



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

COUNCIL MEETING

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

7.00 PM, TUESDAY 17 SEPTEMBER 2019

A handwritten signature in black ink, appearing to read 'R. B. McLeod'.

Ross McLeod
General Manager

Waverley Council
PO Box 9
Bondi Junction NSW 1355
DX 12006 Bondi Junction
Tel. 9083 8000
E-mail: info@waverley.nsw.gov.au

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.

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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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CM/11.2/19.09	CONFIDENTIAL REPORT - Bondi Surf Bathing Life Saving Club - Conservation and Upgrade Project - Head Consultant Procurement
CM/11.3/19.09	CONFIDENTIAL REPORT - Eastern Suburbs Cricket Club - Indoor Cricket Nets Facility Project - Heads of Agreement

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OBITUARIES CM/3/19.09

Subject: Obituaries
Author: Ross McLeod, General Manager



Peter Moscott
Peter McCallum
Marie Curtis

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/5.1/19.09



Subject: Confirmation of Minutes - Council Meeting - 20 August 2019

TRIM No: SF19/325

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Council Meeting held on 20 August 2019 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of the Council meeting must be submitted to Council for confirmation, in accordance with section 375 of the *Local Government Act 1993*.

Attachments

1. Council Meeting Minutes - 20 August 2019



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 20 AUGUST 2019**

Present:

Councillor John Wakefield (Mayor) (Chair)	Bondi Ward
Councillor Dominic Wy Kanak (Deputy Mayor)	Bondi Ward
Councillor Sally Betts	Hunter Ward
Councillor George Copeland	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Elaine Keenan	Lawson Ward
Councillor Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Will Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward

Staff in attendance:

Ross McLeod	General Manager
John Clark	Director, Customer Service and Organisation Improvement
Peter Monks	Director, Planning, Environment and Regulatory
Emily Scott	Director, Community, Assets and Operations
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer
Jane Worthy	Internal Ombudsman

At the commencement of proceedings at 7.00 pm, those present were as listed above, with the exception of Cr O'Neill, who arrived at 7.56 pm.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

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

The Mayor read the following Acknowledgement of Indigenous Heritage:

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

1. Apologies/Leaves of Absence

Apologies were received and accepted from Cr Burrill.

CM/1.1/19.08 Request for Leave of Absence - Cr Keenan (A03/0029)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Kay

That Council grants Cr Keenan leave of absence from Council for the meetings of 3 September 2019 and 17 September 2019.

Cr O'Neill was not present for the consideration and vote on this item.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Copeland declared a pecuniary interest in Item CM/8.3/19.08 – Bondi Pavilion Construction Plan of Management – Community User Groups and Organisers of Community Cultural Activities, and informed the meeting that he works part-time at the Pavilion, and will leave the Chamber.
- 2.2 Cr Betts declared a significant non-pecuniary interest in Item CM/7.11/19.08 – Venue Hire Grant – WAYS Youth and Family, and informed the meeting that she is on the board of WAYS, and will leave the Chamber.

3. Obituaries

Aunty Pearl Martin
Michael Blaimschein

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 D Walsman – CM/7.9/19.08 – Herbicide Reduction Study – Assessment Report.
- 4.2 R Nothman – CM/7.9/19.08 – Herbicide Reduction Study – Assessment Report.
- 4.3 S Rogers – CM/8.7/19.08 – Paul Street and Kenilworth Street Traffic Study.
- 4.4 M Salval (on behalf of Tamarama Surf Life Saving Club) – CM/11.2/19.08 – CONFIDENTIAL REPORT – Tamarama Surf Life Saving Club – Building Upgrade Project – Heads of Agreement.
- 4.5 R Nothman – CM/11.4/19.08 – CONFIDENTIAL REPORT – Coastal Risk Management – Diamond Bay Reserve and Coastal Walkway and Other Areas.

5. Confirmation and Adoption of Minutes**CM/5.1/19.08 Confirmation of Minutes - Council Meeting - 16 July 2019 (SF19/325)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That the minutes of the Council meeting held on 16 July 2019 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Cr O'Neill was not present for the consideration and vote on this item.

CM/5.2/19.08 Adoption of Minutes - Waverley Traffic Committee Meeting - 25 July 2019 (SF19/328)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconder: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 25 July 2019 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

- 1. TC/C.01/19.07 – Arden Street, Bronte – Macpherson Street to Varna Street – Safety Review and Concept Design.

And that this item be dealt with separately below.

Cr O'Neill was not present for the consideration and vote on this item.

CM/5.2.1/19.08 Arden Street, Bronte - Macpherson Street to Varna Street - Safety Review and Concept Design (SF18/779)

This item was saved and excepted by Cr Masselos.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That the Traffic Committee's recommendation be adopted subject to referring the proposal to the relevant Council team for soft surface beautification.

Cr O'Neill was not present for the consideration and vote on this item.

6. Mayoral Minutes**CM/6.1/19.08 Aunty Pearl Martin (A02/0017)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

That Council honours the passing of Aunty Pearl Martin and proceeds to frame and mount her gift for the people of Waverley of her husband's hand-carved wood craft piece with the words 'Te Aroha' meaning 'love'. An explanatory plaque be attached and a suitable location be allocated in the Council Chambers or Council Library for display of the gift in remembrance of Aunty Pearl.

Cr O'Neill was not present for the consideration and vote on this item.

CM/6.2/19.08 Neighbourhood Amenity Fund - Waverley's Local Climate Response (A02/0760)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

That:

1. Council notes the ongoing Strategic Asset Management Plan.
2. Council notes the current preparation of a Tree Canopy Study.
3. Council notes the Urban Forest Strategy.
4. Council notes Theme 8, Sustainable Environment, of Council's Community Strategic Plan 2018–2029.
5. Council notes 8.3.3 of the Community Strategic Plan: 'Increase the quantity of trees and plants in our public spaces, parks and streets.'
6. Council notes that the measure of success is an increase in canopy and shrubs with a baseline of 23.9% increasing to 29.9% target in 2029
7. Council investigates allocating up to \$1 million each year over the life of the current Long Term Financial Plan to a newly established Neighbourhood Amenity Fund.

8. Council notes that Council was successful in two applications for funding under the Five Million Trees for Greater Sydney Grant program.
9. The aim of the Neighbourhood Amenity Fund is to improve local urban and residential amenity, increase tree canopy and landscaping, capture and keep rain where it falls, and lower street level temperature while improving residential amenity in all areas of Waverley.
10. Council establishes criteria to be used for the allocation of monies from this Fund and a process for the optimum allocation of the Fund to achieve the goal of reducing concrete surfaces and increasing landscaping and tree canopy on footpaths, roads, traffic islands, blisters and other public spaces, as deemed appropriate
11. Amenity improvement elements will include landscaping, pavement treatment, water sensitive urban design (WSUD) and lighting, as appropriate.
12. All traffic, road, footpath and landscaping works, including relevant SAMP projects, maintenance works and new capital projects, will have access to the Residential Amenity Fund and be assessed against the criterion of residential amenity improvement.
13. The Neighbourhood Amenity Fund will be used to top up base projects and not for full funding of projects.
14. A report will be prepared for the September 2019 Council meeting analysing the financial viability of this project.

Cr O'Neill was not present for the consideration and vote on this item.

CM/6.3/19.08 WorldPride 2023 (A19/0568)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

That:

1. Council supports in-principle the proposed high-impact event to take place at Bondi Beach for the Sydney Gay and Lesbian Mardi Gras Committee's bid to host WorldPride 2023.
2. Council notes a detailed high-impact event proposal will be brought to Council for approval in due course.
3. The Mayor writes to the Sydney Gay and Lesbian Mardi Gras (Sydney Mardi Gras) Committee expressing Council's support in principle.
4. Council investigates options for assisting in the winning of the bid.

Background

As a part of the Sydney WorldPride 2023 hosting bid, the Sydney Gay and Lesbian Mardi Gras (Sydney Mardi Gras) Committee has proposed a Beach Party at Bondi Beach.

The Bondi Beach Party is proposed to run from sunset to midnight on 26 February 2023. The program includes live performances, local and international entertainment, food and beverage outlets and beach sports, including the International WorldPride Beach Volley-Ball Competition—a fully inclusive event for

teams of all skills.

The Bondi Beach Party would be one of a host of events proposed over a nine-day period in February–March 2023, which includes:

- The 45th Anniversary Mardi Gras Parade and famous Mardi Gras After Party.
- InterPride Reception.
- Human rights and health conference.
- WorldPride march.
- Mardi Gras International Arts Festival.
- WorldPride opening and closing ceremonies.

The WorldPride event provides an opportunity to promote Pride globally, encourage diverse communities to hold and attend Pride events and to be a voice for the LGBTQI community around the world. The inaugural WorldPride was held in Rome in 2000. Cities that have hosted WorldPride include Rome, Jerusalem, London, Toronto, Madrid and New York City. WorldPride 2021 will be hosted by Copenhagen.

Sydney Mardi Gras has obtained grant funding to support the WorldPride 2023 bid from both the NSW and Federal Governments. The bid for Sydney WorldPride 2023 has received letters of support from:

- NSW Premier, Gladys Berejiklian.
- NSW Minister for the Arts, Don Harwin.
- NSW Minister for Tourism, Stuart Ayres.
- Lord Mayor of Sydney, Clover Moore.
- Alex Greenwich, Member for Sydney.
- Executive General Manager, Events Tourism Australia, Penny Lion.

Support for the World Pride Event 2023 would build on Council's previous support for the LGBTQI community, such as rainbow pride flags being displayed on the Bondi Pavilion and Council Chambers during the marriage equality debate, and Council's support for the ACON memorial project in Marks Park.

The event would also provide an opportunity to showcase the finished Bondi Pavilion Restoration and Conservation project to an international audience and would support an event that would benefit the local economy through increased visitation.

Alignment with Waverley Community Strategic Plan is as follows:

- 1.1.3: Provide a program of recreational and entertainment events that balances community and visitor expectations.
- 2.3: Strengthen people's inclusion in community life, promote diversity and celebrate. Aboriginal and Torres Strait Islander culture past, present and future.
- 4.3: Encourage tourism to support the local economy and contribute to local amenity.
- 4.3.1: Ensure tourism contributes to natural and cultural attractions and local amenity.
- 4.3.2: Support and enhance the tourist economy.

Cr O'Neill was not present for the consideration and vote on this item.

CM/6.4/19.08 Sydney Children's Hospital, Randwick - Cardiac Surgical Services (A02/0065)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

That Council:

1. Requests the Mayor to write to the NSW Premier, The Hon. Gladys Berejiklian, MP, and the NSW Minister for Health, The Hon. Brad Hazzard, MP (as soon as possible), requesting that the NSW State Government maintain a fully comprehensive children's hospital, with an appropriately funded cardiac surgical program, at the Sydney Children's Hospital, Randwick.
2. Circulates a copy of the above letter to the Councillors for their reference and information.
3. Approaches SSROC requesting that they canvas other Councils to support cardiac surgical services at Sydney Children's Hospital, Randwick.
4. Furnishes a copy of the letter prepared by the Mayor to Ms Gabrielle Upton, MP, Member for Vaucluse; Dr Marjorie O'Neill, MP, Member for Coogee; Mr Alex Greenwich, MP, Member for Sydney; and Mr Dave Sharma, MP, Member for Wentworth.

Cr O'Neill was not present for the consideration and vote on this item.

7. Reports**CM/7.1/19.08 Six Monthly Progress Report (A17/0229)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council receives and notes progress to 30 June 2019 with respect to the deliverables detailed in the Delivery Program, as set out in Attachment 1 to this report.

CM/7.2/19.08 Budget Carry Over - 2018/19 to 2019/20 (A03/0346)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council carries over budget funds from the 2018/19 financial year to the 2019/20 financial year, as set out in Attachment 1 to this report.

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

CM/7.3/19.08 Investment Portfolio Report - July 2019 (A03/2211)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council:

1. Receives and notes the Investment Summary Report for July 2019 attached to this report.
2. Notes that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

*Cr Nemesh was not present for the vote on this item.***CM/7.4/19.08 Petition - Waverley Crescent, Bondi Junction - Resident Parking Scheme (A12/0276)****MOTION / UNANIMOUS DECISION**

Mover: Cr O'Neill

Seconder: Cr Copeland

That Council refers the petition on introducing a resident parking scheme in Waverley Crescent, Bondi Junction, to the Executive Manager, Creating Waverley, for appropriate action, and a report come back to Council.

*Cr Nemesh was not present for the vote on this item.***CM/7.5/19.08 Petition - 'Not Welcome to Bondi' Mural (A08/1287-02)****MOTION (WITHDRAWN)**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council refers the petition on retaining the 'Not Welcome to Bondi' Mural on the Bondi Beach Sea Wall to the Executive Manager, Engaging Waverley, for appropriate action, and that a report come back to Council.

AMENDMENT (WITHDRAWN)

Mover: Cr Goltsman

Seconder: Cr Kay

That the Motion be adopted subject to the addition of the following clause:

'Notes that the following petition wording, "a politically-motivated campaign to remove this mural, by Waverley's Liberal Councillors", is not accurate and that no Liberal Councillors were involved in setting up a petition.'

AT THIS STAGE IN THE PROCEEDINGS, THE MOVER OF THE AMENDMENT WITHDREW THE AMENDMENT AND THE MOVER OF THE MOTION WITHDREW THE MOTION.

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

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council notes the petition.

CM/7.6/19.08 Draft Innovate Reconciliation Action Plan 2019–2021 (A14/0173)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wy Kanak

Seconder: Cr Masselos

That Council:

1. Endorses the draft Innovate Reconciliation Action Plan 2019–2021 (RAP) attached to this report for public exhibition.
2. Notes that the draft RAP has been endorsed by Reconciliation Australia.
3. Notes that a further report summarising consultation feedback will include a resourcing strategy to enable implementation of the RAP.
4. Notes that preliminary costing of cross organisation delivery of proposed RAP actions is estimated to be \$79,000.
5. Calls for expressions of interest for an artwork from an Indigenous artist to be featured on the cover of the RAP, and that the Public Art Committee review and choose the successful applicant and artwork.

CM/7.7/19.08 Festive Activation Program 2019 (A18/0548)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Wy Kanak

That:

1. Council defers this motion pending consideration of the following:
 - (a) The inclusion of a decorated Christmas tree in Bondi Junction Mall.
 - (b) Fairy lights in trees at various locations; for example, the trees along Bondi Road from Council Chambers to Park Parade; trees in Bondi Junction; trees in Bondi; and the rest of the trees in Norman Place.
 - (c) Lights strung across the street at various shopping precincts; for example, Charing Cross shopping precinct and in Hunter Ward (need to specify a site).
 - (d) Banners along Campbell Parade, Bondi Junction and around Council Chambers.
 - (e) Christmas decorations that can be hung from light poles down Bondi Road that will not obstruct line of sight for traffic.

- (f) Budget costing.
2. A report come back to the September 2019 meeting.

CM/7.8/19.08 Resident Parking Schemes - Review of Policy, Process and Procedures - Methodology (A03/2581)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council adopts the following approach for the review of resident parking schemes:

1. A working party of appropriate Council officers, the Mayor or alternate, the Deputy Mayor or alternate and Cr Kay or alternate be formed to undertake the review.
2. The working party, once formed, meet on a fortnightly basis and report back to Council on the outcome of the review.

CM/7.9/19.08 Herbicide Reduction Study - Assessment Report (A06/0333)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council:

1. Aims to protect the environment, humans and animals in any area where weeding is taking place, as well as achieving the most efficient weeding practices.
2. Receives and notes the Herbicide Reduction Study Assessment Report by NGH Environmental attached to this report.
3. Immediately ceases the use of glyphosate (diluted and undiluted) in identified 'Sensitive Places' and 'Chemically Sensitive Places'. These locations are to be mapped and the map made publicly available. Locations where glyphosate (diluted and undiluted) will be prohibited from use will include:
 - (a) Playgrounds.
 - (b) Areas around schools and parks adjacent to schools.
 - (c) Bondi Beach Park, including Campbell Parade, Queen Elizabeth Drive, Park Drive and Biddigal Reserve; Bronte Park and Gully, including upper Bronte Gully; Tamarama Park and Gully.
 - (d) Sports playing fields under the management responsibility of Council.
 - (e) Other areas that property owners request.
4. Immediately begins using non-glyphosate (diluted and undiluted) treatments for controlling weeds, including hand weeding, brush cutting, chipping, mulching and suppression of seed heads and mowing.

5. Phases out any rostered, scheduled glyphosate (diluted and undiluted) applications to Council's footpaths, kerb and gutters and stormwater infrastructure and implements the management options outlined in clause 4 above as they become available and feasible.
6. Commits by 2020/21 to reducing the amount of glyphosate (diluted and undiluted) used across Council operations by 100% based on Council's 2018 usage, and achieves this through alternative treatment methods, including alternative herbicides and non-herbicide techniques.
7. Ensures Council staff and subcontractors are trained in weed identification, weed plant lifecycles and are knowledgeable of the appropriate treatment methods.
8. Ensures Council staff and contractors using glyphosate (diluted and undiluted) are supplied with and wear personal protective equipment (PPE) that is appropriate for the job. The selection of PPE is dependent on a detailed risk assessment. The risk assessment should consider the work situation, the physical form of the chemical, the handling methods and environmental factors.
9. Updates weed policies and strategies to specifically address the objective of reducing and eliminating glyphosate (diluted and undiluted) use.
10. Develops a community information and communication plan to inform the public on reducing and eliminating herbicide use by Council, but also within the community.
11. Reports back to Council by June 2020 on glyphosate (diluted and undiluted) use for 2019/20, and the weed management program for 2019–20.
12. Prepares a further report that includes:
 - (a) Further scientific evidence that shows if glyphosate is more harmful than alternative methods, and under what circumstances, or that proves glyphosate can be used safely, and in what manner.
 - (b) An updated comparison between using organic alternatives and glyphosate (overall outcomes and environmental effects for each) to that provided in Appendix L of the Assessment Report.
 - (c) Protocols and processes that ensure Council workers follow all necessary directions for using glyphosate as per specified use, including wearing PPE clothing, and to eliminate community safety concerns; ensure their ChemCert Certificates are updated accordingly.
 - (d) Further investigation into alternative application methods for using weed wands and paint brushes to limit glyphosate use and eliminate any drift and run off, as identified in Appendix L of the Assessment Report.
 - (e) Consideration of a simple hierarchy of weed management until a total ban of glyphosate is introduced.
 - (f) Weed control standards as Council moves towards a ban of glyphosate in the local government area, and what effects this ban might have on those suffering from allergies or other respiratory conditions.
 - (g) Updated information on which countries and Australian councils have banned or significantly reduced glyphosate use and their outcomes based on environmental experiences following the ban.
 - (h) How, and in what time frame, would Council need to update the design and maintenance of its

open spaces to better facilitate a total ban.

- (i) Identifying if Council has a liability when using glyphosate and, if so, measures to eliminate it while glyphosate is still used, noting that Council's Pesticide Use and Notification Plan will assist.
 - (j) How are the approximately \$790,000 per year costs to be funded from Council's 2019/20 budget and Long-Term Financial Plan (LTFP).
13. Develops a policy for the designing and/or redesigning of outdoor spaces and gardens that facilitates weed resistance.

D Walsman and R Nothman addressed the meeting.

CM/7.10/19.08 Hugh Bamford Reserve and Williams Park - Plan of Management (A18/0191)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Nemesh

That Council:

1. Treats Attachment 1 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 attachment contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
2. Places the draft Hugh Bamford and Williams Park Plan of Management attached to this report on public exhibition for the period of 42 days during which submissions may be made to Council in accordance with section 38 of the *Local Government Act 1993*.
3. Notes that the NSW Department of Planning, Industry and Environment (Crown Lands NSW) will receive a copy of the draft Plan of Management.
4. Notes that officers will provide a further report to Council following public exhibition seeking adoption of the Plan of Management.

CM/7.11/19.08 Venue Hire Grant - WAYS Youth and Family (A19/0203)

Cr Betts declared a significant non-pecuniary interest in this item, and informed the meeting that she is on the board of WAYS. Cr Betts was not present at, or in sight of, the meeting for the consideration and vote on this item.

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council, under section 356 of the *Local Government Act 1993* and the Venue Hire Grants Program 2019–20, grants \$7,620 in financial assistance to WAYS Youth and Family for the use of the indoor sports court at the Margaret Whitlam Recreation Centre up to 30 June 2020.

CM/7.12/19.08 Voluntary Planning Agreement - 41 O'Donnell Street, North Bondi (DA-164/2015/B)**MOTION / DECISION**

Mover: Cr Wakefield
Seconder: Cr Lewis

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 41 O'Donnell Street, North Bondi. The draft Planning Agreement offers a total monetary contribution of \$58,459, with \$52,613 (90%) to go towards the improvement and regeneration of parks and reserves in the Bondi area and \$5,845 (10%) to go towards Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

Division

For the Motion: Crs Betts, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh, O'Neill and Wakefield.

Against the Motion: Crs Keenan and Wy Kanak.

CM/7.13/19.08 Minutes - Access Advisory Committee - 11 July 2019 (SF19/1990)**MOTION / UNANIMOUS DECISION**

Mover: Cr Keenan
Seconder: Cr Nemesh

That Council receives and notes the minutes of the Access Advisory Committee meeting held on 11 July 2019 attached to this report.

CM/7.14/19.08 Cleaning Contract for Council Facilities - Extension (A13/0228)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Wy Kanak

That Council:

1. Notes that a tender for cleaning services of Council facilities is currently being prepared.
2. Notes that its current cleaning services contract with Challenger Services Group Pty Ltd (CSG) expires on 30 August 2019.
3. Extends its contract with CSG to 29 March 2020 to allow for the completion of the tender process.
4. Notes that the contract price for the period of extension is estimated to be \$640,000, with the funds existing in the 2019-20 operational budget.
5. Notes that the current contract will be varied to include a transition plan to ensure the effective transition to a new supplier, should that be the outcome of the tender.

