Precinct Committees of replacing the Bondi Story Room with a community gallery space.*

In accordance with clause 3 of the Council resolution, the exhibition of the proposal to grant a lease of the space up to a maximum of 10 years for the provision of beach-related refreshments will provide an opportunity for all community members, Precinct representatives and the Friends of Bondi Pavilion to provide feedback. This will then be reported to Council for consideration. Council officers recommend that this consultation process continues to be followed.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION

CM/8.4/25.08



Subject: Aboriginal Rock Carvings at Bondi Golf Course - Preservation

TRIM No: A03/2567

Submitted by: Councillor Wy Kanak

MOTION:

That Council:

1. In consultation with First Nations stakeholders, puts in place careful, sensitive Aboriginal heritage preservation and landscape treatments, including appropriate native plantings, for the Aboriginal rock carvings on the cliffs at Bondi Golf Course, North Bondi.
2. Allocates funding from existing landscaping budgets or accesses grants.
3. Investigates undertaking the work as a First Nations employment project, as was a previous project at the site that addressed site protection drainage issues.

This item was deferred from the Council meeting on 15 July 2025.

Background

The landscape setting and state of these rock carvings is degrading and does not reflect their environmental and cultural significance. Respectful landscape improvements could be planned and implemented to bring suitable native planting and biodiversity benefits to this important local feature.

General Manager's comment

Officers are currently preparing an Aboriginal Heritage Study led by The Gujaga Foundation, which is coordinating the appropriate knowledge holders from the community to decide how the sites should be protected. The study is primarily a historical review to be completed this year and would inform future plans of management, including the mechanisms to better protect the heritage value of the Aboriginal rock carvings referred to in this motion.

Fletcher Rayner
Director, Planning, Sustainability and Compliance

NOTICE OF MOTION

CM/8.5/25.08



Subject: Planning Agreement Policy (Amendment No.6) -
Monitoring and Transparency

TRIM No: SF25/1774

Submitted by: Councillor Fabiano

MOTION:

That Council:

1. Notes the adoption of Amendment No. 6 to the Planning Agreement Policy at its meeting on 15 July 2025.
2. Acknowledges that current information on development contributions, including voluntary planning agreements (VPAs), affordable housing contributions and section 7.12 development contributions, is fragmented across multiple areas of Council's website, making it difficult for the community to easily locate and understand.
3. Requests the Director, Planning, Sustainability and Compliance, to review and update Council's website to improve accessibility and community understanding by:
 - (a) Developing a single, consolidated webpage outlining the range of applicable development contributions in the Waverley local government area, including VPAs, affordable housing contributions, section 7.12 contributions and relevant State Government contributions.
 - (b) Presenting this information in clear, plain English, with an emphasis on explaining the purpose of each contribution mechanism and the public benefits they deliver.
 - (c) Including a direct link to the existing VPA Register on this webpage.
4. Reaffirms its commitment to securing public benefits, such as affordable housing, infrastructure and community facilities, through the transparent and strategic use of planning mechanisms, including VPAs.
5. Officers prepare a progress report to Council on the implementation of these changes by December 2025.

Background

A range of development contribution mechanisms apply to new development in the Waverley LGA including:

- Voluntary planning agreements (VPAs), which allow for monetary or in-kind contributions to a wide range of public benefits.
- Development contributions under section 7.12, levied in accordance with Council's adopted Development Contributions Plan.

- Affordable housing contributions, levied in accordance with Council's Affordable Housing Contribution Scheme (AHCS).
- Relevant State Government contributions, which may apply to certain development types or locations.

At present, information about these contribution mechanisms is scattered across different sections of Council's website, limiting transparency and creating barriers to community understanding.

This motion seeks to address this issue by consolidating and simplifying online information, thereby improving public access to and awareness of the contributions that support infrastructure, services and affordable housing in Waverley.

General Manager's comment

If resolved by Council, a report can be prepared in the time frame.