**CM/7.15/19.08 Tender Evaluation - Margaret Whitlam Recreation Centre Remedial Repairs
(A19/0306)**

MOTION / UNANIMOUS DECISION

Mover: Cr O'Neill
Seconder: Cr Copeland

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as the Matrix relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.
2. Transfers \$274,200 from the SAMP Buildings Reserve to cover the shortfall in the budget for the Margaret Whitlam Recreation Centre Remedial Works.
3. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts RMA Contracting Pty Ltd as the preferred tenderer for the Margaret Whitlam Recreation Centre Remedial Repairs for the sum of \$417,977 (excluding GST).
4. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with RMA Contracting Pty Ltd.
5. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

CM/7.16/19.08 Precinct Committees - Motions (A04/0038)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council receives and notes the list of motions received from Precincts for the period February 2019 to June 2019 attached to this report.

8. Notices of Motions**CM/8.1/19.08 RESCISSION MOTION - CM/5.2.4/19.07 - Military Road - Pinch Point Improvements (A16/0524)****MOTION**

Mover: Cr Lewis
Seconder: Cr Wakefield

That resolution CM/5.2.4/19.07 – Military Road – Pinch Point Improvements, passed at the Council meeting on 16 July 2019, be rescinded.

FORESHADOWED MOTION

Mover: Cr Lewis
Seconder: Cr Wakefield

That Council undertakes the proposed works at pinch point locations 1, 2 and 3 along Military Road, in accordance with the drawings attached to the June Traffic Committee report.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos, O'Neill, Wy Kanak and Wakefield.
Against the Motion: Crs Betts, Goltsman, Kay and Nemesh.

DECISION: That the Rescission Motion be adopted.

THE FORESHADOWED MOTION NOW BECAME THE MOTION.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

Immediately after the meeting, a notice of motion to rescind this decision was lodged with the General Manager. The rescission motion will be considered at the next Council meeting.

CM/8.2/19.08 Treaty on the Prohibition of Nuclear Weapons (A02/0267)**MOTION / UNANIMOUS DECISION**

Mover: Cr Copeland
Seconder: Cr Keenan

That Council:

1. Welcomes and endorses the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2017 and calls on our national government to sign and ratify it without delay.
2. Notes that our municipality is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment.
3. Notes that the following distinguished Australians have signed the appeal to the Australian government to support a global ban on nuclear weapons:

- (a) Rt Hon Doug Anthony AC.
- (b) Hon Peter Baume AC.
- (c) Hon Sir Gerald Brennan AC, KBE, QC.
- (d) Ita Buttrose AO, CBE.
- (e) John Coates AC.
- (f) Tony Eggleton AO.
- (g) Prof Allan Fels AO.
- (h) Air Vice Marshall James Flemming AO.
- (i) Rt Hon. Malcolm Fraser AC.
- (j) Margaret Fulton OAM.
- (k) Hon Dame Margaret Guilfoyle AC, DBE.
- (l) Rt Rev Dr Peter Hollingsworth AC, CBE.
- (m) Janet Holmes à Court AC.
- (n) Hon T.E.F. Hughes AO, QC.
- (o) Maj-Gen Michael Jeffery AC, CVO, MC.
- (p) Vice Adm. David Leach AC, CBE.
- (q) Hon. Sir Anthony Mason AC, KBE, QC.
- (r) Baillieu Meyer AC.
- (s) Sir Eric Neal AC.
- (t) Sir Gustav Nossal AC, CBE.
- (u) Hon. Andrew Peacock AC.
- (v) Air Vice Marshall Robert Richardson AO, AFC.
- (w) Hon. Kevin Rozzoli AM.
- (x) Rt Hon. Sir Ninian Stephen KG, AK, GCMG, GCVO, KBE.
- (y) Carla Zampatti AC.

CM/8.3/19.08 Bondi Pavilion Construction Plan of Management - Community User Groups and Organisers of Community Cultural Activities (A15/0272)

Cr Copeland declared a pecuniary interest in this item, and informed the meeting that he works part-time at the Pavilion. Cr Copeland was not present at, or in sight of, the meeting for the consideration and vote on this item.

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak

Seconder: Cr Keenan

That:

1. In preparation of the Construction Plan of Management for the proposed renovation works at Bondi Pavilion, Council includes measures to maintain continuity of delivery of community cultural activities currently accommodated in the Pavilion.
2. Council convenes a meeting of community user groups and organisers of community-based cultural activities as soon as possible, and before October 2019, to:
 - (a) Provide them with information and likely time frame for the proposed works.
 - (b) Seek any reasonable requirements for alternative community space over the likely period of proposed works.
 - (c) Support and assist with the provision of alternative spaces to match requirements, as identified at the meeting.
3. Council notes the Director's comments that the motion's requested actions are already being actioned within the time frame indicated above.

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

CM/8.4/19.08 Standing Committee on the Environment and Energy Inquiry (A02/0267)

MOTION

Mover: Cr Wy Kanak

Seconder: Cr Keenan

That Council:

1. Notes that the Energy Minister, Mr Angus Taylor, MP, has tasked the Standing Committee on the Environment and Energy to investigate the use of nuclear energy in Australia. This is also the first time the Australian Parliament has ever undertaken such an inquiry.
2. Notes that the Waverley local government area has been a nuclear-free zone for decades and any move to nuclear energy generation is highly concerning.
3. Writes to the Chair of the Standing Committee, Mr Ted O'Brien, MP, outlining Council's serious concerns and objecting to any lifting of the moratorium on nuclear energy generation in Australia.
4. Writes also to the Shadow Minister for Climate Change and Energy, Mr Mark Butler, MP, outlining Council's serious concerns and objecting to any lifting of the moratorium on nuclear energy generation in Australia.

AMENDMENT

Mover: Cr Goltsman

Seconder: Cr Kay

That the Motion be adopted subject to the deletion of clause 2.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division**For the Amendment:** Crs Betts, Goltsman, Kay and Nemesh**Against the Amendment:** Crs Copeland, Keenan, Lewis, Masselos, O'Neill, Wy Kanak and Wakefield.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division**For the Motion:** Crs Copeland, Keenan, Lewis, Masselos, O'Neill, Wy Kanak and Wakefield.**Against the Motion:** Crs Betts, Goltsman, Kay and Nemesh

DECISION: That the Motion be adopted.

CM/8.5/19.08 Bronte Beach Village Upgrade - Café Footpath Seating (A16/0755)

At 10.10 pm, during the consideration of this item, Cr Wakefield vacated the chair. The Deputy Mayor, Cr Wy Kanak, assumed the chair. At 10.14 pm, Cr Wakefield assumed chair.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr O'Neill

That Council:

1. Recognises the disruption to Bronte Beach cafés that will be caused by the footpath upgrade.
2. Understands that the upgrade of the footpath in front of the Bronte Beach Village cafés may take up to six weeks.
3. Acknowledges that, during this time, the cafés will not be able to use the footpath for their dining for a short period of time, for which they pay Council a monthly fee.
4. Considers providing financial assistance under section 356 of the *Local Government Act 1993* to the businesses affected by the works by means of a credit applied to the accounts of each of the impacted businesses for the full value of the footpath fees for a four-week period.
5. Places the proposal for financial assistance to the affected businesses on public exhibition for a period of 28 days before final consideration of the proposal.

CM/8.6/19.08 Bondi Beach Sea Wall Murals (A08/1287-02)**MOTION / UNANIMOUS DECISION**

Mover: Cr Goltsman

Seconder: Cr Kay

That Council:

1. Condemns the illegal defacing of the mural painted by Luke Cornish on the Bondi Beach Sea Wall that was identified on the morning of Wednesday, 7 August 2019.
2. Notes that no Councillors were involved in the selection of the Cornish mural.
3. Officers re-assess and update, where necessary, the sea wall mural guidelines and curatorial processes to ensure that they:
 - (a) Align with Waverley's Community Strategic Plan Vision Statement, which states 'Waverley: connecting the city and the sea. A welcoming and cohesive community that celebrates and enhances our spectacular coastline, vibrant places, and rich cultural heritage.'
 - (b) Provide an equitable process for all sea wall mural applicants, including:
 - (i) The requirement that a concept design of all artwork is prepared by the artist and approved by the Council officer curatorial panel against the updated guidelines prior to it being painted.
 - (ii) The duration for the mural to be retained on the sea wall.
 - (iii) When it is appropriate for the mural to be aligned with an exhibition and event at Bondi Beach.
4. Officers consult the Waverley Public Art Committee on any proposed new guidelines and curatorial processes, and a recommendation from this Committee be presented in a report for Council consideration.
5. Encourages freedom of expression, subject to all artwork in the public domain complying with Council's guidelines, processes, plans and policies.

CM/8.7/19.08 Paul Street and Kenilworth Street Traffic Study (A19/0532)**MOTION / UNANIMOUS DECISION**

Mover: Cr Kay

Seconder: Cr Betts

That Council:

1. Officers immediately consult residents of the 'Hilltop' unit block at the intersection of Paul Street and Kenilworth Street to identify simple solutions, maybe temporary, which might include physical barriers, that can improve pedestrian, vehicle and local infrastructure safety at the intersection while the traffic study is being performed. Action to be taken promptly.
2. Expedites the traffic study for the area around the intersection of Paul Street and Kenilworth Street, Bondi Junction.

3. Sources funding for the traffic study from Creating Waverley's 2019/20 'Consultants and Technical Assistance' contingency budget, as indicated in the General Manager's comment.

S Rogers addressed the meeting.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

CM/10.1/19.08 Coastal Risk Management - Diamond Bay Reserve and Coastal Walkway and Other Areas (A03/0946)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Kay

That Council deals with this matter as an item of urgent business for the following reasons:

1. The recent tragic loss of life at Diamond Bay Reserve.
2. Ongoing behaviour from members of the public creating potential risks to life.
3. The need for Council to consider possible further action in relation to the above.

Council subsequently resolved to deal with this matter in closed session.

11. Closed Session

CM/11/19.08 Closed Session

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: 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 1993* for the reasons specified:

CM/11.1/19.08 CONFIDENTIAL REPORT - Hotel Raveis, 118-122 Campbell Parade, Bondi Beach - Airspace Lease to Debilu Pty Ltd

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

CM/11.2/19.08 **CONFIDENTIAL REPORT - Tamarama Surf Life Saving Club - Building Upgrade Project - Heads of Agreement**

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

CM/11.3/19.08 **CONFIDENTIAL REPORT - General Manager's Annual Performance Review - Report of the Performance Review Committee**

This matter is considered to be confidential in accordance with section 10A(2)(a) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning a particular individual (other than a councillor).

CM/11.4/19.08 **CONFIDENTIAL REPORT - Coastal Risk Management - Diamond Bay Reserve and Coastal Walkway and Other Areas**

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

2. Pursuant to sections 10A(1), 10(2) and 10A(3) of the *Local Government Act 1993*, 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 1993*.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act 1993*.

At 10.27 pm, Council moved into closed session.

CM/11.1/19.08 CONFIDENTIAL REPORT - Hotel Ravesis, 118-122 Campbell Parade, Bondi Beach - Airspace Lease to Debilu Pty Ltd (A19/0250)

MOTION / DECISION

Mover: Cr Wakefield
Seconder: Cr Masselos

That Council:

1. Treats 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 information in this report relating to the tenure and the lease executed with Bondi Pacific.
3. Notes the legal advice contained in this report regarding Crown Land air indices.
4. Enters into a lease with Debilu Pty Ltd for the balcony airspace associated with Hotel Raveis, 118–122 Campbell Parade, Bondi Beach, on the terms and conditions contained in this report.
5. Authorises the General Manager to finalise the negotiations and execute all necessary documents to complete the matter.

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

Cr Kanak requested that it be recorded in the minutes that he voted against the Motion.

CM/11.2/19.08 CONFIDENTIAL REPORT - Tamarama Surf Life Saving Club - Building Upgrade Project - Heads of Agreement (A19/0445)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr O'Neill

That Council:

1. Treats 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. Endorses the Heads of Agreement between Council and Tamarama Surf Life Saving Club attached to this report for the proposed Tamarama Surf Life Saving Club Building Upgrade Project.
3. Authorises the General Manager to do all things necessary to finalise and enter into the Heads of Agreement.
4. Prepares an Agreement for Lease for the Tamarama Surf Life Saving Club to include both the upgraded club building plus the surf club storage facility located in Tamarama Park, with a report to come back to Council for approval.
5. Writes to the Office of Local Government to seek approval to enter into a Public Private Partnership with Tamarama Surf Life Saving Club for the proposed Tamarama Surf Life Saving Club Building Upgrade Project.
6. Notes that the Council's funding contribution to the cost of the project, as outlined in Table 1 of this report, has been allocated in the draft Long Term Financial Plan 2019/20–2029/30.

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

M Salval (on behalf of Tamarama Surf Life Saving Club) addressed the meeting.

CM/11.3/19.08 CONFIDENTIAL REPORT - General Manager's Annual Performance Review - Report of the Performance Review Committee (P18/0052)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council:

1. Treats 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)(a) of the *Local Government Act 1993*. The report contains personnel matters concerning a particular individual (other than a councillor).
2. Receives and notes the minutes of the Performance Review Committee meeting held on 13 August 2019 attached to this report.
3. Endorses the decisions made by the Committee.

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

CM/11.4/19.08 CONFIDENTIAL REPORT - Coastal Risk Management - Diamond Bay Reserve and Coastal Walkway and Other Areas (A03/0946)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Wakefield

That Council:

1. Treats 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. Expresses its sympathy and sadness at the tragic loss of life that occurred at the Diamond Bay Reserve on Saturday, 17 August 2019.
3. Notes the action taken and underway in response to Council resolution CM/8.3/19.06.
4. Notes the additional action undertaken by Council following the tragic events of 17 August 2019.
5. Notes the legal advice and summary of issues set out in the report.
6. Endorses the carrying out of an independent coastal risk review by suitably qualified assessors to guide further decision making on risk management along the Waverley local government area coastline. Diamond Bay Reserve is to be a priority, with an interim report to be presented to Council as soon as possible.
7. Urgently explores and takes appropriate action related to:
 - (a) Installing additional temporary barriers.
 - (b) Signage.

- (c) Social media messaging, including on WeChat, Weibo and similar channels.
 - (d) Internet sites, tourist sites and other PR outlets, including TripAdvisor.
 - (e) Compliance action.
 - (f) Investigating legal remedies, including trespass.
8. Investigates action related to:
- (a) Community education.
 - (b) Licensing and other legal options.
 - (c) CCTV.
 - (d) Identifiable commercial operators, such as photographic businesses.
 - (e) Parking regulations in the immediate vicinity.
 - (f) Activities by other Councils in managing similar locations.
9. Contacts the State Member for Vacluse, Gabrielle Upton, MP, to seek assistance in this matter.
10. Requests the Diamond Bay/Vacluse and Dover Heights Precincts to provide input.

R Nothman addressed the meeting.

AT THIS STAGE IN THE PROCEEDINGS, AT 11.25 PM, CR GOLTSMAN MOVED A PROCEDURAL MOTION, SECONDED BY CR WAKEFIELD, TO EXTEND THE TIME OF THE MEETING.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED.

12. Resuming in Open Session

CM/12/19.08 Resuming in Open Session

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Goltsman

That Council resumes in open session.

At 11.28 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 11.35 PM.

.....
SIGNED AND CONFIRMED
MAYOR
17 SEPTEMBER 2019

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/19.09



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 22 August 2019

TRIM No: SF19/328

Author: Natalie Kirkup, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 22 August 2019 be received and noted, and that the recommendations contained therein be adopted.

Introduction/Background

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

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

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

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

Attachments

1. Waverley Traffic Committee Minutes - 22 August 2019

**MINUTES OF THE WAVERLEY TRAFFIC
COMMITTEE MEETING HELD AT WAVERLEY
COUNCIL CHAMBERS, CNR PAUL STREET AND
BONDI ROAD, BONDI JUNCTION ON
THURSDAY, 22 AUGUST 2019**



Voting Members Present:

Cr J Wakefield	Waverley Council (Chair)
Cr T Kay	Waverley Council (Alternate Chair)
Sgt L Barrett	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Mr B Borger	Roads and Maritime Services – Network and Safety Officer (South East Precinct)
Mr P Pearce	Representing Marjorie O'Neill, MP, Member for Coogee
Ms J Zin	Representing Gabrielle Upton, MP, Member for Vaucluse

Also Present:

Snr Cst A Birchansky	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Mr B Gidies	State Transit – Traffic and Services Manager (Eastern Region)
Mr D Joannides	Waverley Council – Executive Manager, Creating Waverley
Mr G Garnsey	Waverley Council – Manager, Transport and Development
Mr K Mowad	Waverley Council – Senior Traffic Engineer
Mr C Yabuka	Waverley Council – Manager, Strategic Transport

At the commencement of proceedings at 10.02 am, those present were as listed above.

At 12.00 pm, Cr Wakefield relinquished the chair, left the meeting and did not return. Cr Kay assumed the chair for the remainder of the meeting.

Apologies

There were no apologies.

Declarations of Pecuniary and Non-Pecuniary Interests

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

1. Cr Kay declared a less than significant non-pecuniary interest in Item TC/V.03/19.08 – Seven Ways, Bondi Beach – Public Domain Upgrade Project, and informed the meeting that he lives less than 200 m from the subject site.

Adoption of Previous Minutes by Council - 25 July 2019

The recommendations contained in Part 1 – Matters Proposing that Council Exercise its Delegated Functions – of the minutes of the Waverley Traffic Committee meeting held on 25 July 2019 were adopted by Council at its meeting on 20 August 2019, with the following change:

1. TC/C.01/19.07 – Arden Street, Bronte – Macpherson Street to Varna Street – Safety Review and Concept Design.

The Traffic Committee's recommendation was adopted subject to referring the proposal to the relevant Council team for soft surface beautification.

PART 1 – MATTERS PROPOSING THAT COUNCIL EXERCISE ITS DELEGATED FUNCTIONS

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

TC/C STATE ELECTORATE OF COOGEE

TC/C.01/19.08 Ocean Street (South), Bondi - Kerb Blisters (A03/0042-04)

COUNCIL OFFICER'S PROPOSAL:

That Council approves the installation of kerb blisters and associated changes to line marking and signage on both sides of Ocean Street (South) immediately north of the intersection with Birrell Street, Bondi, as per Drawing 9004 Issue A attached to this report.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/C.02/19.08 Bronte Road, Queens Park - 'P15 Minute' Parking (A03/0042-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council installs a 5.5 m long 'P15 Minute 8.00am-6.00pm' zone immediately north of the driveway to 141 Bronte Road, Queens Park.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/C.03/19.08 Multiple Streets - 'No Stopping' Zones (A02/0637-02)**COUNCIL OFFICER'S PROPOSAL:**

That Council installs 'No Stopping' zones as follows at the following intersections:

1. Newland Lane and Manning Street, Queens Park:
 - (a) On the southern side of Newland Lane 10m east of Manning Street.
2. Newland Lane and Cuthbert Street, Queens Park:
 - (a) On the eastern side of Newland Lane 8.5m south of Cuthbert Street terminating at the driveway at the rear of No. 1 Manning Street.
 - (b) On the southern side of Cuthbert Street 10m east of Newland Lane.
3. Cuthbert Street and Stanley Street, Queens Park:
 - (a) On the northern side of Cuthbert Street 10m west of Stanley Street.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/C.04/19.08 Denison Street, Bondi Junction - Temporary Closure for Tower Crane Dismantling (A19/0394)**COUNCIL OFFICER'S PROPOSAL:**

That:

1. Council approves the temporary closure of Denison Street between Oxford Street and Spring Street between 4am and 9pm (crane to start setting up from 5am) on Sunday 15 September in accordance with the "Traffic Control Plan – Tower Crane Dismantle – Road Closure" drawn by Commercial TC dated 31 July 2018.
2. Council approves the removal of all parking spaces in Denison Street between Oxford Street and Spring Street to facilitate the manoeuvring of semi-trailers into the crane lift area.
3. Council delegate's authority to the Executive Manager, Creating Waverley to approve any backup date and times for the temporary closure of Denison Street between Oxford Street and Spring Street if required.
4. Businesses and residents affected by the closure and emergency services be notified of the closure in writing by the applicant not less than seven (7) days prior to the road closure.
5. A copy of the notification letter be forwarded to the Senior Traffic Engineer for approval prior to distribution.
6. A Council compliance officer be present for the duration of the works at the applicant's expense and that this be communicated to the applicant.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

A Hafda (on behalf of Parkview Constructions) addressed the meeting.

TC/C.05/19.08 Bondi Junction Cycleway and Streetscape Upgrade - Signage and Linemarking Plans (A14/0193)**COUNCIL OFFICER'S PROPOSAL:**

That Council approves signage and line marking drawings L501 to L515 Issue "1" dated 19 July 2019 prepared by Spackman Mossop Michaels, and drawings P2966 Sheets 1-2, 100-100 Issue "3" dated 13 August 2019 prepared by Bitzios Consulting for the Bondi Junction Cycleway and Streetscape Upgrade project as attached to this report.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted, subject to being amended to read as follows:

That Council:

1. Approves signage and line marking drawings L501 to L515 Issue "1" dated 19 July 2019 prepared by Spackman Mossop Michaels, and drawings P2966 Sheets 1-2, 100-110 Issue "3" dated 13 August 2019 prepared by Bitzios Consulting for the Bondi Junction Cycleway and Streetscape Upgrade project as attached to this report, subject to:
 - (a) Changes recorded by the Executive Manager, Creating Waverley on plans in the attachments to this report.
 - (b) Clarification of 'give way' signs at the intersections of Ruthven Street and Mill Hill Road with Oxford Street.
 - (c) The installation of 'dismount' signs at the crossing at the intersection of Nelson and Oxford Streets.
 - (d) Clarification and any necessary changes to regulatory signage at the intersections of Bronte Road and Oxford Street and Bronte Road and Spring Street.
2. Notes that there will be additional signage and surface treatments at the entrances to Oxford Street Mall.