Fletcher Rayner
Director, Planning, Sustainability and Compliance

NOTICE OF MOTION

CM/8.6/25.08



Subject: Ethical Banking and Environmental, Social and Governance (ESG) Criteria in Procurement

TRIM No: A25/1835

Submitted by: Councillor Fabiano

MOTION:

That Council:

1. Notes that Council has entered into a contract for transactional banking services through a regional tender process coordinated by the Southern Sydney Regional Organisation of Councils (SSROC) and acknowledges the importance of financial service delivery that is cost-effective, reliable and secure.
2. Recognises that Council's financial arrangements—including banking, investments and procurement—should be aligned with Council's environmental, social and governance (ESG) principles, including Council's commitments to climate action and sustainability.
3. Commits to strengthening ethical and climate-conscious financial decision-making, and accordingly:
 - (a) Reviews the Investment Policy within the next 12 months to explore options for including stronger ESG criteria and fossil fuel divestment objectives.
 - (b) Writes to SSROC requesting that ESG and ethical finance considerations be incorporated into future regional banking tenders, including criteria that prioritise institutions that do not invest in fossil fuels, arms, gambling, tobacco or environmentally harmful industries.
 - (c) Receives a report within six months outlining the feasibility, benefits and risks of transitioning to an ethical or publicly owned banking institution upon the expiry of the current banking services contract.

Background

Local councils have a growing responsibility to ensure their financial partnerships reflect the environmental and social values of their communities. The Commonwealth Bank and other major banks have well-documented records of financing fossil fuel expansion, which conflicts with Council's Climate Emergency Declaration and goals for a low-carbon future. Several councils across Australia—including Byron, Moreland (Merri-bek) and City of Sydney—have moved toward ethical banking or fossil fuel divestment policies.

While Council has made strong commitments to environmental sustainability and climate action—including its Climate Emergency Declaration and Net Zero Emissions target—these values are not yet fully embedded in Council's financial policies.

In particular, Council's current Investment Policy and procurement frameworks do not explicitly incorporate environmental, social and governance (ESG) criteria or ethical finance considerations. As a result, key financial partnerships, such as with banking institutions, may be inconsistent with Council's own sustainability objectives.

This motion seeks to address that gap by initiating a structured review and advocating for ESG-aligned procurement in future regional banking tenders.

General Manager's comment

An amended Investment Policy was adopted in July 2025 and is due for revision in June 2026. If Council resolves, the Investment Policy will be reviewed to explore options for including stronger ESG criteria and fossil fuel divestment objectives.

The request for tender sought ESG information and contained criteria for ESG components, which were evaluated in the non-price evaluation. The Commonwealth Bank (CBA) has an extensive ESG performance and also reports this publicly. There are limited Australian authorised deposit-taking institutions, as regulated by the Australian Prudential Regulation Authority, that can address the requirements of transactional banking services for local government—namely the range of services, platforms, security, accounts for transactional banking—to the level Council requires. ESG was a consideration as was regulation, risk, capacity and cost. CBA has reported that it is no longer offering money to fossil fuel companies that are not aligned with the Paris Agreement. SSROC also approached second and third tier banks, but no tender submissions were received. If Council resolves, Council will write to SSROC.

The current agreement is for transactional banking services is for three years plus options. Executing the extension options depends on the supplier performance and is at the discretion of Council and SSROC. There are six councils participating in this agreement. If Council resolves, officers recommend a review of the criteria and a report back later than six months and a report back at least six months before exercising the options.