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

TC/V STATE ELECTORATE OF VAUCLUSE

**TC/V.01/19.08 Wellington Street, Bondi - Changes to Median Island near Edward Street.
(A03/0042-04)**

COUNCIL OFFICER'S PROPOSAL:

That Council approves the changes to the existing median island, line marking, signage and pavement on Wellington Street immediately south of and at the intersection with Edward Street, Bondi as per Drawing No. 9003 Issue B attached to this report.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.02/19.08 Old South Head Road, Bondi Junction - Bondi Road to Bon Accord Avenue - Shared Path Upgrade (SF19/3435)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs updated pavement markers and new planting on the shared path along Old South Head Road between Bondi Road and Bon Accord Avenue as per Rev "G" drawings L101, L102 and L103 prepared by Spackman Mossop Michaels contained in Attachment 1 to this report which are consistent with the pavement markers already installed along the Old South Head Road shared path at Bondi Road between Bon Accord Avenue and Victoria Street.
2. Notes changing the red light and speed sign from two poles to one pole is subject to RMS approval.
3. Notes the intention to remove the concrete islands at the Paul Street intersection with Old South Head Road and replace with continuous footpath subject to RMS and future Traffic Committee approval.
4. Notes the intention to install continuous footpath or alternative traffic calming at the intersection of Bon Accord Avenue and Old South Head Road subject to RMS and future Traffic Committee approval.
5. Notes original concept design and responses relating to existing shared path for community consultation in January/February 2017 for Old South Head Road shared path upgrade (Attachments 3, 4, and 5).

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to clause 1 being amended to include 'subject to the provision of signage to indicate the end of the shared path' at the end of the clause.

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

TC/V.03/19.08 Seven Ways, Bondi Beach - Public Domain Upgrade Project (A03/0042-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. In accordance with Drawing No. L-161 dated 9 August 2018 attached to this report, approves:
 - (a) The closure of Warners Lane to vehicular traffic and removal of the vehicular crossings/driveways at its Glenayr Avenue and Blair Street ends.
 - (b) The loss of four parking spaces from Warners Lane.
 - (c) The gain of one new parking space on Blair Street as a result of the closure of the driveway on Warners Lane at its western end.
 - (d) The loss of one on street parking space on the southern side of Blair Street east of Glenayr Avenue to allow for the installation of a kerb blister to improve pedestrian access and safety.
2. Installs four timed parking spaces on the north eastern side of Glenayr Lane.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to the additional requirement that Council submits a Traffic Management Plan for the closure of Warners Lane to RMS.

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

TC/V.04/19.08 Hardy Street, North Bondi - Changes to "No Parking" Zone (A02/0637-02)**COUNCIL OFFICER'S PROPOSAL:**

That Council approves the relocation of the existing "No Parking" (arrow left) from the southern side of the driveway to No.31 Hardy Street, North Bondi to the southern side of the driveway at No. 33 Hardy Street.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE**TC/CV.01/19.08 Accessible Parking in Kenneth Street and Marks Lane, Tamarama (A05/1638)**

This item was listed on the agenda under the Electorates of Coogee and Vaucluse in error. The item only relates to the State Electorate of Coogee.

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs a 6.7m long, 'P DISABILITY ONLY' parallel parking space on the flat crest of Marks Lane opposite No. 91 Fletcher Street, as shown in Figure 1 and attached plan.
2. Installs a double 2.4m wide 'P DISABILITY ONLY' 90 degree angle parking space with 2.4m wide shared area outside No. 23 Kenneth Street, as shown in Figure 2 and attached plan.
3. Installs 'No Stopping' yellow lines to new 2x pram ramps along Marks Lane and attached plan.
4. Removes the existing 'No Stopping' yellow lines to 2x removed pram ramps along Marks Lane and attached plan.
5. Installs a 'No Stopping' sign to existing pram ramp on the corner of Marks Lane and Fletcher Street and attached plan.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted, subject to clause 3 being amended to include 'and signage' after 'yellow lines' and typographical errors being corrected, such that the Proposal reads as follows:

That Council:

1. Installs a 6.7m long, 'P DISABILITY ONLY' parallel parking space on the flat crest of Marks Lane opposite No. 91 Fletcher Street, as shown in Figure 1 on the attached plan.
2. Installs a double 2.4m wide 'P DISABILITY ONLY' 90 degree angle parking space with 2.4m wide shared area outside No. 23 Kenneth Street, as shown in Figure 2 on the attached plan.
3. Installs 'No Stopping' yellow lines and signage to new 2x pram ramps along Marks Lane as shown on the attached plan.
4. Removes the existing 'No Stopping' yellow lines to 2x removed pram ramps along Marks Lane as shown on the attached plan.
5. Installs a 'No Stopping' sign to existing pram ramp on the corner of Marks Lane and Fletcher Street as shown on the attached plan.

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

**TC/CV.02/19.08 Sculpture by the Sea 2019 - Special Event - Transport Management Plan
(A19/0394)**

COUNCIL OFFICER'S PROPOSAL:

That Council approves the traffic and transport arrangements for the Sculpture by the Sea 2019 Special Event as per the attached Transport Management Plan, subject to the following conditions:

1. Council must:
 - (a) Forward the Transport Management Plan (TMP) to the RMS for TfNSW approval of the temporary closures and implementation of one-way movements.
 - (b) Undertake the Traffic Control for the event.
 - (c) Develop and implement a Communications Strategy, in conjunction with the Event Organiser, to notify the local residents of the changes to traffic conditions.
2. The Event Organiser must:
 - (a) Provide an Event Management Plan to Council's events team for approval at least four (4) weeks prior to the event including public liability insurance for the event.
 - (b) Apply for crane permits.
3. The Executive Manager, Creating Waverley be delegated authority to:
 - (a) Inspect the TMP.
 - (b) Audit the implementation of the TMP.
 - (c) Cancel this approval, without notice or refund.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/CV.03/19.08 Multiple Streets- P Disability Zones (A18/0719)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 5.5m long "P Disability Only" zone outside 10 Ebley Street, Bondi Junction immediately east of the "No Stopping" zone at the driveway to the Waverley Council Library.
2. Installs a 5.5m long "P Disability Only" zone outside 370 Military Road, Vaucluse immediately west of the driveway to the property.
3. Removes the existing "P Disability Only" zone outside 84 Ruthven Street, Bondi Junction.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

THE MEETING CLOSED AT 12.35 PM.

.....
SIGNED AND CONFIRMED
MAYOR
17 SEPTEMBER 2019

MAYORAL MINUTES CM/6/19.09

Subject: Mayoral Minutes

Author: Mayor of Waverley, Cr John Wakefield



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/7.1/19.09

Subject: Draft 2018/19 Financial Statements

TRIM No: A19/0124

Author: Teena Su, Executive Manager, Finance

Director: Darren Smith, Chief Financial Officer

RECOMMENDATION:

That:

1. Council, in relation to the financial statements required in accordance with section 413(2)(c) of the *Local Government Act 1993*, resolves that in its opinion the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2019:
 - (a) Have been properly drawn up in accordance with the provisions of the *Local Government Act 1993*, the *Local Government (General) Regulation 2005*, the Australian Accounting Standards and professional pronouncements, and the Local Government Code of Accounting Practice and Financial Reporting.
 - (b) To the best of the Council's knowledge and belief, present fairly the Council's operating result and financial position for the year and accord with the Council's accounting and other records.
2. Council is unaware of any matter that would render the financial statements false or misleading in anyway.
3. The Statement by Councillors and Management for the General Purpose Financial Statements and Special Purpose Financial Statements, on page 3 of the Annual Financial Statements, be signed by the Mayor, a Councillor, the General Manager and the Responsible Accounting Officer.
4. The Statement by Councillors and Management for the Special Purpose Financial Statements, on page 2 of the Special purpose Financial Statements, be signed by the Mayor, a Councillor, the General Manager and the Responsible Accounting Officer.
5. The financial statements be referred to Council's auditor for audit.
6. Arrangements be made to place copies of the audited financial statements on public exhibition and the necessary advertisements be published.
7. A copy of the audited financial statements be forwarded to the NSW Office of Local Government.
8. The audited financial statements be presented at a meeting of Council to be held in accordance with section 418 of the *Local Government Act 1993*.
9. Public notice of the meeting to be held on Tuesday, 19 November 2019, be published in newspapers in the week commencing 11 November 2019, including the publication of all documents required under section 418 of the *Local Government Act 1993*.

10. Council notes that, at the meeting to be held on Tuesday, 19 November 2019, Council will present its Audited Financial Report and Auditor's Report to the public.

1. Executive Summary

The purpose of this report is to present Council's draft Annual Financial Statements for the year ended 30 June 2019 and to refer the draft Annual Financial Statements to audit.

2. Introduction/Background

Section 413 of the *Local Government Act 1993* (the Act) requires a council to prepare financial reports for each year, and to refer them for audit as soon as practical and resolve to refer the Draft Annual Financial Statements for Audit.

A declaration must be attached to the relevant financial statements and signed by the Mayor and one other Councillor as well as the General Manager and Responsible Accounting Officer. The purpose sought by the Act is an acceptance of responsibility by the Council's elected members for its published annual financial statements.

Following this resolution, Council will then await the receipt of the Auditor's Report and then publicly advertise that the Audited Financial Statements are available for inspection and comment by members of the public.

The Executive Manager, Finance has prepared and attached a set of draft Annual Financial Statements, and advises that the listed recommendations may be considered by the Council. The Draft Annual Financial Statements incorporate the:

- General Purpose Income Statement.
- General Purpose Statement of Comprehensive Income.
- General Purpose Balance Sheet.
- General Purpose Statement of Changes in Equity.
- General Purpose Statement of Cash Flows.
- Special Purpose Income Statement for Council's Other Business Activities.
- Special Purpose Balance Sheet for Council's Other Business Activities.

3. Relevant Council Resolutions

Nil.

4. Discussion

The 2018/19 Annual Financial Statements are to be referred to the Council's auditor, Audit Office of NSW, for audit.

The draft results for the 2018/19 financial year show that Council's operating result for the year was a surplus of \$7.5 million, and that Council continues to maintain a sound financial position as shown by the following summary of the income statement, balance sheet, cash and cash investments balance.

Income Statement - \$million	2018/19	2017/18
• Total income from continuing operations	\$141.04m	\$144.41m
• Total expenses from continuing operations	\$133.54m	\$127.00m
• Operating surplus from continuing operations	\$7.50m	\$17.11m

Balance Sheet - \$million	2018/19	2017/18
• Total assets	\$1,283.50m	\$1,276.01m
• Total liabilities	\$41.09m	\$41.40m
• Net assets	\$1,242.41m	\$1,234.91m

Financial Overview - \$million	2018/19	2017/18
• Operating surplus	\$7.50m	\$17.11m
• Net assets (Equity)	\$1,242.41m	\$1,234.91m
• Cash and cash investments	\$179.43m	\$171.78m

Council's performance compares well with the industry benchmark as illustrated in the following table.

Indicator	Quantitative Measure	Waverley 2018/19		Industry Benchmark	Waverley 2017/18
Operating Performance Ratio	Measures a Council's ability to contain operating expenditure within operating revenue	>0.01%	✓	> 0.00%	1.76%
Own Source Operating Revenue Ratio	Measures the level of a Council's fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions	87.13%	✓	> 60.00%	86.46%
Unrestricted Current Ratio	The Unrestricted Current Ratio is specific to local government and is designed to represent a Council's ability to meet debt payments as they fall due	10.21x	✓	> 1.50x	10.15x
Debt Service Cover Ratio	This ratio measures the availability of operating cash to service debt including interest, principal and lease payments	40.78x	✓	> 2.00x	23.78x
Cash Expense Cover Ratio	This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow	15.09 mths	✓	> 3.00 mths	14.82 mths
Rates, annual charges, interest and extra charges outstanding percentage	This ratio assesses the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts	2.85%	✓	< 5.00%	3.13%
Asset maintenance ratio	Compares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the infrastructure backlog	102.33%	✓	>=100.00%	94.25%

	growing.				
Building & Infrastructure Asset Renewals Ratio	This ratio compares the proportion spent on infrastructure asset renewals and the asset's deterioration measured by its accounting depreciation. Asset renewal represents the replacement or refurbishment of existing assets to an equivalent capacity or performance as opposed to the acquisition of new assets or the refurbishment of old assets that increase capacity or performance.	82.57%	X	>=100.00%	94.13%
Infrastructure Backlog Ratio	This ratio shows what proportion the backlog is against total value of a Council's infrastructure	0.60%	✓	< 2.00%	0.64%

5. Financial impact statement/Time frame/Consultation

Time frame

The Act specifies the timeframe with which Council must complete its Annual Financial Statements, present them to the public and the Division of Local Government, Department of Premier and Cabinet. The following timetable will allow these requirements to be satisfied and for the Annual Financial Statements to be adopted by Council.

17 September 2019

Council Meeting. Draft Annual Financial Statements presented to the Council requesting Council to refer the Financial Statements to the Auditors.

31 October 2019

Audited Financial Statements, including the Auditors Report, and the Financial Data Return to be lodged with OLG: s 417(5).

11 November 2019

Public notice of the meeting to be held on Tuesday, 20 November 2018, be given to the newspapers to be published in the week commencing 12 November 2018. The public notice will also advise that the Annual Financial Statements are available for inspection and that submissions will be received until 29 November 2019.

19 November 2019

Council Meeting. Council's Auditors report on the Annual Financial Statements is formally presented to Council.

29 November 2019

The closing date for public submissions on the Annual Financial Statements. All submissions received must be referred to Council's Auditor for consideration: s 420(3). Council may take such action as it considers appropriate with respect to any submissions received.

6. Conclusion

The Chief Financial Officer, as the Responsible Accounting Officer, advises that Council's financial position is satisfactory.

7. Attachments

1. Draft 2018/19 Financial Statements (under separate cover) [↗](#)

**REPORT
CM/7.2/19.09**

Subject: Investment Portfolio Report - August 2019

TRIM No: A03/2211

Author: Sid Ali, Revenue Co-ordinator
Teena Su, Executive Manager, Finance

Director: Darren Smith, Chief Financial Officer

RECOMMENDATION:

That Council:

1. Receives and notes the Investment Summary Report for August 2019 attached to this report.
2. Notes that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

1. Executive Summary

For the month of August 2019, Council's Investment Portfolio generated \$368,646 of interest.

The interest on investment budget for the 2019–20 financial year was adopted by Council at its meeting on 18 June 2019, and was set at \$3,865,231.

The interest income for the year to date figure as at 31 August 2019 is tracking at 19.22% (\$742,993) of the current budget.

2. Introduction/Background

Clause 212 of the *Local Government (General) Regulation* requires that Council be provided with a written report setting out details of all money that the Council has invested under section 625 of the *Local Government Act 1993* (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 following table illustrates the monthly interest income received by Council and performance against the Budget:

Table 1. Monthly interest income received by Council.

Month	2019/20 Budget (\$)	Actual Monthly (\$)	Actual YTD (\$)	Tracking Current Budget %
July	3,865,231	374,347	374,347	9.68%
August	3,865,231	368,646	742,993	19.22%

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 20 August 2019	CM/7.3/19.08	That Council: <ol style="list-style-type: none"> 1. Receives and notes the Investment Summary Report for July 2019 attached to this report. 2. Notes that all investments have been made in accordance with the requirements of section 625 of the Local Government Act 1993 and directions from the Minister for Local Government, including Ministerial Investment Orders and Council's Investment Policy.

4. Discussion

Financial year to date, 31 August 2019, Council's cash investment portfolio generated interest earnings of \$742,993 representing 19.22% of the Current Budget of \$3,865,231.

Council's investment portfolio posted a return of 1.99% pa for the month of August versus the Ausbond Bank Bill Index benchmark return of 0.99% pa.

Over the last 12 months, Council's investment portfolio has exceeded the Ausbond bank bill index benchmark by 0.99% pa (2.81% vs 1.82% pa).

Portfolio value

Council's investment portfolio, as at 31 August 2019, has a current market value of \$187,201,092 which represents a gain of \$1,997,613 on the \$185,203,479 face value of the portfolio. The table below provides a summary by investment (asset) type.

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

Asset Group	Face Value	Current value
Bonds	\$3,000,000	\$3,108,767
Cash	\$14,445,927	\$14,445,927
Floating Rate Note	\$31,900,000	\$32,146,232
Floating Rate Term Deposits	\$8,500,000	\$8,519,517
Managed Funds	\$9,357,552	\$9,357,552
Term Deposit	\$118,000,000	\$119,623,097
Total	\$185,203,479	\$187,201,092

Analysis

Attached to this report is the Summary of Investment Portfolio for the period ending 31 August 2019. These reports are prepared by Council's independent financial advisor, Prudential Investment Services Corp.

Included in this report are tables showing that Council's investment portfolio for the month of August 2019 has exceeded the AusBond bank bill index by 1.00% pa (1.99% to 0.99% pa). The Portfolio outperformed the stated benchmark measure as the rate of return on cash exceeds AusBond Bank Bill Index as illustrated in the table below:

Table 3. Portfolio return.

Month	Portfolio Return %	Ausbond BB Index %	Variance %
Sep-18	2.75	1.94	0.81
Oct – 18	2.81	2.00	0.81
Nov-18	2.61	1.90	0.71
Dec-18	2.73	1.81	0.92
Jan-19	2.92	2.14	0.78
Feb-19	3.19	2.28	0.91
Mar-19	3.14	1.96	1.18
Apr-19	3.08	2.01	1.07
May-19	2.71	1.79	0.92
June-19	2.47	1.62	0.85
July-19	3.31	1.42	1.89
Aug-19	1.99	0.99	1.00
Average % return Over the last 12 months	2.81	1.82	0.99

Council has a well-diversified portfolio invested among a range of term deposits and floating rate notes from highly rated Australian ADIs. 84% of the portfolio is spread among the top three credit rating categories (A long term/A2 short term and higher) and NSW TCorpIM managed funds.

Investments in ethically, socially and environmentally beneficial alternatives

As at the end of August 2019, 68.8% of Council's portfolio was invested in non-fossil fuel lending ADIs and Socially Responsible Investments, while fossil fuel lending ADIs accounted for 26.2% of the portfolio. The remaining 5.1% is invested with TCorp.

Over the period of 15 months, from June 2018 to August 2019, Council has reduced its investment in fossil fuel lending ADIs from 59% to 26.2% as displayed in Figure 1 below.

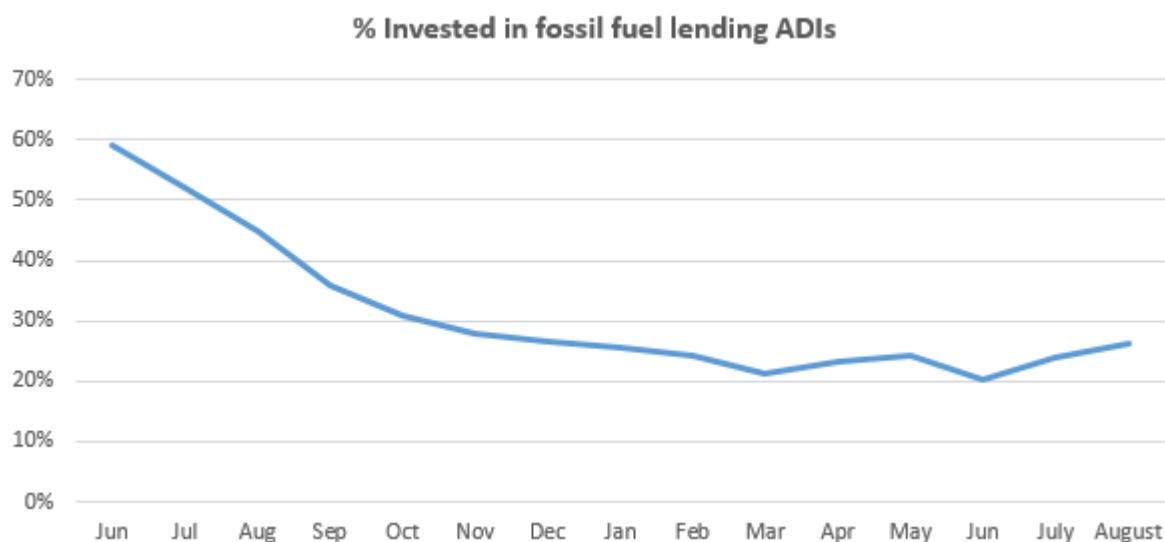


Figure 1. Investments in fossil fuel lending ADIs.

During August, Council's investment portfolio had \$7 million in term deposits mature with non-fossil fuel lending ADIs. Due to these maturities, Council's portfolio invested in fossil fuel ADIs is 26.2%, up from 24% the month prior.

5. Financial impact statement/Timeframe/Consultation

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

6. Conclusion

Council's investment portfolio has achieved interest earning of \$742,992 YTD as at 31 August 2019, and it is on track to achieve the budgeted interest of \$3,865,231.