Tara Czinner
Director, Corporate Services

NOTICE OF MOTION

CM/8.7/25.08



Subject: Motion for the 2025 Local Government Conference - Building Resilient, Equitable and Sustainable Local Government

TRIM No: A13/0314

Submitted by: Councillor Fabiano

MOTION:

That Council:

1. Submits the following motion for consideration at the 2025 Local Government NSW Conference:
 - (a) That LGNSW calls on the NSW and Commonwealth Governments to:
 - (i) Establish a Local Government Resilience Partnership Fund to address intersecting risks, including financial stress, ageing infrastructure and climate impacts.
 - (ii) Support sector-wide cybersecurity standards and shared digital infrastructure models to protect community trust and service delivery.
 - (iii) Reform local government funding arrangements to ensure long-term financial sustainability, equity and climate-readiness.
 - (iv) Collaborate with councils to embed financial, infrastructure and climate risks in all strategic and asset management planning.
 - (b) That LGNSW convenes a sector-wide Risk Resilience Forum in 2026 to strengthen cross-sector collaboration on sustainable asset renewal, ethical workforce practices and governance innovation.
2. Notes that the motion responds directly to the 2024 JLT Public Sector Risk Survey findings, which identified financial sustainability, cybersecurity, asset degradation and workforce challenges as critical risks to local government.
3. Affirms that Council is committed to building a financially sustainable, climate-resilient and digitally secure future for its community, and will advocate for intergovernmental support and systemic reform through this motion.

General Manager's comment

Should Council support this motion, officers will submit it to the Local Government NSW (LGNSW) Annual Conference in November 2025.

Tara Czinner
Director, Corporate Services

NOTICE OF MOTION

CM/8.8/25.08



Subject: Pot Plants on Public Land

TRIM No: A13/0054

Submitted by: Councillor Masselos

MOTION:

That Council:

1. Investigates the feasibility of allowing residents to place removable pot plants on the public verge immediately outside their private property, including in laneways, subject to appropriate safety, accessibility and design conditions.
2. Officers prepare a report to Council outlining:
 - (a) The necessary amendments to the Waverley Development Control Plan (DCP), Public Gardening Policy or any other applicable plans or policies.
 - (b) The criteria under which such pot plants may be permitted, which may include:
 - (i) Footpath width and accessibility for pedestrians and mobility devices.
 - (ii) 'Line of sight' and safety considerations.
 - (iii) Plant selection and maintenance responsibilities.
 - (iv) Risk management and liability implications.
 - (v) Heritage and biodiversity impacts where applicable.
 - (c) Consultation with key stakeholders, including residents, access advocates and relevant Council teams.
3. Notes that any proposal to permit pot plants must align with existing objectives within the Waverley DCP relating to urban character, built form and landscaping.
4. Receives options for a trial or permit-based approach, and the potential for community education to support responsible verge use.
5. Officers provide time frames and resourcing implications for the policy review and implementation.

Background

Residents across the Waverley local government area (LGA) have expressed a desire to enhance their local streetscapes by placing removable pot plants on the public verge outside their homes and in laneways. They understand that this can help foster local pride, improve amenity and support

biodiversity in a constrained urban environment. However, any such initiative must be balanced with safety, accessibility, and urban planning considerations.

Council's Development Control Plan (DCP), Public Gardening Policy and Verge Garden Guidelines currently govern public space landscaping, biodiversity preservation and public access. Permitting pot plants on verges may require policy amendments to ensure alignment with these frameworks and to prevent unintended consequences such as trip hazards or impediments to pedestrian flow.

This initiative aligns with broader urban sustainability goals and reflects similar programs in other LGAs, including Inner West, Randwick and City of Sydney Councils. These councils support low-impact verge beautification under clear policies and permit systems.

This motion seeks to responsibly explore this opportunity in a way that supports community stewardship while protecting the integrity and function of the public domain.

Policy and planning considerations

Any move to permit pot plants on public land must be consistent with Council's existing policies and plans, particularly:

- The Development Control Plan (DCP), which governs urban design, landscape character, biodiversity, and safety.
- The Public Gardening Policy and Verge Garden Guidelines, which outline landscaping standards for nature strips and verges.

Proposed amendments or additions may be required to accommodate pot plant placements while ensuring continued public access, sightlines, pedestrian safety, and vegetation management.

Key issues and risks

- Trip hazards or obstructions to footpath access.
- Public liability in the event of injury.
- Impacts on people with vision impairment or mobility constraints.
- Maintenance responsibilities and enforcement of non-compliance.
- Biodiversity and consistency with heritage or streetscape objectives.

Options for implementation

- Introduce a permit-based system for pot plants on verges, assessed against criteria.
- Run a trial program in selected areas with evaluation metrics.
- Develop an information pack and guidelines for interested residents.
- Amend the DCP and Public Gardening Policy accordingly.
- Require plants to be removable, non-fixed and within designated clear zones.

Examples from other councils

- Inner West Council: Street Verge Gardening Policy.
- City of Sydney: Footpath Gardening Guidelines.
- Randwick City Council: Nature Strip Guidelines.

General Manager's comment

If resolved by Council, officers will investigate and prepare a report.

Fletcher Rayner

Director, Planning, Sustainability and Compliance

NOTICE OF MOTION

CM/8.9/25.08



Subject: Motion for the 2025 Local Government Conference -
Reinvestment of Waste Levy to Support FOGO
Composting Infrastructure

TRIM No: A24/0741

Submitted by: Councillor Fabiano

MOTION:

That Council:

1. Submits the following motion for consideration at the 2025 Local Government NSW Conference:

That LGNSW calls on the NSW Government to reinvest a greater proportion of the NSW Waste Levy into regional and local infrastructure for the processing and composting of Food Organics and Garden Organics (FOGO), to ensure councils can meet their obligations under the new State legislation.
2. Notes that the NSW Government's new FOGO requirements are intended to significantly reduce organic waste sent to landfill and support broader waste and climate targets.
3. Emphasises the urgent need for regional organics composting infrastructure to be delivered in the Eastern Suburbs, where limited available land and high transport costs pose additional implementation challenges.
4. Writes to the following stakeholders advising them of this resolution and seeking their support for increased funding and infrastructure delivery to enable successful FOGO implementation:
 - (a) The Hon Penny Sharpe MLC, NSW Minister for Climate Change, Energy, the Environment and Heritage.
 - (b) Marjorie O'Neill MP, Member for Coogee.
 - (c) Kellie Sloane MP, Member for Vaucluse.

General Manager's comment

If Council endorses this motion, Council officers will undertake the actions as per the motion.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION

CM/8.10/25.08



Subject: Commemoration and Memorialisation Plaque Policy

TRIM No: A25/1841

Submitted by: Councillor Frazer

MOTION:

That Council:

1. Investigates the feasibility of a commemoration and memorialisation plaque policy for the Waverley local government area that considers opportunities to:
 - (a) Accommodate requests from local residents for the personal memorialisation of people that have passed away.
 - (b) Commemorate local residents who have significantly contributed to the local area.
 - (c) Commemorate past and current Councillors who have significantly contributed to major construction projects in the local area.
2. Officers prepare a report to Council on the feasibility of the proposed approach, including an assessment of costs and the approaches of other Sydney metropolitan councils regarding commemoration and memorialisation.

Background

Waverley Council has a rich history of residents and Councillors who have significantly contributed to the community. While there are some processes in place to acknowledge these contributions, more could be done. For example, neighbouring councils offer the ability to donate funds for park benches with a commemorative plaque. Council currently does not allow this. Plaques are only included for very large construction projects, so more could be done to celebrate a wider range of projects. A report outlining options including an assessment of costs would inform a balanced policy into the future.

General Manager's comment

Council officers certainly value the contribution of local residents and appreciate the difference they make to the community. There is opportunity for Officers to consider options to commemorate the contribution of Councillors to significant projects or local residents that have contributed significantly to the local area. However, Council receives many requests for memorial plaques in our open spaces to honour residents that have passed away, and community members make generous offers to donate seats or trees for the plaque settings. Council could not accommodate the number of requests that are regularly received. As a result, our parks currently do not allow memorial plaques.