7. Attachments

1. Investment Summary Report - August 2019 [↓](#)



Investment Summary Report August 2019

Waverley Council

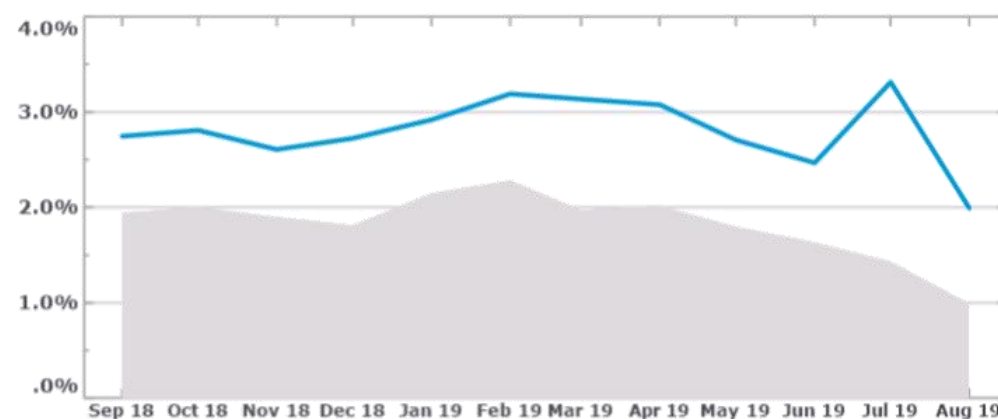
Executive Summary - August 2019



Investment Holdings

	Face Value (\$)	Current Value (\$)
Bonds	3,000,000.00	3,108,767.24
Cash	14,445,926.83	14,445,926.83
Floating Rate Note	31,900,000.00	32,146,231.57
Floating Rate Term Deposits	8,500,000.00	8,519,516.79
Managed Funds	9,357,552.26	9,357,552.26
Term Deposit	118,000,000.00	119,623,097.16
	185,203,479.09	187,201,091.85

Investment Performance

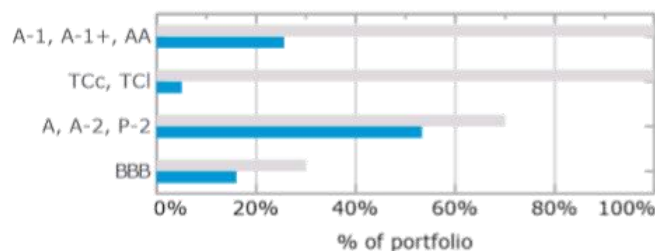


■ Portfolio Annualised Return

■ Bloomberg BB Index Annualised Return

Investment Policy Compliance

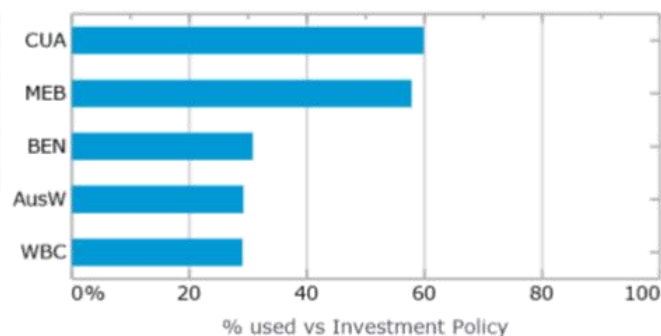
Total Credit Exposure



■ Portfolio Exposure

■ Investment Policy Limit

Highest Individual Exposures



Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Between 0 and 1 Year	134,003,479	72% 100%
Between 1 and 3 Years	46,350,000	25% 50%
Between 3 and 10 Years	4,850,000	3% 30%
	185,203,479	

Waverley Council

Investment Holdings Report - August 2019



Cash Accounts

Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
10,157,449.87	1.3000%	Commonwealth Bank of Australia	A-1+	10,157,449.87	120789	24hr Call
3,794,413.59	0.6000%	Commonwealth Bank of Australia	A-1+	3,794,413.59	120794	General Funds
42,224.24	0.6000%	Commonwealth Bank of Australia	A-1+	42,224.24	120795	Trust Funds
130,086.59	0.6000%	Commonwealth Bank of Australia	A-1+	130,086.59	120796	Cemetery Funds
259,417.51	0.6000%	Commonwealth Bank of Australia	A-1+	259,417.51	120797	Depositor Funds
13,840.87	0.6000%	Commonwealth Bank of Australia	A-1+	13,840.87	120799	Library CP
999.07	0.6000%	Commonwealth Bank of Australia	A-1+	999.07	120800	Eastgate CP
16,982.34	0.6000%	Commonwealth Bank of Australia	A-1+	16,982.34	120801	Hollywood Av CP
30,512.75	0.6000%	Commonwealth Bank of Australia	A-1+	30,512.75	370151	Library Gift
14,445,926.83	1.0922%			14,445,926.83		

Managed Funds

Face Value (\$)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
2,143,456.23	0.0572%	NSW T-Corp (Cash)	TCC	Short Term Income Fund	2,143,456.23	411310	Builder Deposits
2,185,621.23	0.0739%	NSW T-Corp (Cash)	TCC	Cash Fund	2,185,621.23	505262	
5,028,474.80	-0.2526%	NSW T-Corp (LT)	TCI	Long Term Growth Fund	5,028,474.80	538089	
9,357,552.26					9,357,552.26		

Term Deposits

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
3-Sep-19	3,000,000.00	2.7500%	ME Bank	A-2	3,000,000.00	29-Aug-18	3,000,678.08	537027	678.08	Annually	
10-Sep-19	3,000,000.00	2.7500%	ME Bank	A-2	3,000,000.00	31-Aug-18	3,082,726.03	537044	82,726.03	Annually	
17-Sep-19	3,000,000.00	2.7500%	ME Bank	A-2	3,000,000.00	3-Sep-18	3,082,047.95	537049	82,047.95	Annually	
24-Sep-19	3,000,000.00	2.9000%	Bank of Queensland	A-2	3,000,000.00	20-Sep-17	3,082,471.23	535796	82,471.23	Annually	
1-Oct-19	2,000,000.00	2.7500%	ME Bank	A-2	2,000,000.00	13-Sep-18	2,053,191.78	537130	53,191.78	Annually	
8-Oct-19	3,000,000.00	2.7500%	Credit Union Australia	A-2	3,000,000.00	5-Oct-18	3,074,815.07	537198	74,815.07	At Maturity	

Waverley Council**Investment Holdings Report - August 2019****Term Deposits**

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
15-Oct-19	1,500,000.00	2.8000%	Credit Union Australia	A-2	1,500,000.00	6-Nov-18	1,534,405.48	537302	34,405.48	At Maturity	
15-Oct-19	2,500,000.00	2.8000%	MyState Bank	P-2	2,500,000.00	22-Nov-18	2,554,273.97	537343	54,273.97	At Maturity	
22-Oct-19	4,000,000.00	2.8900%	ING Bank (Australia)	A-1	4,000,000.00	13-Nov-17	4,092,480.00	535953	92,480.00	Annually	
29-Oct-19	2,500,000.00	2.9700%	ING Bank (Australia)	A-1	2,500,000.00	1-Nov-17	2,561,841.10	535905	61,841.10	Annually	
5-Nov-19	3,000,000.00	2.7500%	Rural Bank	A-2	3,000,000.00	23-Oct-18	3,070,746.58	537258	70,746.58	Annually	
7-Nov-19	2,000,000.00	2.5000%	Suncorp Bank	A-1	2,000,000.00	9-Apr-19	2,019,863.01	537863	19,863.01	At Maturity	
12-Nov-19	1,500,000.00	2.8000%	Credit Union Australia	A-2	1,500,000.00	6-Nov-18	1,534,405.48	537303	34,405.48	At Maturity	
19-Nov-19	3,000,000.00	2.8500%	Credit Union Australia	A-2	3,000,000.00	20-Nov-18	3,066,760.27	537333	66,760.27	At Maturity	
26-Nov-19	3,000,000.00	2.9000%	Credit Union Australia	A-2	3,000,000.00	5-Dec-18	3,064,356.16	537394	64,356.16	At Maturity	
10-Dec-19	3,000,000.00	2.9000%	Credit Union Australia	A-2	3,000,000.00	6-Dec-18	3,064,117.81	537399	64,117.81	Annually	
17-Dec-19	2,000,000.00	2.8500%	MyState Bank	P-2	2,000,000.00	3-Dec-18	2,042,476.71	537371	42,476.71	Annually	
19-Dec-19	2,000,000.00	2.4700%	Rural Bank	A-2	2,000,000.00	6-May-19	2,015,970.41	537928	15,970.41	At Maturity	
7-Jan-20	1,000,000.00	2.7000%	Auswide Bank	P-2	1,000,000.00	4-Mar-19	1,013,389.04	537600	13,389.04	At Maturity	
14-Jan-20	3,000,000.00	2.7000%	Auswide Bank	P-2	3,000,000.00	14-Mar-19	3,037,947.95	537637	37,947.95	At Maturity	
21-Jan-20	1,500,000.00	2.7000%	Auswide Bank	P-2	1,500,000.00	4-Apr-19	1,516,643.84	537782	16,643.84	At Maturity	
28-Jan-20	2,500,000.00	2.7600%	Credit Union Australia	A-2	2,500,000.00	25-Feb-19	2,535,539.73	537562	35,539.73	At Maturity	
4-Feb-20	1,000,000.00	2.3000%	AMP Bank	A-2	1,000,000.00	6-Jun-19	1,005,482.19	538020	5,482.19	At Maturity	
11-Feb-20	2,000,000.00	2.4100%	Rural Bank	A-2	2,000,000.00	7-May-19	2,015,450.41	537931	15,450.41	At Maturity	
18-Feb-20	1,500,000.00	2.4500%	AMP Bank	A-2	1,500,000.00	23-May-19	1,510,169.18	537971	10,169.18	At Maturity	
18-Feb-20	3,000,000.00	1.7500%	Bank of Queensland	A-2	3,000,000.00	21-Aug-19	3,001,582.19	538406	1,582.19	At Maturity	
3-Mar-20	3,000,000.00	2.8000%	ME Bank	A-2	3,000,000.00	5-Sep-18	3,083,079.45	537069	83,079.45	Annually	
10-Mar-20	2,000,000.00	2.3000%	AMP Bank	A-2	2,000,000.00	6-Jun-19	2,010,964.38	538019	10,964.38	At Maturity	
17-Mar-20	1,500,000.00	2.2000%	AMP Bank	A-2	1,500,000.00	20-Jun-19	1,506,600.00	538061	6,600.00	At Maturity	
28-Apr-20	1,000,000.00	2.2600%	Westpac Group	A-1+	1,000,000.00	13-May-19	1,001,176.44	537941	1,176.44	Quarterly	Green
5-May-20	2,000,000.00	2.2600%	Westpac Group	A-1+	2,000,000.00	13-May-19	2,002,352.88	537940	2,352.88	Quarterly	Green

Waverley Council

Investment Holdings Report - August 2019



Term Deposits

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
12-May-20	1,000,000.00	2.4500%	Auswide Bank	P-2	1,000,000.00	16-May-19	1,007,249.32	537954	7,249.32	At Maturity	
19-May-20	2,000,000.00	2.4500%	Auswide Bank	P-2	2,000,000.00	16-May-19	2,014,498.63	537955	14,498.63	Annually	
26-May-20	1,000,000.00	2.4500%	Auswide Bank	P-2	1,000,000.00	20-May-19	1,006,980.82	537958	6,980.82	At Maturity	
2-Jun-20	2,000,000.00	2.4500%	Auswide Bank	P-2	2,000,000.00	20-May-19	2,013,961.64	537959	13,961.64	At Maturity	
16-Jun-20	2,000,000.00	2.1500%	Auswide Bank	P-2	2,000,000.00	20-Jun-19	2,008,600.00	538062	8,600.00	At Maturity	
16-Jun-20	3,000,000.00	1.9400%	Westpac Group	A-1+	3,000,000.00	17-Jun-19	3,012,118.36	538045	12,118.36	Quarterly	Green
11-Aug-20	5,000,000.00	1.7000%	ME Bank	A-2	5,000,000.00	13-Aug-19	5,004,424.66	538387	4,424.66	At Maturity	
25-Aug-20	3,000,000.00	1.7000%	ME Bank	A-2	3,000,000.00	21-Aug-19	3,001,536.99	538407	1,536.99	At Maturity	
26-Aug-20	4,000,000.00	1.5800%	Westpac Group	A-1+	4,000,000.00	22-Aug-19	4,001,731.51	538408	1,731.51	Quarterly	Green
27-Oct-20	3,000,000.00	2.9000%	Rural Bank	BBB+	3,000,000.00	22-Oct-18	3,074,843.84	537252	74,843.84	Annually	
15-Dec-20	2,000,000.00	2.9500%	Credit Union Australia	BBB	2,000,000.00	18-Dec-18	2,041,542.47	537426	41,542.47	Annually	
9-Feb-21	2,500,000.00	2.9500%	Newcastle Permanent Building Society	BBB	2,500,000.00	11-Feb-19	2,540,815.07	537536	40,815.07	Annually	
23-Feb-21	2,000,000.00	2.9000%	Credit Union Australia	BBB	2,000,000.00	26-Feb-19	2,029,715.07	537565	29,715.07	Annually	
8-Jun-21	6,000,000.00	3.1500%	Westpac Group	AA-	6,000,000.00	6-Jun-18	6,045,049.32	536715	45,049.32	Quarterly	
3-Aug-21	2,000,000.00	1.9000%	Bank of Queensland	BBB+	2,000,000.00	6-Aug-19	2,002,706.85	538366	2,706.85	Annually	
21-Sep-21	2,500,000.00	2.8000%	Newcastle Permanent Building Society	BBB	2,500,000.00	25-Mar-19	2,530,684.93	537651	30,684.93	Annually	
8-Feb-22	3,000,000.00	3.0500%	Newcastle Permanent Building Society	BBB	3,000,000.00	19-Feb-19	3,048,632.88	537553	48,632.88	Annually	
118,000,000.00		2.5734%			118,000,000.00		119,623,097.16		1,623,097.16		

Floating Rate Term Deposits

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
10-Jun-21	3,000,000.00	2.4732%	Commonwealth Bank of Australia ¾yr@4% then BBSW+1.08%	AA-	3,000,000.00	10-Jun-16	3,016,668.57	535380	16,668.57	10-Sep-19	
16-Nov-21	3,000,000.00	1.7800%	Westpac Group 3moBBSW+0.82%	AA-	3,000,000.00	28-Nov-18	3,000,585.21	537360	585.21	28-Nov-19	Green
16-May-22	2,500,000.00	2.0650%	Westpac Group 3moBBSW+1.10%	AA-	2,500,000.00	16-May-17	2,502,263.01	535241	2,263.01	18-Nov-19	

Waverley Council

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Floating Rate Term Deposits

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Reference Date
	8,500,000.00	2.1085%			8,500,000.00		8,519,516.79		19,516.79	

Floating Rate Notes

Maturity Date	Face Value (\$)	Rate (%pa)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Reference Date
29-Nov-19	2,000,000.00	2.4700%	GBS Snr FRN (Nov19) BBSW+1.50%	A-2	2,000,000.00	29-Nov-16	2,001,324.09	534564	406.03	29-Nov-19
21-Feb-20	3,000,000.00	2.0833%	BEN Snr FRN (Feb20) BBSW+1.10%	A-2	3,000,000.00	21-Nov-16	3,011,453.53	534540	1,883.53	21-Nov-19
20-Mar-20	3,000,000.00	2.5450%	CUA Snr FRN (Mar20) BBSW+1.30%	A-2	3,000,000.00	20-Mar-17	3,030,240.00	534995	15,270.00	20-Sep-19
20-Mar-20	3,200,000.00	2.5450%	CUA Snr FRN (Mar20) BBSW+1.30%	A-2	3,235,232.00	24-Nov-17	3,232,256.00	535984	16,288.00	20-Sep-19
7-Apr-20	3,000,000.00	2.4809%	NPBS Snr FRN (Apr20) BBSW+1.35%	A-2	3,000,000.00	7-Apr-15	3,026,005.03	504013	11,215.03	8-Oct-19
7-Apr-20	1,000,000.00	2.4809%	NPBS Snr FRN (Apr20) BBSW+1.35%	A-2	1,011,250.00	1-Dec-17	1,008,668.34	536004	3,738.34	8-Oct-19
9-Nov-20	2,250,000.00	2.2159%	ME Bank Snr FRN (Nov20) BBSW+1.25%	BBB	2,250,000.00	9-Nov-17	2,266,551.72	535919	3,141.72	11-Nov-19
12-Apr-21	1,500,000.00	2.5088%	SUN Snr FRN (Apr21) BBSW+1.38%	A+	1,500,000.00	12-Apr-16	1,526,258.17	533415	5,258.17	14-Oct-19
16-Apr-21	2,500,000.00	2.3946%	ME Bank Snr FRN (Apr21) BBSW+1.27%	BBB	2,500,000.00	17-Apr-18	2,524,883.64	536513	7,708.64	16-Oct-19
18-May-21	2,000,000.00	2.4500%	BoQ Snr FRN (May21) BBSW+1.48%	BBB+	2,000,000.00	18-May-16	2,028,945.21	533605	1,745.21	18-Nov-19
2-Jul-21	2,100,000.00	2.5466%	TMB Snr FRN (Jul21) BBSW+1.37%	BBB	2,100,000.00	2-Jul-18	2,114,145.52	536787	8,937.52	2-Oct-19
30-Aug-21	1,500,000.00	2.2728%	BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	BBB	1,500,000.00	30-Aug-18	1,508,361.81	536983	186.81	29-Nov-19
25-Jan-23	1,250,000.00	2.1000%	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	1,250,000.00	25-Jan-18	1,261,495.38	536145	2,732.88	25-Oct-19
6-Feb-23	1,100,000.00	2.3886%	NPBS Snr FRN (Feb23) BBSW+1.40%	BBB	1,100,000.00	6-Feb-18	1,113,168.62	536174	1,871.62	6-Nov-19
30-Jul-24	2,500,000.00	1.7916%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,500,000.00	30-Jul-19	2,492,474.51	538331	4,049.51	30-Oct-19
	31,900,000.00	2.3516%			31,946,482.00		32,146,231.57		84,433.01	

Fixed Rate Bonds

Maturity Date	Face Value (\$)	Rate (%pa)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield Reference
20-Oct-20	3,000,000.00	3.5000%	SUN Snr Bond (Oct20) 3.50%	A+	3,042,780.00	18-May-18	3,108,767.24	536638	37,997.24	3.0000%

Waverley Council

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**Fixed Rate Bonds**

Maturity Date	Face Value (\$)	Rate (%pa)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield	Reference
	3,000,000.00				3,042,780.00		3,108,767.24		37,997.24	3.0000%	

Waverley Council

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Accrued Interest Report

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Bonds									
SUN Snr Bond (Oct20) 3.50%	536638		3,000,000.00	18-May-18	20-Oct-20		31	8,991.72	3.53%
Bonds Total								8,991.72	3.53%
Floating Rate Note									
GBS Snr FRN (Nov19) BBSW+1.50%	534564		2,000,000.00	29-Nov-16	29-Nov-19	14,720.00	31	4,886.03	2.88%
BEN Snr FRN (Feb20) BBSW+1.10%	534540		3,000,000.00	21-Nov-16	21-Feb-20	20,088.26	31	6,250.54	2.45%
CUA Snr FRN (Mar20) BBSW+1.30%	534995		3,000,000.00	20-Mar-17	20-Mar-20		31	6,484.52	2.54%
CUA Snr FRN (Mar20) BBSW+1.30%	535984		3,200,000.00	24-Nov-17	20-Mar-20		31	6,916.82	2.54%
NPBS Snr FRN (Apr20) BBSW+1.35%	504013		3,000,000.00	07-Apr-15	07-Apr-20		31	6,321.20	2.48%
NPBS Snr FRN (Apr20) BBSW+1.35%	536004		1,000,000.00	01-Dec-17	07-Apr-20		31	2,107.06	2.48%
ME Bank Snr FRN (Nov20) BBSW+1.25%	535919		2,250,000.00	09-Nov-17	09-Nov-20	16,446.58	31	4,571.86	2.39%
SUN Snr FRN (Apr21) BBSW+1.38%	533415		1,500,000.00	12-Apr-16	12-Apr-21		31	3,196.14	2.51%
ME Bank Snr FRN (Apr21) BBSW+1.27%	536513		2,500,000.00	17-Apr-18	16-Apr-21		31	5,084.42	2.39%
BoQ Snr FRN (May21) BBSW+1.48%	533605		2,000,000.00	18-May-16	18-May-21	15,108.49	31	4,733.70	2.79%
TMB Snr FRN (Jul21) BBSW+1.37%	536787		2,100,000.00	02-Jul-18	02-Jul-21		31	4,542.02	2.55%
BOZ 'SRI' Snr FRN (Aug21) BBSW+1.30%	536983		1,500,000.00	30-Aug-18	30-Aug-21	10,283.84	31	3,428.46	2.69%
BEN Snr FRN (Jan23) BBSW+1.05%	536145		1,250,000.00	25-Jan-18	25-Jan-23		31	2,229.46	2.10%
NPBS Snr FRN (Feb23) BBSW+1.40%	536174		1,100,000.00	06-Feb-18	06-Feb-23	8,176.68	31	2,316.00	2.48%
SUN Snr FRN (Jul24) BBSW+0.78%	538331		2,500,000.00	30-Jul-19	30-Jul-24		31	3,804.09	1.79%
Floating Rate Note Total						84,823.85		66,872.32	2.47%
Floating Rate Term Deposits									
Commonwealth Bank of Australia	535380		3,000,000.00	10-Jun-16	10-Jun-21		31	6,301.53	2.47%
Westpac Group	535380	Green	3,000,000.00	10-Jun-16	10-Jun-21	17,019.75	31	5,580.14	2.19%