There are opportunities to honour loved ones through services and programs at the Waverley Cemetery including memorial plaques or the 'Ivy Vine'.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION

CM/8.11/25.08



Subject: Bondi Beach Pedestrian Crossings

TRIM No: A03/0801

Submitted by: Councillor Merten
Councillor Fabiano

MOTION:

That Council:

1. Notes the high pedestrian and vehicle movements throughout the Bondi Beach area, including Campbell Parade, Park Parade and Queen Elizabeth Drive, especially during the summer months.
2. Notes the vehicle and pedestrian conflict points at the entrance and exit to Queen Elizabeth Drive.
3. Officers undertake a review of pedestrian safety at the intersections of Queen Elizabeth Drive and Campbell Parade, including options to install dedicated pedestrian crossings, and prepare a report to Council as soon as possible on options to improve pedestrian safety.

Background

Bondi Beach is Australia's most iconic beach and sees over 2.8 million visitors most years. For new visitors, and locals, it is extremely important that pedestrian safety is maintained around the beachfront for everyone, including parents, young kids, people living with disability and the elderly.

This requires clearly marked pedestrian crossings, traffic calming devices and kerb ramps that are designed for pedestrian safety.

Currently, there needs to be some urgent improvements. There are no pedestrian crossings at the entry and exit of Queen Elizabeth Drive (QED). These entry and exit points are extremely busy with pedestrians and cars every day of the year. In summer, traffic jams occur regularly with cars blocking the roundabout and the entry to QED.

There is an immediate and dangerous conflict between pedestrians being guided by the kerb ramps at the start of the Queen Elizabeth Drive just beyond the roundabout on Campbell Parade. The kerb ramps create a natural crossing at this point and yet there is no marked pedestrian crossing.

Further, there is no marked pedestrian crossing at the exit of Queen Elizabeth Drive onto Campbell Parade. This is a large crossing area and is part of the very busy Campbell Parade footpath.

It is urgent that Council addresses this need for clearly marked pedestrian crossings or an equivalent safety treatment to ensure that visitors and locals are safe when visiting Bondi Beach.

General Manager's comment

The intersections of Queen Elizabeth Drive and Campbell Parade were identified as priority locations through the development of Council's draft Walking Strategy. Safer crossings also align with actions outlined in the Bondi Park, Beach and Pavilion Plan of Management 2021 and the People, Movement and Places plan. Should Council support this motion, Council officers will undertake further detailed investigation to identify options, potential requirements for upgraded lighting and funding approaches. Council officers would seek to report back to Council in early 2026.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION
CM/8.12/25.08**Subject:** Return and Earn Collection Points**TRIM No:** A17/0647**Submitted by:** Councillor Frazer

MOTION:

That Council:

1. Notes the success of the NSW Container Deposit Scheme, with over 38 million eligible containers collected every week.
2. Notes that the current collection point at Vaucluse, the four collection points at Bondi Junction and the monthly collection at Bronte Surf Life Saving Club provide limited locations for residents and visitors to utilise the scheme.
3. Writes to Tomra to request that additional collection points be installed throughout the Waverley local government area, with a focus on the Bondi Beach area.
4. Officers prepare a report to Council on the outcome no later than the September 2025 Council meeting.

General Manager's comment

If resolved by Council, Council officers will write to Tomra to request additional Return and Earn locations to be installed throughout the local government area, with a focus on the Bondi Beach area.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION

CM/8.13/25.08



Subject: Council Chambers - Community Consultation

TRIM No: A24/0987

Submitted by: Councillor Merten
Councillor Spooner

MOTION:

That Council:

1. Notes that the previous community consultation on the Council Chambers was in April/May 2022 (Review of Environmental Factors and concept design).
2. Undertakes comprehensive community consultation and engagement on the Council Chambers site, using the IAP2 model of community consultation, to develop a deep understanding of the community's expectations of:
 - (a) The current and emerging needs of the Waverley community.
 - (b) Future possible uses, concepts and proposals.
 - (c) Council's civic identity and that this site is the historic location of the Council Chambers.
 - (d) Availability of community and recreation space.
3. Ensures that the consultation questions include open-ended questions to ensure a comprehensive response from the community.
4. Undertakes consultation with stakeholders and users of the Margaret Whitlam Recreation Centre for their feedback and input, given the proximity of the Council Chambers site.
5. Undertakes consultation with the Precinct Committees on the Council Chambers site.
6. Ensures that the community consultation includes physical notification to local residents and is included in Council publications as well as digital and social channels to encourage participation in the consultation.
7. Officers prepare a report to Council by December 2025 on the outcomes and findings of the consultation.