Waverley Council

Accrued Interest Report - August 2019



Accrued Interest Report

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Westpac Group	535241		2,500,000.00	16-May-17	16-May-22	17,171.23	31	5,062.66	2.38%
Floating Rate Term Deposits Total						34,190.98		16,944.33	2.35%
<u>Managed Funds</u>									
Short Term Income Fund	411310	Builder Deposits	2,143,456.23	01-Dec-15			31	1,225.88	.68%
Cash Fund	505262		2,185,621.23	30-Jul-15			31	1,614.56	.87%
Managed Funds Total								2,840.44	.78%
<u>Term Deposits</u>									
ME Bank	537599		1,000,000.00	04-Mar-19	06-Aug-19	11,253.42	5	363.01	2.65%
Bendigo and Adelaide Bank	536976		3,000,000.00	16-Aug-18	13-Aug-19	81,821.92	12	2,712.33	2.75%
ME Bank	537009		3,000,000.00	24-Aug-18	20-Aug-19	81,595.89	19	4,294.52	2.75%
Westpac Group	534167		2,000,000.00	24-Aug-16	26-Aug-19	64,350.68	25	4,383.56	3.20%
ME Bank	537027		3,000,000.00	29-Aug-18	03-Sep-19	82,500.00	31	7,006.85	2.75%
ME Bank	537044		3,000,000.00	31-Aug-18	10-Sep-19		31	7,006.85	2.75%
ME Bank	537049		3,000,000.00	03-Sep-18	17-Sep-19		31	7,006.85	2.75%
Bank of Queensland	535796		3,000,000.00	20-Sep-17	24-Sep-19		31	7,389.04	2.90%
ME Bank	537130		2,000,000.00	13-Sep-18	01-Oct-19		31	4,671.23	2.75%
Credit Union Australia	537198		3,000,000.00	05-Oct-18	08-Oct-19		31	7,006.85	2.75%
Credit Union Australia	537302		1,500,000.00	06-Nov-18	15-Oct-19		31	3,567.12	2.80%
MyState Bank	537343		2,500,000.00	22-Nov-18	15-Oct-19		31	5,945.20	2.80%
ING Bank (Australia)	535953		4,000,000.00	13-Nov-17	22-Oct-19		31	9,818.08	2.89%
ING Bank (Australia)	535905		2,500,000.00	01-Nov-17	29-Oct-19		31	6,306.17	2.97%
Rural Bank	537258		3,000,000.00	23-Oct-18	05-Nov-19		31	7,006.85	2.75%
Suncorp Bank	537863		2,000,000.00	09-Apr-19	07-Nov-19		31	4,246.57	2.50%

Waverley Council

Accrued Interest Report - August 2019



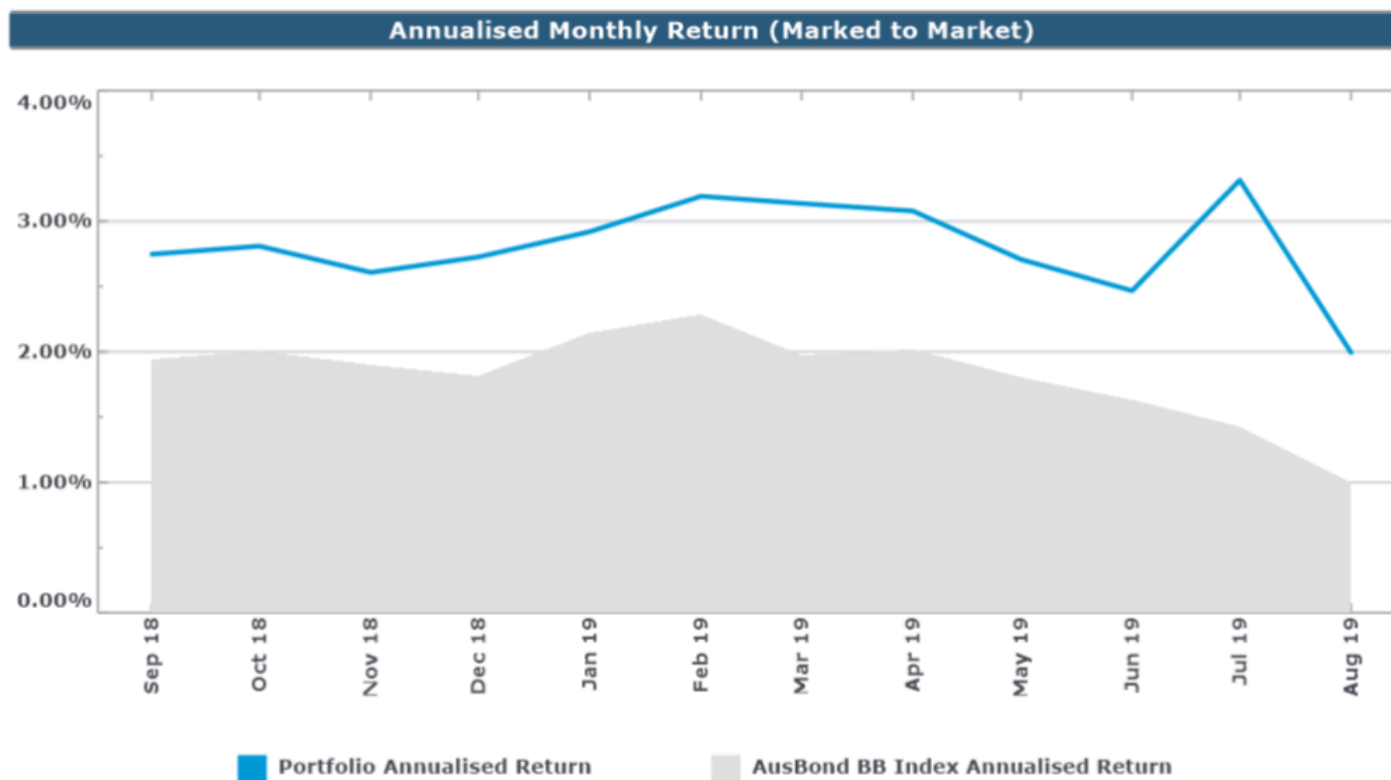
Accrued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Credit Union Australia	537303		1,500,000.00	06-Nov-18	12-Nov-19		31	3,567.12	2.80%
Credit Union Australia	537333		3,000,000.00	20-Nov-18	19-Nov-19		31	7,261.64	2.85%
Credit Union Australia	537394		3,000,000.00	05-Dec-18	26-Nov-19		31	7,389.04	2.90%
Credit Union Australia	537399		3,000,000.00	06-Dec-18	10-Dec-19		31	7,389.04	2.90%
MyState Bank	537371		2,000,000.00	03-Dec-18	17-Dec-19		31	4,841.09	2.85%
Rural Bank	537928		2,000,000.00	06-May-19	19-Dec-19		31	4,195.62	2.47%
Auswide Bank	537600		1,000,000.00	04-Mar-19	07-Jan-20		31	2,293.15	2.70%
Auswide Bank	537637		3,000,000.00	14-Mar-19	14-Jan-20		31	6,879.46	2.70%
Auswide Bank	537782		1,500,000.00	04-Apr-19	21-Jan-20		31	3,439.73	2.70%
Credit Union Australia	537562		2,500,000.00	25-Feb-19	28-Jan-20		31	5,860.28	2.76%
AMP Bank	538020		1,000,000.00	06-Jun-19	04-Feb-20		31	1,953.42	2.30%
Rural Bank	537931		2,000,000.00	07-May-19	11-Feb-20		31	4,093.70	2.41%
AMP Bank	537971		1,500,000.00	23-May-19	18-Feb-20		31	3,121.23	2.45%
Bank of Queensland	538406		3,000,000.00	21-Aug-19	18-Feb-20		11	1,582.19	1.75%
ME Bank	537069		3,000,000.00	05-Sep-18	03-Mar-20		31	7,134.24	2.80%
AMP Bank	538019		2,000,000.00	06-Jun-19	10-Mar-20		31	3,906.85	2.30%
AMP Bank	538061		1,500,000.00	20-Jun-19	17-Mar-20		31	2,802.74	2.20%
Westpac Group	537941	Green	1,000,000.00	13-May-19	28-Apr-20	5,696.44	31	1,919.46	2.26%
Westpac Group	537940	Green	2,000,000.00	13-May-19	05-May-20	11,392.88	31	3,838.91	2.26%
Auswide Bank	537954		1,000,000.00	16-May-19	12-May-20		31	2,080.83	2.45%
Auswide Bank	537955		2,000,000.00	16-May-19	19-May-20		31	4,161.64	2.45%
Auswide Bank	537958		1,000,000.00	20-May-19	26-May-20		31	2,080.82	2.45%
Auswide Bank	537959		2,000,000.00	20-May-19	02-Jun-20		31	4,161.64	2.45%

Waverley Council**Accrued Interest Report - August 2019****Accrued Interest Report**

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Westpac Group	538045	Green	3,000,000.00	17-Jun-19	16-Jun-20		31	4,943.02	1.94%
Auswide Bank	538062		2,000,000.00	20-Jun-19	16-Jun-20		31	3,652.05	2.15%
ME Bank	538387		5,000,000.00	13-Aug-19	11-Aug-20		19	4,424.66	1.70%
ME Bank	538407		3,000,000.00	21-Aug-19	25-Aug-20		11	1,536.99	1.70%
Westpac Group	538408	Green	4,000,000.00	22-Aug-19	26-Aug-20		10	1,731.51	1.58%
Rural Bank	537252		3,000,000.00	22-Oct-18	27-Oct-20		31	7,389.05	2.90%
Credit Union Australia	537426		2,000,000.00	18-Dec-18	15-Dec-20		31	5,010.96	2.95%
Newcastle Permanent Building Society	537536		2,500,000.00	11-Feb-19	09-Feb-21		31	6,263.70	2.95%
Credit Union Australia	537565		2,000,000.00	26-Feb-19	23-Feb-21		31	4,926.03	2.90%
Westpac Group	536715		6,000,000.00	06-Jun-18	08-Jun-21		31	16,052.06	3.15%
Bank of Queensland	538366		2,000,000.00	06-Aug-19	03-Aug-21		26	2,706.85	1.90%
Newcastle Permanent Building Society	537651		2,500,000.00	25-Mar-19	21-Sep-21		31	5,945.20	2.80%
Newcastle Permanent Building Society	537553		3,000,000.00	19-Feb-19	08-Feb-22		31	7,771.24	3.05%
Term Deposits Total						338,611.23		257,038.24	2.66%
						457,626.06		352,687.05	<u>2.57%</u>

Waverley Council

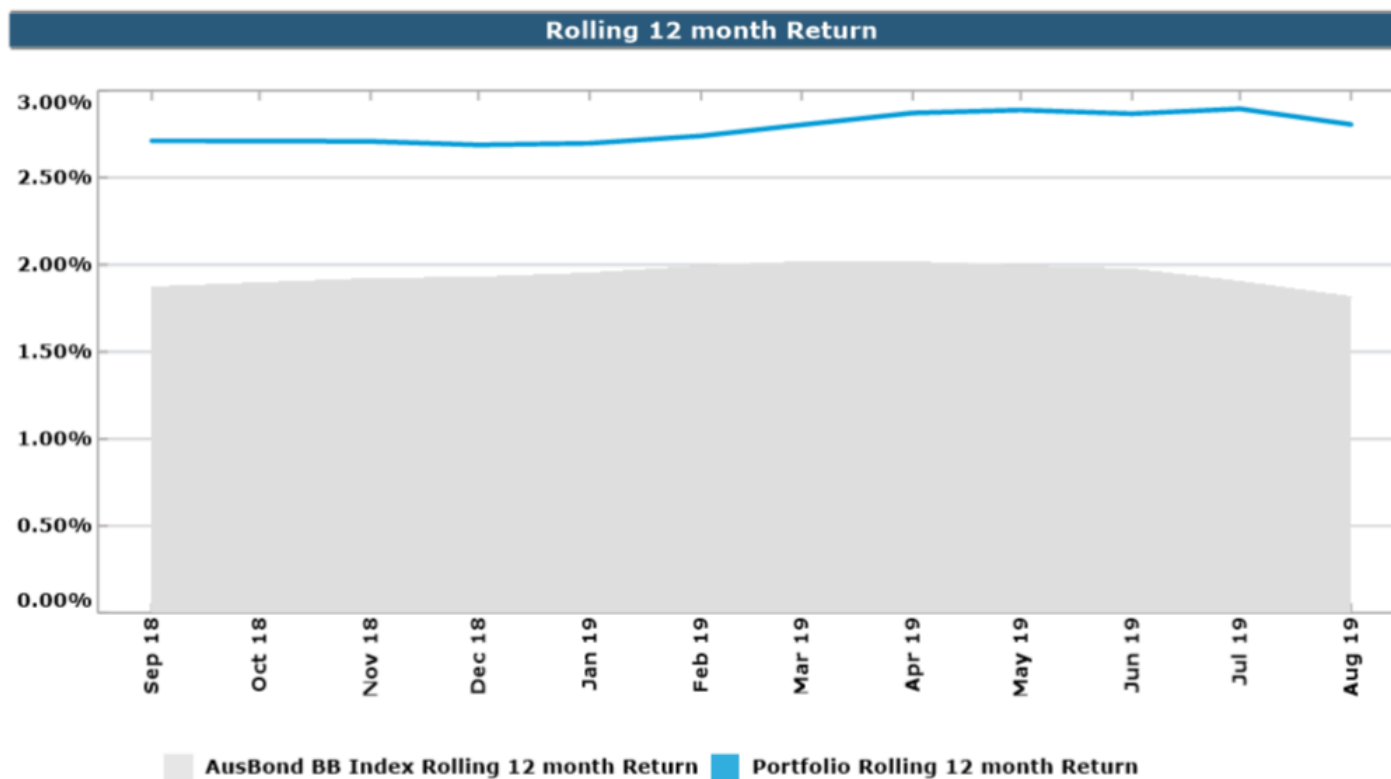
Investment Performance Report - August

**Historical Performance Summary**

	Portfolio	AusBond BB Index	Outperformance
Aug 2019	1.99%	0.99%	1.00%
Last 3 Months	2.59%	1.34%	1.25%
Last 6 Months	2.78%	1.63%	1.15%
Financial Year to Date	2.65%	1.20%	1.45%
Last 12 months	2.81%	1.82%	0.99%

Waverley Council

Investment Performance Report - August 2019

**Historical Performance Summary (actual)**

	Portfolio	AusBond BB Index	Outperformance
Aug 2019	0.17%	0.08%	0.09%
Last 3 Months	0.65%	0.34%	0.31%
Last 6 Months	1.39%	0.82%	0.57%
Financial Year to Date	0.45%	0.20%	0.25%
Last 12 months	2.81%	1.82%	0.99%

Waverley Council

Environmental Commitments Report - August 2019

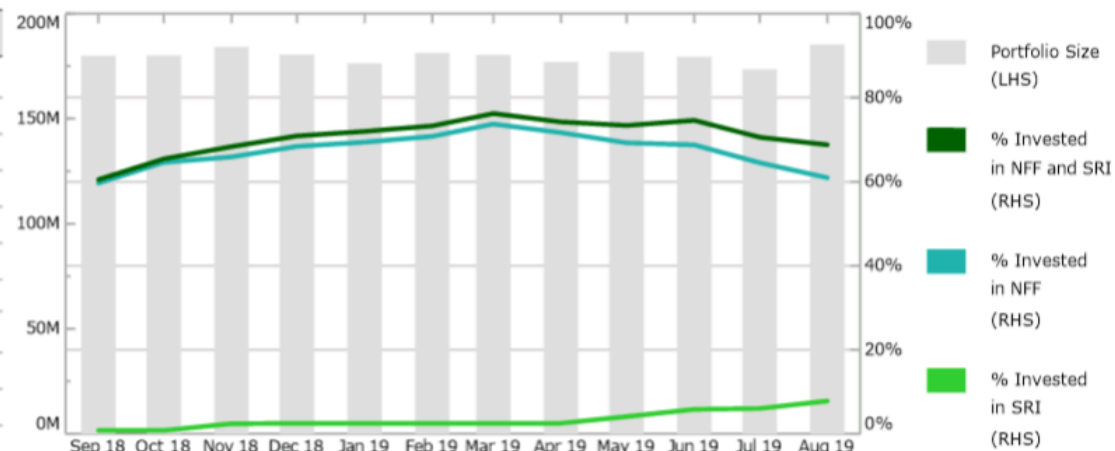


Current Breakdown

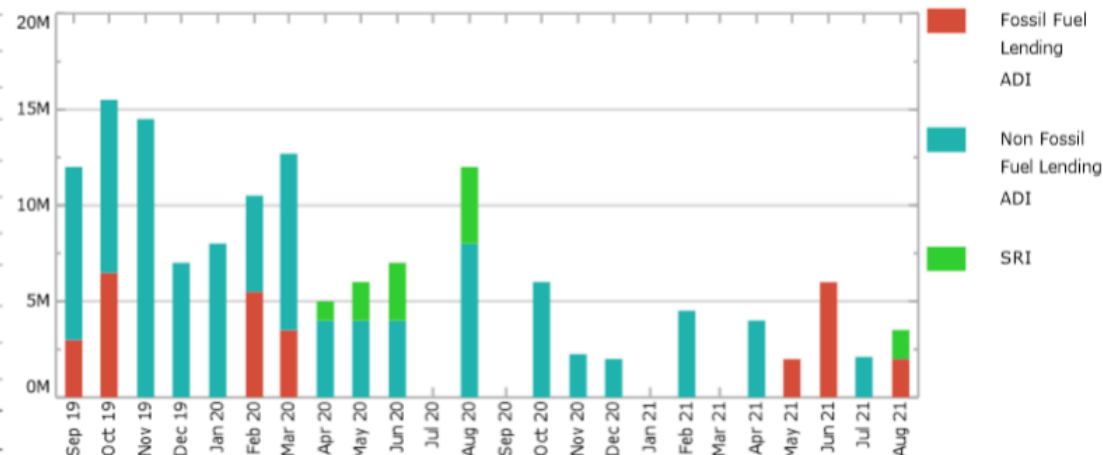
ADI Lending Status *	Current Month (\$)	Previous Month (\$)
Fossil Fuel Lending ADIs		
AMP Bank	6,000,000	6,000,000
Bank of Queensland	10,000,000	5,000,000
Commonwealth Bank of Australia	17,445,927	13,660,785
ING Bank (Australia)	6,500,000	6,500,000
Westpac Group	8,500,000	10,500,000
	48,445,927	41,660,785
	26.2%	24.0%
Non Fossil Fuel Lending ADIs		
Auswide Bank	13,500,000	13,500,000
Bendigo and Adelaide Bank	14,250,000	17,250,000
Credit Union Australia	27,700,000	27,700,000
Greater Bank	2,000,000	2,000,000
Members Equity Bank	26,750,000	22,750,000
MyState Bank	4,500,000	4,500,000
Newcastle Permanent Building Society	13,100,000	13,100,000
Suncorp Bank	9,000,000	9,000,000
Teachers Mutual Bank	2,100,000	2,100,000
	112,900,000	111,900,000
	61.0%	64.5%
Other		
NSW T-Corp (Cash)	4,329,077	4,326,237
NSW T-Corp (LT)	5,028,475	5,041,209
	9,357,552	9,367,446
	5.1%	5.4%
Socially Responsible Investments		
Bank Australia (Sustainability)	1,500,000	1,500,000
Westpac Group (Green TD)	13,000,000	9,000,000
	14,500,000	10,500,000
	7.8%	6.1%
	185,203,479	173,428,232

* source: <http://www.marketforces.org.au>
Percentages may not add up to 100% due to rounding