Background

The opportunity to develop the Waverley Council Chambers site comes with enormous responsibility. This is a once-in-a-generation opportunity to create a building that can service the whole community.

The history of the Council Chambers and its location speaks to its stature and significance of this site for the community.

In 1849, Waverley was the second suburb of Sydney to be established, and a proclamation of the municipality was published on 16 June 1859.

The first Council meeting was held on 16 June 1859, but there was no permanent office for the conduct of Council duties. Some early meetings were held in the Charing Cross Hotel, and others in the Bronte Road quarters of the Waverley School of Arts.

In December 1860, Council accepted an offer from Francis O'Brien for a free-of-cost site for a Council Chambers on Bondi Road. The cost of building was to be limited to £500, although approximately £700 was eventually spent.

In *The Empire* on 5 June 1861, it was reported that:

The building which is to be two storeys in height is to be constructed in the continental gothic style and is to afford office accommodation as well as a suite of apartments for the residence of the housekeeper.

The Council Chambers will be on the second storey and will lead out to a small verandah which is intended for electioneering purposes...

The foundation stone was laid in 1861, and a first meeting of Council was held there on 21 November 1861—the first Council building erected by any municipality under the *Municipalities Act 1858*.

After more than a century operating as the centre of civic life in the area, Council officially shuttered the doors to the Council Chambers building in October 2024.

Given this proud history as a site of civic and community activity, overlooking the active sports fields of Waverley Oval and the quiet peacefulness of Waverley Park with its RSL memorial, it could not be of more importance that we strive to ensure the community has a say in what we decide to build here.

We have the opportunity to listen to the community and meet their needs in redeveloping this important civic space for future generations.

This motion asks that we deliver a careful, considered and inclusive community consultation so that this historic space continues to be a place that all of Waverley can enjoy with pride and a sense of ownership now and into the future.

General Manager's comment

It is noted that in item CM/7.13/25.08 on this agenda, Council officers are recommending that Council publicly exhibits the three high-level concept (test fit) options for the Council Chambers Redevelopment. This is further to the Strategic Property Review Committee's (SPRC) consideration of options presented at the 24 July SPRC meeting where the committee recommended three options be developed for Council's approval to proceed to public exhibition and community consultation. It is noted that this motion is seeking a broader consultation on the future of the site. Should CM/7.13/25.08 not be approved, officers can proceed with the consultation detailed in this motion.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION

CM/8.14/25.08



Subject: Youth Advisory Committee - Establishment

TRIM No: A25/1839

Submitted by: Councillor Spicer
Councillor Stephenson

MOTION:

That Council:

1. Establishes a Youth Advisory Committee to consult with young people in Waverley.
2. Officers prepare a report to Council by December 2025 with draft terms of reference for the committee, including:
 - (a) Up to eight young people as members of the committee.
 - (b) Up to three Councillor members of the committee, one of whom is to be chair.
 - (c) The committee to meet twice per year.
 - (d) A membership term of two years.
 - (e) A framework for the safety and wellbeing of participants.
3. Appoints members to the committee in early 2026.
4. Officers inform all Waverley Precinct committees of this resolution.

Background

There is currently no formal mechanism for Council to attract input from young people. A Youth Advisory Committee will address this gap by offering a safe, structured forum for youth to share ideas, develop leadership skills and engage with local government.

Successful models in other councils show this approach strengthens policy outcomes and community connection. The terms of reference will be developed in 2025, recruitment will commence in early 2026 and the initiative will be promoted through all Precinct Committees to ensure wide awareness.

General Manager's comment

If resolved by Council, Officers can implement the motion as outlined and advise Precinct Committees.

Ben Thompson
Director, Community, Culture and Customer Experience

QUESTION WITH NOTICE

CM/9.1/25.08



Subject: Question with Notice - E-Bikes

TRIM No: A17/0445

Submitted by: Councillor Masselos

QUESTION

The following questions were submitted by Cr Masselos:

In the last couple of weeks there appears to have been an increase in the number of share bike that each provider is depositing across Waverley. There also does not appear to be a reduction of e-bikes littering the Waverley local government area (LGA) after use.

1. How many providers have signed the memorandum of understanding (MoU)? And who are they?
2. How many e-bikes is each provider permitted to park in Waverley LGA? What was the allowable number of bikes for each provider prior to the signing of the MoU?
3. What are the locations of the specially designated e-bike parking bays? Are these operational yet? If not, when are they expected to be operational?
4. Have any car spaces been utilised for the e-bike parking bays? And if so, please identify which bays and which streets.
5. Is Council monitoring how these e-bike bays are being used and their utilisation rates? If so, how? If not, why not?

General Manager's answer

1. How many providers have signed the memorandum of understanding (MoU)? And who are they?

Three providers have signed an MOU, Lime, HelloRide and Ario.

2. How many e-bikes is each provider permitted to park in Waverley LGA? What was the allowable number of bikes for each provider prior to the signing of the MoU?

There was no limitation on the number of bikes permitted in the LGA prior to the MoUs being signed. The number of e-bikes allowed by each provider in the MoU is confidential. This can be provided to Councillors via email.

3. What are the locations of the specially designated e-bike parking bays? Are these operational yet? If not, when are they expected to be operational?

The following extract from the 17 June 2025 Council report outlines the site locations and associated details:

- Bondi Junction:

- o Off-street: 18.
 - o On-street (existing 'No Stopping' zone): 6.
 - o On-street (existing vehicle space reallocated): 0.
- Bondi Beach:
 - o Off-street: 19.
 - o On-street (in an existing 'No Stopping' zone): 13.
 - o On-street (existing vehicle space reallocated): 6.
- Bronte Beach:
 - o Off-street: 1.
 - o On-street (In an existing 'No Stopping' zone): 0.
 - o On-street (existing vehicle space reallocated): 1.

This provides a total of 64 areas. These areas are expected to store 8-12 bikes each on average.

See the Council report (CM/7.15/25.06 - Shared E-Bike Parking and Management Trial) for details, including maps and breakdown by street.

As at 8 August, 15 off-street and one on-street parking areas have been installed.

4. Have any car spaces been utilised for the e-bike parking bays? And if so, please identify which bays and which streets.

See the answer to question 3.

5. Is Council monitoring how these e-bike bays are being use and their utilisation rates? If so, how? If not, why not?

As the bike parking areas are installed and the share bike providers reflect them in their systems, Council officers will start monitoring usage.

Sharon Cassidy
Director, Assets and Operations

URGENT BUSINESS
CM/10/25.08**Subject:** Urgent Business**Author:** Emily Scott, General Manager

In accordance with clause 9.3 of the Waverley Code of Meeting Practice, business may be considered at a meeting of Council even though due notice of the business has not been given to councillors. However, this can happen only if:

1. The business to be considered is ruled by the chair to be of great urgency on the grounds that it requires a decision by Council before the next scheduled ordinary meeting of Council, and
2. A motion is passed to have the business considered at the meeting.

Such a motion can be moved without notice.

Only the mover of the motion can speak to the motion before it is put. A motion to have urgent business transacted at the meeting requires a seconder.

For business to be considered urgent, it must require a decision by Council before the next scheduled ordinary meeting of Council.

The mover of the motion must, when speaking to the motion, explain why he or she believes it requires a decision by Council before the next scheduled ordinary meeting of Council.

CLOSED SESSION
CM/11/25.08**Subject:** Moving into Closed Session**Author:** Emily Scott, General Manager**WAVERLEY**
COUNCIL

There are no confidential reports for consideration.

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.