Historical Portfolio Exposure to NFF Lending ADIs and SRIs

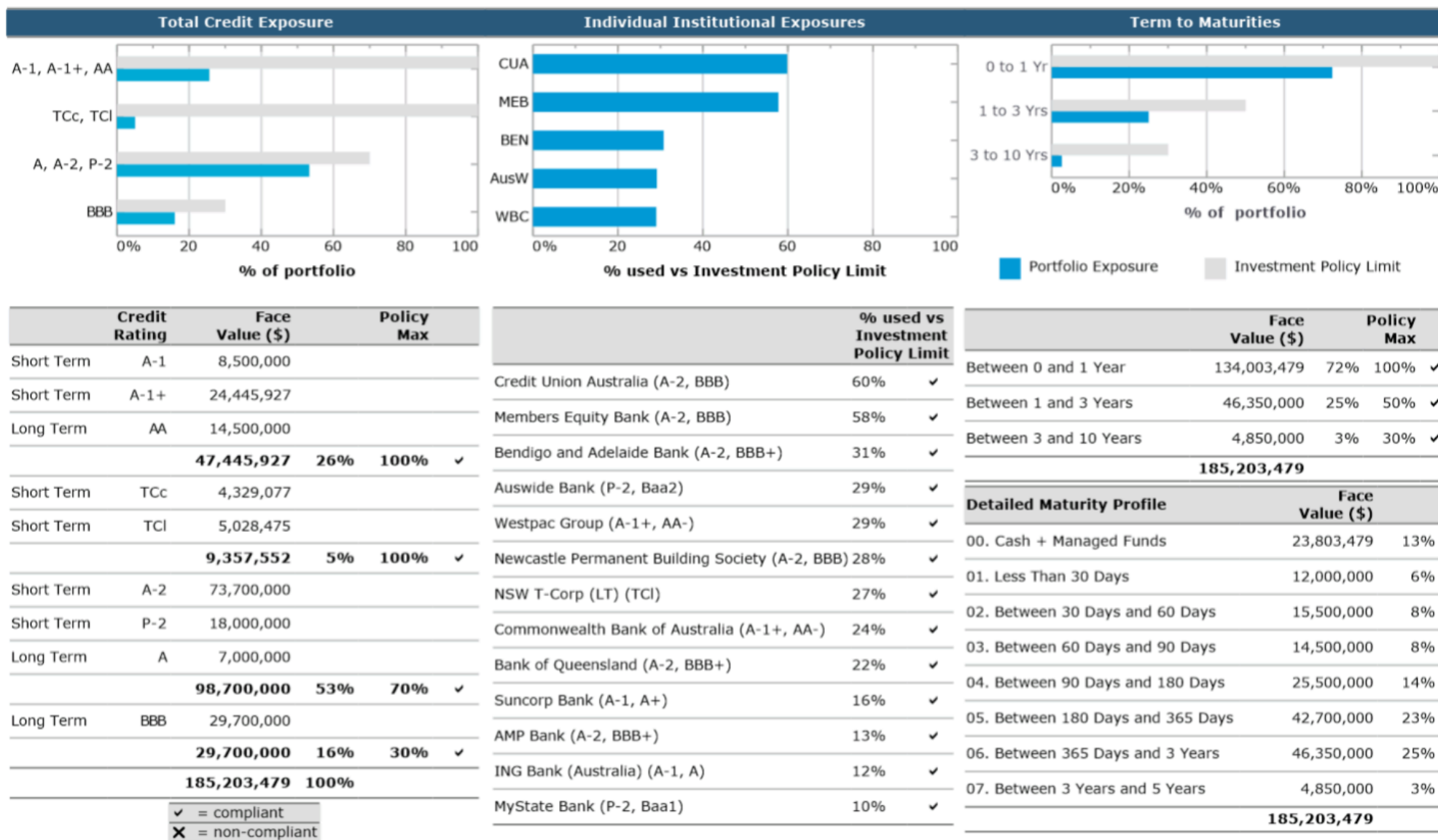


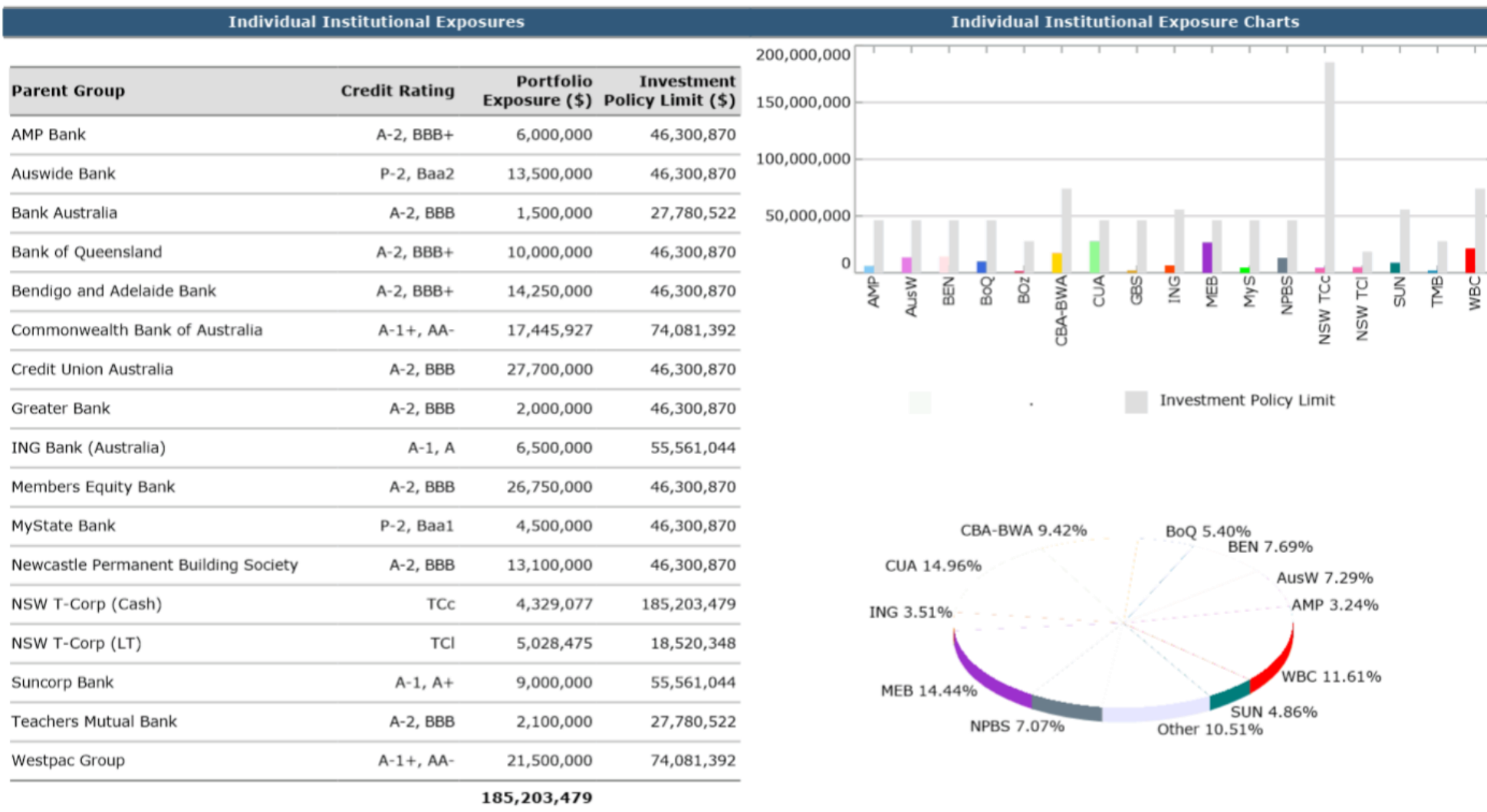
Upcoming maturities



Waverley Council

Investment Policy Report - August 2019



Waverley Council**Individual Institutional Exposures Report - August 2019**

Waverley Council

Cashflows Report - August 2019



Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
6-Aug-19	536174	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	8,176.68
				<u>Deal Total</u>	<u>8,176.68</u>
	537599	ME Bank	Term Deposits	Maturity Face Value - Received	1,000,000.00
		ME Bank	Term Deposits	Interest - Received	11,253.42
				<u>Deal Total</u>	<u>1,011,253.42</u>
	538366	Bank of Queensland	Term Deposits	Settlement Face Value - Paid	-2,000,000.00
				<u>Deal Total</u>	<u>-2,000,000.00</u>
				Day Total	-980,569.89
9-Aug-19	535919	ME Bank	Floating Rate Note	Coupon - Received	16,446.58
				<u>Deal Total</u>	<u>16,446.58</u>
				Day Total	16,446.58
13-Aug-19	536976	Bendigo and Adelaide Bank	Term Deposits	Maturity Face Value - Received	3,000,000.00
		Bendigo and Adelaide Bank	Term Deposits	Interest - Received	81,821.92
				<u>Deal Total</u>	<u>3,081,821.92</u>
	537940	Westpac Group	Term Deposits	Interest - Received	11,392.88
				<u>Deal Total</u>	<u>11,392.88</u>
	537941	Westpac Group	Term Deposits	Interest - Received	5,696.44
				<u>Deal Total</u>	<u>5,696.44</u>
	538387	ME Bank	Term Deposits	Settlement Face Value - Paid	-5,000,000.00
				<u>Deal Total</u>	<u>-5,000,000.00</u>
				Day Total	-1,901,088.77
16-Aug-19	535241	Westpac Group	Floating Rate Term Deposits	Interest - Received	17,171.23
				<u>Deal Total</u>	<u>17,171.23</u>
				Day Total	17,171.23
19-Aug-19	533605	Bank of Queensland	Floating Rate Note	Coupon - Received	15,108.49
				<u>Deal Total</u>	<u>15,108.49</u>

Waverley Council

Cashflows Report - August 2019



Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
Day Total					15,108.49
20-Aug-19	537009	ME Bank	Term Deposits	Maturity Face Value - Received	3,000,000.00
		ME Bank	Term Deposits	Interest - Received	81,595.89
<u>Deal Total</u>					<u>3,081,595.89</u>
Day Total					3,081,595.89
21-Aug-19	534540	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	20,088.26
<u>Deal Total</u>					<u>20,088.26</u>
	538406	Bank of Queensland	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
<u>Deal Total</u>					<u>-3,000,000.00</u>
	538407	ME Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
<u>Deal Total</u>					<u>-3,000,000.00</u>
Day Total					-5,979,911.74
22-Aug-19	538408	Westpac Group	Term Deposits	Settlement Face Value - Paid	-4,000,000.00
<u>Deal Total</u>					<u>-4,000,000.00</u>
Day Total					-4,000,000.00
26-Aug-19	534167	Westpac Group	Term Deposits	Maturity Face Value - Received	2,000,000.00
		Westpac Group	Term Deposits	Interest - Received	64,350.68
<u>Deal Total</u>					<u>2,064,350.68</u>
Day Total					2,064,350.68
28-Aug-19	537360	Westpac Group	Floating Rate Term Deposits	Interest - Received	17,019.75
<u>Deal Total</u>					<u>17,019.75</u>
Day Total					17,019.75
29-Aug-19	534564	Greater Bank	Floating Rate Note	Coupon - Received	14,720.00
<u>Deal Total</u>					<u>14,720.00</u>
	537027	ME Bank	Term Deposits	Interest - Received	82,500.00
<u>Deal Total</u>					<u>82,500.00</u>

Waverley Council

Cashflows Report - August 2019



Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
				Day Total	97,220.00
30-Aug-19	536983	Bank Australia	Floating Rate Note	Coupon - Received	10,283.84
				<u>Deal Total</u>	<u>10,283.84</u>
				Day Total	10,283.84
				Net Cash Movement for Period	-7,542,373.94

Next Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>
2-Sep-19	537044	ME Bank	Term Deposit	Interest - Received	82,952.05
				<u>Deal Total</u>	<u>82,952.05</u>
				Day Total	82,952.05
3-Sep-19	537027	ME Bank	Term Deposit	Interest - Received	1,130.14
		ME Bank	Term Deposit	Maturity Face Value - Received	3,000,000.00
				<u>Deal Total</u>	<u>3,001,130.14</u>
	537049	ME Bank	Term Deposit	Interest - Received	82,500.00
				<u>Deal Total</u>	<u>82,500.00</u>
				Day Total	3,083,630.14
5-Sep-19	537069	ME Bank	Term Deposit	Interest - Received	84,000.00
				<u>Deal Total</u>	<u>84,000.00</u>
				Day Total	84,000.00
6-Sep-19	536715	Westpac Group	Term Deposit	Interest - Received	47,638.36
				<u>Deal Total</u>	<u>47,638.36</u>
				Day Total	47,638.36
10-Sep-19	535380	Commonwealth Bank of Australia	Floating Rate Term Deposits	Interest - Received	18,498.05
				<u>Deal Total</u>	<u>18,498.05</u>
	537044	ME Bank	Term Deposit	Interest - Received	1,808.22
		ME Bank	Term Deposit	Maturity Face Value - Received	3,000,000.00
				<u>Deal Total</u>	<u>3,001,808.22</u>
				Day Total	3,020,306.27
13-Sep-19	537130	ME Bank	Term Deposit	Interest - Received	55,000.00

Waverley Council

Cashflows Report - August 2019



Next Month Cashflows

Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
				Deal Total	55,000.00
				Day Total	55,000.00
17-Sep-19	537049	ME Bank	Term Deposit	Interest - Received	3,164.38
		ME Bank	Term Deposit	Maturity Face Value - Received	3,000,000.00
				Deal Total	3,003,164.38
	538045	Westpac Group	Term Deposit	Interest - Received	14,669.59
				Deal Total	14,669.59
				Day Total	3,017,833.97
20-Sep-19	534995	Credit Union Australia	Floating Rate Note	Coupon - Received	19,244.38
				Deal Total	19,244.38
	535796	Bank of Queensland	Term Deposit	Interest - Received	87,000.00
				Deal Total	87,000.00
	535984	Credit Union Australia	Floating Rate Note	Coupon - Received	20,527.34
				Deal Total	20,527.34
				Day Total	126,771.73
24-Sep-19	535796	Bank of Queensland	Term Deposit	Interest - Received	953.42
		Bank of Queensland	Term Deposit	Maturity Face Value - Received	3,000,000.00
				Deal Total	3,000,953.42
				Day Total	3,000,953.42
Net Cash Movement for Period					12,519,085.94

REPORT

CM/7.3/19.09



Subject: Fees and Charges 2019-20 - Minor Amendments - Exhibition

TRIM No: A18/0511

Author: Annette Trubenbach, Executive Manager, Caring Waverley

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council publicly exhibits the proposed amendments to the early education centre and waste service fees in the Fees and Charges 2019–20, as set out in Tables 2 and 3 in this report, for a period of 28 days, in accordance with section 610F of the *Local Government Act 1993*.

1. Executive Summary

This report proposes minor amendments to Council's 2019–20 Fees and Charges in the following areas:

- Early education centres – amending existing bond fees.
- Waste service – additional pick-up fee for a specific bin size.

The report recommends that the proposed changes be placed on public exhibition for a period of 28 days, in accordance with section 610F of the *Local Government Act 1993*.

2. Introduction/Background

The 2019–20 Fees and Charges were adopted by Council in June 2019. Occasionally, errors or omissions of fees are identified after Council adoption. This report proposes amendments in two areas of Community, Assets and Operations for public exhibition.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 18 June 2019	CM/7.2/19.06	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes the community submissions made in relation to the Operational Plan 2019-20 and Pricing Policy and Schedule of Fees and Charges 2019-20 as in attachment 1 of this report. 2. Amends the subheading to the Statement of Revenue Policy on page 61 of the Draft Operational Plan to read: 'Statement with respect to Rate Levy (section 405(2), <i>Local Government Act 1993</i>)'.

		<ol style="list-style-type: none"> 3. Amends line 13 of section 1.3.1 Ordinary Rates of the Statement of Revenue Policy on page 62 of the Draft Operational Plan to read: 'with section 548(3), (4) and (5) of the Act in'. 4. Adopts the Operational Plan 2019-20, as amended by clauses 2 and 3 above, including the Statement of Revenue Policy and the Rating Structure for 2019-20 contained on page 63 of the proposed Operational Plan 2019-20 with the marked-up changes at Attachment 2 together with the proposed Pricing Policy and Schedule of Fees and Charges 2019-20 with the marked up changes at Attachment 3. In accordance with sections 497, 516, 518, 529 (2)(d), 534, 535 and 548(3) of the <i>Local Government Act</i>, the following rates and charges is set for every parcel of rateable land within the Waverley local government area for the period of 1 July 2019 to 30 June 2020: <ol style="list-style-type: none"> (a) That an ordinary rate of zero point one one five eight nine cents (0.11589) in the dollar subject to a minimum rate in accordance with section 548(3), (4) and (5) of the Act, per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub categorised Ordinary in accordance with section 529(2)(b) of the Act. (b) That an ordinary rate of zero point five four five two seven cents (0.54527) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Ordinary in accordance with section 529 (2)(d) of the Act. (c) That an ordinary rate of zero point eight eight eight one five cents (0.88815) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Bondi Junction in accordance with section 529(2)(d) of the Act. 5. Sets the Domestic Waste Management Service Charge at \$562 per service per annum for the period 1 July 2019 to 30 June 2020 in accordance with section 496 of the <i>Local Government Act</i>. 6. Sets the Stormwater Management Service Charge contained on page 66 of the draft Operational Plan 2019-20 in accordance with section 496A of the <i>Local Government Act</i> for the period of 1 July 2019 to 30 June 2020 as set out below:
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		Stormwater Management Service Charge		
		Category	Unit	Fee or Charge
		Residential property	per property	25.00
		Residential strata property	per property	12.50
		Business property	per 350 m2 (or part thereof)	25.00
		Business strata property	per 350 m2 (or part thereof) levied equally to strata unit entitlement with a minimum of \$5	25.00
		7. Authorises the General Manager to reassign responsibilities for each activity in these documents based on the Organisation Structure in place from time to time.		

4. Discussion

Early education centres – Bond fee

The bond is paid by families on enrolment and is returned to them when they leave the service after payment of any outstanding fees and charges incurred while the child attends Council's early education centres. During the exhibition of the draft Fees and Charges, and following a standard fees advice letter to families, Council officers did not receive any comments from centre users.

However, other feedback from families has led officers to conclude, that based on fairness and equity considerations, a small amendment to the enrolment bond is warranted. The concern expressed by families is that, in addition to being charged two weeks in advance, it would be unfair to request payment of a bond fee for any non-enrolment days. Internal feedback also identified an error in bond calculations. The proposed fees in Table 2 list the correct amounts. There is no impact on the overall budget, as families get the bond fee reimbursed upon leaving the centre.

Table 1. Adopted fees 2019–20 – Early education centres.

Category	Unit	2019/20 Fee or Charge \$	GST	Pricing Policy
Enrolment Bond *				
Children under 3 years of age (1-3 days per week)	per bond	700.00	Exempt	G
Children under 3 years of age (4-5 days per week)	per bond	1200.00	Exempt	G
Children 3 years of age and over (1-3 days per week)	per bond	700.00	Exempt	G
Children 3 years of age and over (4-5 days per week)	per bond	1200.00	Exempt	G
Daily fee per child - in rooms for children under 3 years of age (included here for reference only)	per day	122.00	Exempt	B
Daily fee per child - in rooms for children 3 years of age and over (included here for reference only)	per day	116.00	Exempt	B

Table 2. Proposed fees 2019–20 – Early education centres.

Category	Unit	2019/20 Fee or Charge \$	GST	Pricing Policy
Enrolment Bond *				
Children under 3 years of age (2 days per week)	per bond	488.00	Exempt	G
Children under 3 years of age (3 days per week)	per bond	732.00	Exempt	G
Children under 3 years of age (4 days per week)	per bond	976.00	Exempt	G
Children under 3 years of age (5 days per week)	per bond	1220.00	Exempt	G
Children 3 years of age and over (2 days per week)	per bond	464.00	Exempt	G
Children 3 years of age and over (3 days per week)	per bond	696.00	Exempt	G
Children 3 years of age and over (4 days per week)	per bond	928.00	Exempt	G
Children 3 years of age and over (5 days per week)	per bond	1160.00	Exempt	G
Daily fee per child - in rooms for children under 3 years of age (included here for reference only)	per day	122.00		B
Daily fee per child - in rooms for children 3 years of age and over (included here for reference only)	per day	116.00		B

Waste service – Additional pick-up fee for a specific bin size

Council currently offers an additional paid pick-up service for residents to have their domestic waste and recycling bins emptied. The fee for this service is variable depending on the size of the bin. Due to an administrative error, the fee for the 80/120/240L bins only were included, omitting the fees for the 660L bins.

The proposed amendment to the 2019–20 fees and charges is the inclusion of the fee of \$78.92 for emptying of the 660L capacity bin as shown in Table 3.

Table 3. Proposed additional fee 2019–20 – Waste services.

Category	Unit	2019/20 Fee or Charge \$	GST	Pricing Policy
Additional pick up 660 litre mobile garbage bin	per bin	78.92	Exempt	C

5. Consultation/Financial impact statement/Timeframe

The proposed changes will be placed on public exhibition for a minimum period of 28 days, in accordance with section 610F of the *Local Government Act 1993*. Notification of this exhibition will be displayed on Council's Have Your Say website and in the Wentworth Courier.

The public exhibition period is expected to run from the end of September 2019 to the end of October 2019, followed by a further report to Council summarising any internal and external submissions.

6. Conclusion

This report proposes minor amendments to Council's 2019–20 fees and charges in the following areas:

- Early education centres – amending existing bond fees.
- Waste service – additional pick-up fee for a specific bin size.

The proposed fees will go on public exhibition. A further report seeking adoption of the amended fees will come to Council before the end of the year. Following adoption, the 2019–20 Fees and Charges will be amended in accordance with Tables 2 and 3.

Adopting these amended fees will ensure that the correct fees are being charged for the services identified.

7. Attachments

Nil.

REPORT
CM/7.4/19.09

Subject: Resolution to Engage NSW Electoral Commission to Conduct Council Elections

TRIM No: A18/0817

Author: Al Johnston, Governance and Internal Ombudsman Officer

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Waverley Council ('the Council') resolves:

1. Pursuant to sections 296(2), (3) and (5A) of the *Local Government Act 1993* ('the Act'), that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to sections 296(2), (3) and (5A) of the Act, as applied and modified by section 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to sections 296(2), (3) and (5A) of the Act, as applied and modified by section 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

1. Executive Summary

Under section 296AA of the *Local Government Act 1993*, at least 18 months before the next ordinary council election each council must resolve either:

- To enter into an arrangement with the Electoral Commissioner, by contract or otherwise, for the Electoral Commissioner to administer elections of the council (as provided by section 296), or
- The elections of the council are to be administered by the general manager of the council.

The NSW Electoral Commission (NSWEC) has advised councils that they must make their decisions by 1 October 2019.

It is recommended that Council engages the Electoral Commissioner (the NSWEC) to administer Council's elections, polls and referenda, including the Council election in September 2020.

The NSWEC has provided model wording for those councils wishing to engage their services to ensure the resolution is legally valid. The recommendation of this report uses the model wording, and it is recommended that Council adopts the recommendation in that form.

2. Introduction/Background

Section 296AA of the *Local Government Act* allows councils to decide at least 18 months prior to an ordinary council election whether or not to enter into a contract with the NSWEC to conduct all of their elections, polls and referenda.

The NSWEC has advised that those councils wishing to engage the Commission's services must resolve to do so by 1 October 2019.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 17 February 2015	CM/7.1/15.0 2	<p>That Waverley Council ('the Council') resolves:</p> <ol style="list-style-type: none">1. Pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) ('the Act') that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

4. Discussion

The NSWEC is an independent statutory authority of the NSW Government with responsibility for the administration, organisation and supervision of elections in New South Wales for state government, local government, industrial and Aboriginal organisations, registered clubs and statutory bodies.

Council has engaged the NSWEC to administer its elections since 1995. Over the course of that time, the Commission has delivered high-quality electoral services which are impartial, effective, efficient and in accordance with the law. Stakeholders and the community have trust and confidence in the NSWEC to conduct council elections in an open and transparent manner which is independent of Council. Officers are satisfied that the Commission is the expert in the field and the appropriate body to administer our elections.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

The cost to Council of the 2017 council election was \$339,403 including GST.

The Independent Pricing and Regulatory Tribunal (IPART) is currently conducting a review into the costs of conducting local government elections. IPART's final report has been submitted to the Minister for Local Government. Until the IPART report and the Government's response to that report have been publicly released, the NSWEC will be unable to provide councils with service and costs estimates for the conduct of their elections.

Council has funds set aside in the election reserve for the 2020 Council election.

Time frame

Council must resolve to engage the NSWEC by 1 October 2019. If the NSWEC has not received a resolution by that time, it will not be able to administer Council's elections and Council will have to make alternative arrangements.

Should Council adopt the recommendation, the arrangements with the NSWEC will be valid until 18 months before the council election in 2024, at which time Council will be required to determine who will administer the 2024 council election.

Consultation

Senior staff have been consulted on this matter.

6. Conclusion

Officers are satisfied that the NSWEC is the best body to administer Council's elections, polls and referenda, including the 2020 Council election. Council's adoption of the recommendation will ensure the engagement of the NSWEC to provide this service.

7. Attachments

Nil.

**REPORT
CM/7.5/19.09**

Subject: Coastal Risk Management - Diamond Bay Reserve and Coastal Cliff Edges

TRIM No: A19/0573

Author: Jordan Laverty, Project Manager

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Notes the current status of actions to improve safety along the coastal cliff edge outlined in this report.
2. Considers the cost and feasibility of installing a viewing platform at Diamond Bay Reserve as part of any works proposed on the Diamond Bay boardwalk following consideration of the boardwalk condition assessment.

1. Executive Summary

The purpose of this report is to update Councillors on coastal risk management issues and actions following the recent tragic event at Diamond Bay and to respond.

Council officers are in the process of responding to Council resolutions CM/11.4/19.08 and CM/8.3/19.06 relating to risk management and safety concerns on the coastal cliff edge; in particular, at Diamond Bay Reserve, with some actions taken and others underway.

2. Introduction/Background

Council has been responding to safety concerns associated with cliffs adjacent to the coastal walk, in particular Diamond Bay for a number of years. Council records show periodic episodes of concern and corresponding action, including abseiling activities at Diamond Bay in the late 1990s and early 2000s. More recently, safety and other concerns have been raised with Council over people accessing the cliff edge at Diamond Bay to take photographs.

In June 2019, Council unanimously resolved to investigate measures to restrict or deter access to the coastal cliff edge and report back to Council in September 2019.

On Saturday, 17 August 2019, a tragedy occurred at the Diamond Bay Reserve cliff edge when a woman fell to her death. At its August meeting, Council unanimously resolved to explore, investigate and, where appropriate, take further actions to deter access to the coastal cliff edge, extending to education and awareness through social media. Council also endorsed the carrying out of a coastal risk assessment by an independent and suitably qualified assessor.

Council officers have both commenced and completed a number of actions relating to both Council resolutions. The actions taken and underway are detailed in this report.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 20 August 2019	CM/11.4/19.08	<p>That Council:</p> <ol style="list-style-type: none"> 1. Treats this 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)(g) of the <i>Local Government Act 1993</i>. 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. Expresses its sympathy and sadness at the tragic loss of life that occurred at the Diamond Bay Reserve on Saturday, 17 August 2019. 3. Notes the action taken and underway in response to Council resolution CM/8.3/19.06. 4. Notes the additional action undertaken by Council following the tragic events of 17 August 2019. 5. Notes the legal advice and summary of issues set out in the report. 6. Endorses the carrying out of an independent coastal risk review by suitably qualified assessors to guide further decision making on risk management along the Waverley local government area coastline. Diamond Bay Reserve is to be a priority, with an interim report to be presented to Council as soon as possible. 7. Urgently explores and takes appropriate action related to: <ol style="list-style-type: none"> (a) Installing additional temporary barriers. (b) Signage. (c) Social media messaging, including on WeChat, Weibo and similar channels. (d) Internet sites, tourist sites and other PR outlets, including TripAdvisor. (e) Compliance action. (f) Investigating legal remedies, including trespass. 8. Investigates action related to: <ol style="list-style-type: none"> (a) Community education.

		<ul style="list-style-type: none"> (b) Licensing and other legal options. (c) CCTV. (d) Identifiable commercial operators, such as photographic businesses. (e) Parking regulations in the immediate vicinity. (f) Activities by other Councils in managing similar locations. <p>9. Contacts the State Member for Vacluse, Gabrielle Upton, MP, to seek assistance in this matter.</p> <p>10. Requests the Diamond Bay/Vacluse and Dover Heights Precincts to provide input.</p>
Council 18 June 2019	CM/8.3/19.06	<p>That Council:</p> <ul style="list-style-type: none"> 1. Officers investigate measures to restrict or deter movement from the Diamond Bay Reserve and the Coastal Boardwalk to the cliff ledge. Such measures to include: <ul style="list-style-type: none"> (a) Appropriate multilingual signage (b) Further physical barriers to restrict or hinder movement to the cliff ledge. 2. Investigates the cost and appropriateness for CCTV and consults the local police area command. 3. Officers report back to Council by September 2019 with a further investigation to consider the appropriateness and cost of installing a viewing platform from the coastal boardwalk. 4. Increases the frequency of ranger patrols in the area, in particular on weekends. 5. Installs an additional bin in Diamond Bay Reserve. 6. Informs the Vacluse/Diamond Bay Precinct of Council's decision. 7. As part of the investigation Council officers liaise with Sydney Water and groups representing recreational fishermen about the access taken along the edge of the cliff to Sydney Water infrastructure by local fishermen.

4. Discussion

Below is the current status of actions from Council resolutions CM/11.4/19.08 and CM/8.3/19.06:

Item #	Action	Status	Comment
1	Undertake a Coastal Risk Assessment by an independent, suitably qualified assessors.	UNDERWAY	RFQ documentation being compiled by officers. To be released in early October.
2	Install temporary fencing at Diamond Bay boardwalk to further deter access.	COMPLETE	Temporary fencing installed.
3	Install additional permanent balustrade at Diamond Bay boardwalk to further deter access.	COMPLETE	Permanent balustrade installed.
4	Investigate additional temporary balustrade to block access off Chris Bang Crescent.	UNDERWAY	Officers investigating temporary solutions at this location. Permanent balustrade to be investigated as part of Coastal Risk Assessment (Item 1 above).
5	Install additional temporary compliance signage to deter access and reinforce compliance messaging.	COMPLETE	Temporary signage installed.
6	Install permanent compliance and advisory signage at Diamond Bay.	UNDERWAY	Permanent signage installed at Diamond Bay Reserve and boardwalk. Officers working on additional signage at access point to cliff edge from Chris Bang Crescent.
7	Awareness campaign/education on risky behaviours on appropriate channels (e.g. Social Media).	UNDERWAY	Messaging through appropriate channels is underway and ongoing. Translation and strategy advice received for use of alternative language channels.
8	Review internet/tourism sites and other outlets promoting the site and take appropriate action.	UNDERWAY	Research is ongoing and commercial operators promoting this site are being contacted as identified.
9	Investigate legal remedies to manage access to the cliff edge and high-risk recreational activities.	UNDERWAY	Review of available legal options is underway. Action being undertaken progressively.
10	Identify commercial operators and review legal/licensing options to manage issue.	UNDERWAY	Research is ongoing. Commercial operators promoting this site are being contacted as identified.
11	Investigate the installation of CCTV at Diamond Bay Reserve.	UNDERWAY	Business case is currently being compiled for the purchase and installation of a new CCTV camera and how the camera will be used. Police input has been sought.
12	Parking regulations in the immediate vicinity.	COMPLETE	Parking surrounding Diamond Bay currently unrestricted. Changes to be investigated as part of the Resident Parking Scheme review.
13	Activities undertaken by organisations	COMPLETE	National Parks, Sutherland Shire

	currently managing similar risks.		Council and Randwick City Council have provided information on how they manage similar risks. This information is to inform Coastal Risk Assessment.
14	Contact Gabrielle Upton, MP to seek assistance on this matter.	UNDERWAY	Letter sent requesting assistance.
15	Seek input from Diamond Bay/Vaucluse and Dover Heights Precincts.	UNDERWAY	Survey sent to each precinct for feedback.
16	Increased compliance action.	UNDERWAY	Increased Ranger patrols are underway and ongoing. Compliance team in discussion with the Police to see if additional support is possible.
18	Meet with Sydney Water to determine access requirements at Diamond Bay.	COMPLETE	Officers met with Sydney Water representatives on 4 September. Sydney Water confirmed they do not require access down cliff edge at Diamond Bay nor do they own the stairs/assets in this location.
19	Consult with recreational fishermen representatives.	UNDERWAY	Email sent to Recreational Fishing Alliance seeking feedback on Council's plans to further reduce access to cliff face at Diamond Bay. Awaiting response.
20	Independent condition assessment of Diamond Bay boardwalk.	UNDERWAY	Draft report received. Awaiting submission of final report. This will identify any issues with existing structure and inform any urgent works.
21	Investigate viewing platform at Diamond Bay.	UNDERWAY	Scope to be determined following condition assessment of existing boardwalk (Item 20).
22	Installation of bin enclosure at Diamond Bay.	UNDERWAY	Officers currently completing procurement for the supply and installation of a bin enclosure.

While some members of the public continue to attempt to access the cliff edge, in the last week there has been a reduction in people disregarding signs and Ranger instructions.

5. Financial impact statement/Timeframe/Consultation

The cost of an independent coastal risk assessment, with a particular focus on cliff edge safety, is estimated to be \$100,000.

Costs incurred to date, including the installation of temporary and permanent balustrades and signage, is approximately \$25,000.

Depending on other measures Council wishes to pursue, and a final condition assessment of the existing boardwalk at Diamond Bay, costings will be developed and sources of funds identified. Council has sought funding assistance via Gabrielle Upton, MP.

6. Conclusion

This report sets out the response to Council resolutions CM/11.4/19.08 and CM/8.3/19.06 relating to risk management and safety concerns on the coastal cliff edge—in particular, at Diamond Bay Reserve—noting actions taken to date and others underway.

7. Attachments

Nil.

**REPORT
CM/7.6/19.09**

Subject: Petition - Tree Replacement outside 13 Craig Avenue, Vaucluse

TRIM No: A03/0946

Author: Richard Coelho, Governance and Internal Ombudsman Officer

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council refers the petition requesting the replacement of trees outside 13 Craig Avenue, Vaucluse, to the Director, Community, Assets and Operations, for appropriate action, and a report come back to Council.

1. Executive Summary

Council has received a petition containing 64 signatures mostly from residents of the Diamond Bay area requesting the replacement of trees outside 13 Craig Avenue, Vaucluse.

It is recommended that the petition be forwarded to the Director, Community, Assets and Operations, for appropriate action, and that a report come back to Council on the outcome.

2. Introduction/Background

Council accepts petitions from persons who have an interest in the Waverley local government area as residents, landowners, business people or in some other capacity. Petitions must concern matters that Council is authorised to determine.

3. Relevant Council Resolutions

Nil.

4. Discussion

The petition states:

'We, the undersigned residents of Diamond Bay and surrounds, request and petition that Waverley Council replace the recently removed trees outside 13 Craig Ave with trees more in keeping with Diamond Bay's streetscape.'

We request that Waverley Council plant native trees, of small to medium in size which thrive in coastal environments, and are already used in this area.'

5. Financial impact statement/Timeframe/Consultation

There is no financial impact in Council receiving the petition.

6. Conclusion

It is recommended that the petition be forwarded to the Director, Community, Assets and Operations, for appropriate action, and that a report come back to Council on the outcome.

7. Attachments

Nil.

REPORT
CM/7.7/19.09

Subject: Child Safe Policy - Exhibition

TRIM No: SF19/1354

Author: Annette Trubenbach, Executive Manager, Caring Waverley

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Publicly exhibits the draft Child Safe Policy attached to this report for a period of 28 days.
2. Notes that a further report summarising internal and external feedback will be prepared for Council's consideration.

1. Executive Summary

This report seeks Council's endorsement of the new draft Child Safe Policy (Attachment 1) for public exhibition. The policy will provide a framework for Council and Waverley's community describing everyone's role in keeping children safe. Following endorsement, the draft policy will be placed on public exhibition with a further report coming to Council summarising external and internal feedback. A draft action plan outlining strategies and resources will be included for consideration to assist implementation.

2. Introduction/Background

Children have a right to safety: emotionally, mentally and physically. Everyone has a role to play in keeping children safe from harm. The Office of the Children's Guardian introduced the Child Safe Standards to improve the way organisations provide services for children and young people to prevent and respond to any child abuse which may occur within their organisations. The Child Safe Standards are a central feature of the New South Wales Government's response to the Royal Commission (2017).

In relation to child safety, governments and institutions are now responsible for responding to the Royal Commission's recommendations and delivering the changes that the community has come to expect. New regulations have been introduced to ensure that keeping children safe is everybody's business. As part of their duty of care, organisations have an obligation to commit to education and support. The draft policy will serve as a short statement of Waverley Council's commitment, outlining the Office of the Children's Guardian 10 National Standards for Child Safe Organisations, and our responsibilities.

3. Relevant Council Resolutions

Nil.

4. Discussion

New regulations have only recently been introduced, but Council officers have already been asked by funding bodies and service providers to submit evidence of a Child Safe Policy in relation to various activities and programs that involve children and young people. In order to respond and develop organisational capacity to respond to these new requirements, Caring has drafted a policy with input and support from relevant internal partners, including Human Resources; Internal Ombudsman and Governance; Cultural Programs; Risk and Safety; Caring; and People, Culture and Learning.

Briefly, the policy will ensure Council is compliant with NSW child protection legislation, including: mandatory reporting, recruitment and selection and responding to allegations against staff involving children and young people. It commits Council to develop best practice in relation to promoting and safeguarding the health, safety, welfare and wellbeing of children and young people.

The Child Safe Standards are as follows:

Standard 1:	Child safety is embedded in institutional leadership, governance and culture.
Standard 2:	Children participate in decisions affecting them and are taken seriously.
Standard 3:	Families and communities are informed and involved.
Standard 4:	Equity is upheld, and diverse needs are taken into account.
Standard 5:	People working with children are suitable and supported.
Standard 6:	Processes to respond to complaints of child sexual abuse are child focused.
Standard 7:	Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
Standard 8:	Physical and online environments minimise the opportunity for abuse to occur.
Standard 9:	Implementation of the Child Safe Standards is continuously reviewed and improved.
Standard 10:	Policies and procedures document how the institution is child safe.

The adoption of the policy will confirm that Council:

- Believes that the safety and wellbeing of children and young people is everybody's business. In NSW, the safety of children and young people is the shared responsibility of parents and families, supported by the community, government and non-government organisations. Council shares with others a commitment to raising awareness, ensuring prevention and adequately responding to any suspected risk of significant harm of a child or young person.
- Supports children and young people having safe and happy experiences in our community, using our facilities and in the care of our services. Council maintains the active participation of children and young people in the organisation by involving them in decision making, particularly in matters that directly impact them.

How does the policy relate to early education and care services?

Council's delivery of early education and care as well as family support services complies with a host of specific regulations and policies in relation to child safety.

This Child Safe Policy is much broader, providing guidance and support for all of Council's interactions with children and young people. Council-run cultural programs, events and recreation activities already follow certain protocols and procedures. The policy will provide an opportunity for review, systems improvements and cross program consistency of approach to ensure Council follows best practice. It also encourages local government to take a leadership role in delivering relevant information and education to facilitate and support community responses.

ELT has agreed that a working group will:

- Develop an action plan to determine priorities and timeframe for implementation of the policy including public consultation during exhibition of the Council endorsed draft.
- Identify resources for completion of the introductory self-assessment (see Attachment 2) and other requirements.

Council's Children and Family Services are organising a networking and information event for Waverley families during National Child Protection Week (1–7 September 2019). While the time frame won't permit a launch, Council can refer to the draft policy and invite input and broader community discussion.

Child Protection Week aims to engage members of the community in supporting families and protecting children. This year's focus is on introducing a 'child development' communication frame to promote the messages that:

- Kids do well when parents are supported.
- To raise thriving kids, parents need support to navigate life's choppy waters.

These messages align closely with Council's prevention and early intervention approach and underpins many of the strategies children's services and family support programs are pursuing.

5. Financial impact statement/Time frame/Consultation

The establishment of the working group requires representation of key staff (Human Resources, Engaging Waverley and Caring Waverley) and Council officers' support is required to complete the self-assessment. This can be absorbed in existing budgets and may include the use of casual project staff who can support this process. After public exhibition and based on feedback from the working group, a further report to Council will provide a clearer indication of any additional resources needed to meet the requirements.

Upon endorsement, the draft policy is expected to be on public exhibition for 28 days. Internal consultation with key stakeholder has occurred throughout the development of the draft policy. While on exhibition, further feedback will be sought to clarify expectations and scope of activities.

6. Conclusion

This report seeks Council's endorsement of the draft Child Safe Policy, which summarises Council's commitment to the 10 National Standards for Child Safe Organisations. These standards, outlined by the Office of the Children's Guardian, are designed to improve the way organisations provide services for children and young people to prevent and respond to any child abuse which may occur.

Keeping children safe is everybody's business; implementation involves working in partnership with Waverley's community. After further discussions by the internal working group and following public exhibition, another report will be prepared for Council to consider feedback and adopt the final policy.

7. Attachments

1. Draft Child Safe Policy [↓](#)
2. Child Safe Organisations - Introductory Self-assessment Tool [↓](#)



Child Safe Policy

Policy owner	Caring Waverley
Prepared by	Manager Children & Family Services
Approved by	
Date approved	
Commencement date	1 July 2019
Version	1
Category	
Keywords	
Revision date	30 June 2023
Amendments	
Relevant strategic direction	Waverley Community Strategic Plan 2018-2019
Relevant legislation/codes	The NSW Local Government Act (1993) Environmental Planning and Assessment (EPA) Act 1979 State Records Act 1998 Government Information (Public Access) Act 2009 Privacy and Personal Information Protection Act 1998 Children and Young Persons (Care and Protection) Act 1998 Children and Young Persons (Care and Protection) Regulation 2012 Education and Care Services National Law Act 2010 Education and Care Services National Regulations 2012 Ombudsman Act 1974 Young Offenders Act 1997
Related policies/documents	Waverley Community Strategic Plan 2018-2029 Waverley Council, Recruitment Guidelines (July 2018) Waverley Council, Respectful Workplace Policy (17 July 2017) Waverley Council, Complaints Management Policy (20 September 2011) Waverley Council, Child Care Policies (July 2018) Waverley Council, Code of Conduct Waverley council, Early Childhood Code of Ethics Access to Information Policy Records Management Policy United Nation Convention on the Rights of the Child (1990)
Related forms	

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1. Background

The Office of the Children's Guardian introduced the Child Safe Standards to improve the way organisations provide services for children and young people to prevent and respond to any child abuse which may occur within their organisations. The Child Safe Standards are a central feature of the New South Wales Government's response to the Royal Commission (2017).

The Child Safe Standards are as follows:

- Standard 1:** Child safety is embedded in institutional leadership, governance and culture
- Standard 2:** Children participate in decisions affecting them and are taken seriously
- Standard 3:** Families and communities are informed and involved
- Standard 4:** Equity is upheld, and diverse needs are taken into account
- Standard 5:** People working with children are suitable and supported
- Standard 6:** Processes to respond to complaints of child sexual abuse are child focused
- Standard 7:** Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
- Standard 8:** Physical and online environments minimise the opportunity for abuse to occur
- Standard 9:** Implementation of the Child Safe Standards is continuously reviewed and improved
- Standard 10:** Policies and procedures document how the institution is child safe.

The following principles from the Office of the Children's Guardian must be included as part of Council's response to each Standard:

- promoting the safety of children.
- promoting respect and fair treatment of children
- promoting the safety of children from diverse background
- promoting and encouraging participation of children in the organisation.

This policy has been prepared in response to the Office of the Children's Guardian Child Safe Standards, particularly Standard 10.

2. Objective (Purpose)

This policy is designed to assist Council to prevent and respond to any alleged child abuse or child safety concerns that may occur within Council or any alleged child abuse or child safety concerns which is reported to Council.

This policy aims to:

- embed an organisational culture of child safety, for all children and young people including children or young people with disability' and
- promote the cultural safety of child and young people who come from culturally and linguistically diverse background.

This policy also informs Council employees, students, trainees, apprentices, volunteers, contractors and Councillors of their legal and duty of care obligations in reporting alleged child abuse and neglect.

If you believe a child or young person is at immediate risk of child abuse, phone 132 111.

3. Scope

This Policy applies to all Council employees, students, trainees, apprentices, volunteers, contractors and Councillors.

This policy is intended to be read in conjunction with any business unit policy procedure or requirements covering child safety, which will prevail over this policy to the extent of the inconsistency.

This policy should be read in conjunction with the Child Safe Standards.

4. Policy Content

Council's commitment to child safety

- Council is committed to child safety.
- Council has zero tolerance of child exploitation or abuse. Council will not knowingly engage – directly or indirectly – anyone who poses a risk to children. Council works to minimise the risks of child exploitation and abuse associated with its functions and programs, and trains its employees, students, trainees, apprentices, volunteers, contractors and Councillors on their obligations under this policy.
- Council is committed to preventing child exploitation and abuse. Whilst it is not possible to entirely eliminate risks of child exploitation and abuse, careful management can identify, mitigate, manage or reduce the risks to children that may be associated with Council functions and programs.
- Council is committed to having a robust recruitment screening processes for all Council employees, students, trainees, apprentices, volunteers and contractors in contact with children. These recruitment procedures include:
 - Criminal record checks before engagement – required for Children's Service staff
 - Verbal referee checks
- Australia is a signatory to the United Nations Convention on the Rights of the Child. Council is committed to upholding the rights of the child. In all actions concerning children, the best interests of the child shall be a primary consideration.

Our children

Council promotes diversity, tolerance and people from all walks of life and cultural backgrounds are welcome. In particular, Council endeavours to:

- Promote the cultural safety, participation and empowerment of children and young people from culturally and/or linguistically diverse background; and
- Ensure that children and young people with a disability are safe and can participate equally.

Training

Council understands that child safety is everyone's responsibility.

To ensure Council maintain a child safe culture Council employees, students, trainees, apprentices, volunteers, contractors and Councillors will be informed, resourced and supported to understand their role in providing a safe environment for children.

Council will provide appropriate best practice induction and ongoing training for Council employees, students, trainees, apprentices, volunteers, contractors and Councillors engaged in the care of children to:

- understand child safe policies and procedures
- identify signs of harm including child exploitation or abuse
- raise awareness of child sexual child exploitation or abuse and mandatory reporting
- raise awareness of appropriate/inappropriate behaviour
- understand the requirements and process for mandatory reporting and handling complaints and/or allegations
- ensure understanding of the requirements of a child safe environment

- develop practical skills in protecting children and responding to disclosures.

Recruitment

Council will ensure all Council employees, students, trainees, apprentices, volunteers and contractors who work with children have a current Working With Children Check (WWCC) and that there is an appropriate screening process for Council employees, students, trainees, apprentices, volunteers and contractors that work with children including interview guides, behavioural based interview, advertisements and selection criteria which clearly demonstrate our commitment to child safety.

Child Safety Officer

Council has established a Child Safety Officer with the following objectives:

- to ensure that reportable incidents, staff who report incidents and Council's obligations under this policy and legislation are managed effectively and efficiently
- to ensure that Council is a child safe organisation and reinforcing that child safety is of paramount importance to Council
- to be focused on management and compliance of reported incidents relating to child safety.

The Child Safety Officer will action findings from child safety reviews or investigations and facilitate changes to Council's policy where appropriate.

Reporting

All incidents or allegations of child abuse should be reported to the Child Safety Officer and Council will immediately take the appropriate steps to assess and minimise any further risk or harm. Allegations or incidents can be reported by Council employees, students, trainees, apprentices, volunteers, contractors or Councillors.

A reportable allegation is made where a child, young person or adult makes an allegation, based on a reasonable belief, that a Council employee, student, trainee, apprentice, volunteer, contractor and Councillor has been involved in the abuse of a child or young person.

Council will support any relevant authorities' investigations into any concerns about children and/or allegations of exploitation or abuse towards children.

While investigations are being conducted Council will ensure child protection measures continue to be in place. In consultation with police and other authorities, and subject to their approval, we will conduct our own inquiries in order to identify opportunities for child safe practice improvements.

Mandatory Reporters

Mandatory Reporters who are required by law to report suspected child abuse and neglect to Family and Community Services (FaCS) are people who deliver the following services, wholly or partly, to children as part of their paid or professional work, and include:

- Health care – registered medical practitioners, specialists, enrolled and registered nurses, registered midwives, occupational therapists, speech pathologists, psychologists, dentists and other allied health professionals working in sole practice or in public or private health practices. Welfare – registered psychologists, social workers, caseworkers and youth workers.
- Education – teachers, counsellors, principals.
- Children's services – child care workers, family day care carers and home-based carers.
- Residential services – refuge workers, community housing providers.
- Law enforcement – police.

Privacy and confidentiality

Council will respect the privacy of all individuals involved, whether they are Council employees, students, trainees, apprentices, volunteers, contractors or Councillors.

Information will be treated as confidential, and will only be used and disclosed on a need-to-know basis, with the consent of the individual or their authorised representative, or otherwise in accordance with law.

Child Safety – Professional behaviours

Council employees, students, trainees, apprentices, volunteers, contractors and Councillors undertaking business with or on behalf of Council that involves working with or contacting children are expected to adhere to the following behaviour while they perform those duties:

- treat all children with respect
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- not engage children under the age of 18 in any form of sexual intercourse or sexual activity
- wherever possible ensure another adult is present when working near children
- not invite unaccompanied children into private residences
- never use any computers, mobile phones, video cameras, cameras or social media to exploit or harass children, or access child exploitation material through any medium
- not use physical punishment on children
- comply with all relevant Australian and NSW legislation
- immediately report concerns or allegations of child exploitation and abuse

Photographing or filming a child or children for work related purposes

When photographing or filming a child or children for work related purposes:

- obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. An explanation of how the photograph or film will be used must be provided
- ensure photographs, films, videos present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive
- ensure images are honest representation of the context and the facts
- ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

Roles and Responsibilities

Role	Responsibility
Council	
Director Customer Service and Organisation Improvement Director Community, Assets & Operations	Responsible for overseeing implementation and review of this Policy.
Directors and Executive Managers	Responsible for ensuring staff comply with this Policy and make use of the support mechanisms, tools and resources provided to guide implementation.
Communications and Engagement Team	Responsible for providing implementation advice and assistance, facilitating distribution of information and resources for promoting child safe practices using various communication channels. Relevant resources and tools need to be up-to-date and readily accessible.
Service Providers	Council employees, Contractors, Volunteers,

5. Review of Policy

This policy will be reviewed every four years or as required in the event of legislative changes or requirements. The policy may also be changed as a result of other amendments.

Council staff and members of the public may provide feedback about this document by emailing <michelle.carrick@waverley.nsw.gov.au>.

6. Definitions

Term	Definition
Abuse	<p>physical abuse—the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning</p> <p>neglect—the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing</p> <p>emotional abuse—refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child, or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child's self-esteem or social competence</p> <p>sexual abuse—the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography</p> <p>ill-treatment—disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and/or a pattern of hostile or unreasonable and seriously inappropriate degrading comments or behaviour towards a child</p>
Child	A person who is under the age of 18 years.
Child exploitation	<p>One or more of the following:</p> <ul style="list-style-type: none"> - committing or coercing another person to commit an act or acts of abuse against a child - possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material - committing or coercing another person to commit an act or acts of grooming or online grooming <p>using a minor for profit, labour, sexual gratification, or some other personal or financial advantage</p>
Child Safe Organisation	An organisation in which child safety is embedded in planning, policy and practices and where the voices of children and young people are valued and actioned.
Child Safe Standards	Principle-based outcome for child safe strategies
Mandatory Reporter	People who deliver services, wholly or partly, to children as part of their paid or professional work. This is regulated by the <i>Children and Young Persons (Care and Protection) Act 1998</i> . <i>Mandatory Reporters are required by law to report suspected child abuse and neglect to government authorities.</i> This includes, but is not limited to, professionals working in: health care; welfare; education; children's services; residential services; and, law enforcement.

Mandatory Reporter Guide	The Mandatory Reporter Guide (MRG) is a decision-making tool to assist Mandatory Reporters to help determine how the suspected risk of significant harm of a child or young person is reported.
Neglect	A term used to refer to a pattern characterised when a parent or caregiver cannot regularly provide a child or young person the basic requirements for this or her growth and development such as food, clothing, shelter, medical and dental care, adequate supervision and adequate parenting and care.
Working with Children	Working with children means being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering or other unpaid works
Working With Children Check (WWCC)	Working with Children Check. The WWCC is a requirement for anyone who works or volunteers in child-related work in NSW. The check provides either clearance to work with children for five years, or a bar against working with children. https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check
Young Person	A young person can be defined in a variety of ways depending on the context. For the purpose of this Policy a young person is a person who is over the age of 16 years but under the age of 18 years.

Attachment 2



Child Safe
Organisations
National Principles

Getting started on your child safe journey: Introductory self-assessment tool for organisations

Children have a right to safety - emotionally, mentally and physically. Everyone has a role to play in keeping children safe from harm. Harm can take many forms such as accidental injury, exposure to physical hazards, bullying by peers, neglect, emotional abuse, physical abuse and sexual abuse. Organisations providing services to or working with children, whether run by staff or by volunteers, have a duty of care to keep children safe and to respect their rights.

The Child Safe Organisations Introductory self-assessment tool for organisations is **a first step** for any organisation working with children and young people when considering child safety in their organisation. It can help an organisation:

- identify priority areas for improvement in their child safety policies, procedures and practices
- learn about the National Principles for Child Safe Organisations (National Principles)
- commit to future action
- monitor improvement.

Organisations may be regulated through existing national, state and territory legislation. These are not considered in detail in this tool.



This tool should be completed by people in the organisation who are knowledgeable about the day-to-day activities, policies and procedures and staff and volunteer experiences in the organisation. These people exist at many levels of an organisation and we recommend that **more than one person completes this self-assessment exercise**, as a group or separately. If multiple people complete this tool separately, we recommend that you compare and discuss your responses to identify areas for improvement. This tool could also be used for seeking feedback from children and young people and their parents or carers to further inform considerations of child safety within your organisation.

(Note: If you work or volunteer for a large organisation that provides a range of services, this tool will work best if you focus on a particular service or activity where individuals in your organisation interact with children and young people).

The statements in this tool reflect aspects of the National Principles for Child Safe Organisations. The ten principles collectively show that a child safe organisation is one that creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people. This introductory self-assessment tool gives examples of what some of the aspects of the National Principles might look like in practice.

© Australian Human Rights Commission 2018.

How to use:

1. Read the Statement and examples in the Questions column.
2. Mark whether the statement is true 'always', 'most of the time', 'sometimes', 'rarely' or 'never' in the Scale column. You may find that some examples in the speech bubbles apply but some do not. There is space for comment where you can note if this is the case.
3. Mark 'other' if you don't know or are unsure.
4. Complete steps 1 and 2 for all the statements.
5. Once you have finished going through the Questions column and filled out the Scale column for each row, fill out the Next Steps.
6. Fill out the Next Steps focussing in particular on the statements where you've selected 'rarely', 'never' or 'other'. Fill out who will take these next steps and when the next steps will be completed by. You can include in the Next Steps evidence of how you do this, details of how you could do it better, as well as details of who will take these steps and timeframes.
7. Use the [National Principles](#), their key action areas and indicators to help you consider future actions.

Completing this tool will involve making judgement calls about how often a statement is true, the relevance of the examples suggested and what future action you take. If you work across multiple sites you may wish to complete this assessment for each site, or clearly define which site you are completing the assessment for.



Principle 1: Child safety and wellbeing is embedded in organisational leadership, governance and culture.

1) Leaders in the organisation model **attitudes and behaviours that show they are committed to child safety and wellbeing.**

What might this look like?

Leaders in the organisation:

- inform themselves about child safety and wellbeing
- make a public commitment to child safety and wellbeing
- put the best interests of children first at all times
- encourage all staff and volunteers of the organisation to value and ensure child safety and wellbeing
- support anyone to safely disclose their concerns and are responsive
- are open to suggestions and complaints.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

Comment:

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Next steps:

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By whom:

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2) Staff and volunteers understand their **responsibilities for child safe practices and use this to inform their actions.**

What might this look like?

In the organisation:

- child safe policies are integrated into everyday work practices and everyone understands what they need to do
- there are named people to discuss practices and concerns with
- policies and procedures refer to additional information, support and contacts
- responsibilities of all staff and volunteers are reflected in position descriptions
- all staff take responsibility for their actions to ensure child safe practices.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

Comment:

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Next steps:

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By whom:

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Refer to **National Principle 1**, its key action areas and indicators to help you consider future actions.



Principle 2: Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.

3) Children and young people share their views and **participate in decision making.**

What might this look like?

- Children and young people learn about their rights, including to safety, information, to be listened to and to have their views respected.
- Children and young people can recognise safe environments.
- Children and young people know how to seek help.
- Children and young people have opportunities to give their opinion on what they like and don't like about the organisation, how things could be better and what makes them feel safe and unsafe in the organisation.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

Comment:

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Next steps:

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By whom:

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4) The organisation **values children's views.**

What might this look like?

Staff and volunteers in the organisation:

- listen to what children say
- understand that children may communicate their views non-verbally, e.g. through changes in behaviour or participation
- consider and reflect children's views to improve their activities and processes e.g. through discussion in team or management meetings
- provide age appropriate platforms for children and young people to communicate and participate e.g. through games, creative activities and group discussion.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

Comment:

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Next steps:

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Refer to **National Principle 2**, its key action areas and indicators to help you consider future actions.



Principle 3: Families and communities are informed and involved in promoting child safety and wellbeing.

5) The organisation communicates with families and communities about how they ensure child safety and wellbeing.

What might this look like?

The organisation:

- informs families and communities of the organisation's child safety and wellbeing policies and procedures e.g. through a website, newsletter, at induction and open days
- provides information in accessible ways
- considers that communities include P&C committees, volunteers, Elders, and local community organisations.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

Comment:

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Next steps:

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6) The organisation involves families and communities in conversations about child safety and wellbeing in the organisation.

What might this look like?

- Actively inviting feedback on the organisation from families and communities e.g. through informal discussions, meetings and surveys.
- Seeking feedback in accessible ways.
- Consulting with parents and carers about their children.
- Encouraging and supporting parents and carers to talk to their children about safety and wellbeing.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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Refer to **National Principle 3**, its key action areas and indicators to help you consider future actions.



Principle 4: Equity is upheld and diverse needs respected in policy and practice.

7) All children are able to participate in the organisation, regardless of circumstances and backgrounds.

What might this look like?

The organisation is accessible to, actively seeks to engage and pays particular attention to the needs of:

- Aboriginal and Torres Strait Islander children and young people
- children and young people with disability
- children and young people from culturally and linguistically diverse backgrounds
- children and young people who are unable to live at home
- lesbian, gay, bisexual, transgender and intersex children and young people.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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Next steps:

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8) Staff and volunteers effectively support children and young people with diverse needs.

What might this look like?

Staff and volunteers:

- take children seriously and respond meaningfully when children communicate about their feelings, needs and concerns
- put children's best interests first
- create culturally safe spaces welcoming to children
- learn about the circumstances and experiences that increase a child's vulnerability to harm
- recognise needs of children and young people from diverse backgrounds and circumstances
- consider how safety and wellbeing, communication and participation might differ for children and young people from diverse backgrounds and circumstances.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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Refer to **National Principle 4**, its key action areas and indicators to help you consider future actions.



Principle 5: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

9) Staff and volunteers are **carefully selected**.

What might this look like?

- Child safety and wellbeing is emphasised in advertising, referee checks and staff and volunteer pre-employment screening.
- The organisation verifies applicants' identity, qualifications, professional registration and relevant background/working with children/police checks.
- The organisation assesses applicants' values, motives and attitudes for compatibility with a culture of child safety and wellbeing.
- The recruitment process may include panel interviews, transparent short-listing and standardised reference checks.
- The recruitment process involves children, families and communities where appropriate.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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10) The organisation **continuously supports** and supervises staff and volunteers to meet their child safety responsibilities.

What might this look like?

The organisation:

- covers child safety policies and procedures in inductions
- delivers or provides access to regular training, professional development and/or information sessions
- ensures everyone is informed about policies and procedures and knows how to enact them
- actively communicates internal and external supports that are available
- ensures child safety and wellbeing is expressed as a core element of supervisory processes and meeting agendas
- regularly reviews staff and volunteer performance.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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Refer to **National Principle 5**, its key action areas and indicators to help you consider future actions.



Principle 6: Processes to respond to complaints and concerns are child focused.

11) The organisation has **accessible** procedures for raising and responding to **concerns and complaints**.

What might this look like?

- Information about raising and responding to concerns and complaints is in easy English for individuals with different levels of English literacy.
- Information about raising and responding to concerns and complaints is available in child-friendly formats.
- Information about raising and responding to concerns and complaints is available on the website and downloadable.
- Staff and volunteers discuss and invite feedback.
- Organisations display materials on their approach to child safety and wellbeing where appropriate.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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12) The organisation **takes all concerns and complaints seriously**, and follows up with everyone involved.

What might this look like?

- The process of handling complaints and concerns prioritises the safety and wellbeing of children and young people.
- There are clear roles and responsibilities for leadership, staff and volunteers.
- There is a clear process for raising complaints and concerns, including to appropriate authorities when relevant.
- There is a record keeping system that is linked to decision making and disciplinary processes.
- There are several pathways to escalate concerns.
- Staff and volunteers know when and how to report to relevant authorities.
- Relevant people are kept informed of the progress and outcome.
- Feedback and complaints lead to improvement in policy and practice.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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Refer to **National Principle 6**, its key action areas and indicators to help you consider future actions.



Principle 7: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

13) Staff and volunteers are regularly encouraged to and have access to **information and training** on child safety and wellbeing.

What might this look like?

Information and training covers:

- children's rights
- risk management in child safety and wellbeing
- how to build culturally safe environments for children and young people
- how to recognise signs of child harm
- how to respond to issues of child safety and wellbeing, including disclosures of child harm
- training resources and tools which are consistent, simple, accessible and easy to use.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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14) Staff and volunteers **respond effectively** when issues of child safety and wellbeing arise.

What might this look like?

Staff and volunteers:

- take children seriously when they communicate about their feelings, needs and concerns
- put children's best interests first
- follow processes for complaints and concerns (see Principle 6)
- know when and how to report to relevant authorities
- learn about the circumstances and experiences that increase a child's vulnerability to harm
- review complaints, concerns and safety incidents to inform continuous improvement.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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Refer to **National Principle 7**, its key action areas and indicators to help you consider future actions.



Principle 8: Physical and online environments promote safety and wellbeing while minimising opportunity for children and young people to be harmed.

15) The organisation's risk management strategy addresses physical risks.

What might this look like?

The risk management strategy:

- identifies, assesses and takes steps to minimise the opportunity for children to be harmed
- focuses on preventing child harm, including peer-to-peer harm
- considers increased risk with specific roles and activities, and children with heightened vulnerability e.g. children with disability
- is outlined in policies and procedures and included in training of staff and volunteers.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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16) The organisation's risk management strategy addresses online risks.

What might this look like?

The risk management strategy for online safety:

- identifies, assesses and takes steps to minimise the opportunity for children to be harmed
- focuses on preventing child harm, including peer-to-peer harm
- considers increased risk with specific roles and activities, and children with heightened vulnerability e.g. children with disability
- is outlined in policies and procedures and included in training of staff and volunteers.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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Refer to **National Principle 8**, its key action areas and indicators to help you consider future actions.



Principle 9: Implementation of the national child safe principles is regularly reviewed and improved.

17) The organisation regularly reviews their child safe practices.

What might this look like?

- Complaints, concerns and safety incidents are analysed in a timely manner to inform continuous improvement.
- Reports on the findings of reviews are provided to all members of the organisation.
- Timeframes for reviews are committed to and met.
- Reviews are linked to plans about future action on child safety and wellbeing in the organisation.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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18) The organisation uses reviews to improve their child safe practices.

What might this look like?

- Regular opportunities to specifically discuss child safe practices in the organisation e.g. meetings, forums and planning days.
- Seeking feedback from children, young people, families and communities about child safe practices in the organisation.
- Creating a plan for future action on child safety and wellbeing in the organisation.
- Reviews feed into future plans for child safety and wellbeing and these plans are supported across the organisation.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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Refer to **National Principle 9**, its key action areas and indicators to help you consider future actions.



Principle 10: Policies and procedures document how the organisation is safe for children and young people.

19) The organisation's policies and procedures on child safety are documented and easily **accessible**.

What might this look like?

- Materials are in easy English for individuals with different levels of English literacy.
- Materials are available in child-friendly formats.
- Materials are easily available on the website and downloadable.
- Staff and volunteers discuss and invite feedback.
- Organisations display child safe materials where appropriate.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

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20) Everyone in the organisation knows how to apply the child safety and wellbeing **policies and procedures**.

What might policies and procedures cover?

- The organisation's commitment to child safety and wellbeing.
- Communicating with children, young people, families and communities.
- Staff and volunteer recruitment, ongoing training and support.
- Management of physical and online risks.
- Processes for responding to complaints and concerns about child safety and wellbeing.
- Requirements that staff and volunteers act in accordance with the child safety and wellbeing policies and procedures, including the Code of Conduct.

- ☐ Always
☐ Most of the time
☐ Sometimes
☐ Rarely
☐ Never
☐ Other (*don't know, unsure*)

Comment:

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Go back and fill out your next steps for all the statements. Pay particular attention to the statements where you've selected 'rarely', 'never' or 'other'. Fill out who will take these next steps and when the next steps will be completed by.

Use the [National Principles](#), their key action areas and indicators to help you consider future actions.



REPORT
CM/7.8/19.09

Subject: Local Hero Awards - Review

TRIM No: A19/0200

Author: Rebecca Rodwell, Manager, Community Planning and Partnerships

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Holds the Local Hero Awards every two years, starting in 2021.
2. Officers amend the criteria for the Young Local Hero Award to recognise excellence in areas including, but not limited to, environment, business, volunteering, fundraising, sports, arts and culture, innovation and leadership.
3. Notes that the Best of Best award will continue unchanged.

1. Executive Summary

Council acknowledges the importance of recognising the people who make a significant contribution to our community, and whose passion and dedication make Waverley a great place to live.

Since 2012, Waverley has recognised these community leaders and contributors through the annual Local Hero Awards, with the Best of the Best Award being awarded every four years.

In 2019, the appointed judging panel, consisting of the Mayor, Cr Wakefield, and Crs Goltsman and Wy Kanak, recommended that Council review:

- The frequency of the Local Hero Awards, after receiving 11 nominations, three of which were ineligible.
- The criteria for the Young Local Hero award, to acknowledge excellence (rather than volunteering/community contribution) and attract more nominations. There were no nominations in the 'Group' or 'Young Local Hero' categories this year.

Following these recommendations, this report proposes that the Local Hero Awards be held every two years and that the ceremony be combined with the annual volunteer recognition event in May. Since the 2017 review, the two events were delivered as a joint program which has been extremely well received by Local Heroes and volunteers. It is also recommended that the Young Local Hero criteria be broadened to include excellence, rather than being limited to a young person's contribution to the community.

It is anticipated that these changes to the program will help build nominations in 2021. There are no changes recommended for the Best of the Best Award.

2. Introduction/Background

Council has recognised and awarded its community leaders in various ways over many years. The Waverley Local Hero Awards have been held annually in their current format since 2012 (except in 2016 due to amalgamation discussions). There was concern about the declining number and quality of nominations before that time, and similar concerns prompted a further review in 2017. Between 2012 and 2017, the awards program consisted of the Local Hero Awards (Local Hero and Young Local Hero) and the 'Best of the Best' held every four years.

The feedback at the time indicated that:

- The number and quality of eligible nominations for the Local Hero Awards had gradually decreased.
- The eligibility and process were constraining.
- 'Local hero' branding did not necessarily appeal to applicants who didn't see themselves as 'heroes'.

The 2017 report recommended that the Local Hero Awards be expanded to recognise a broader range of community contributions, aiming to attract more nominations and interest through improved categories, enhanced promotion and a larger, combined volunteer recognition event. These recommendations were endorsed, and in 2018 twenty nominations across the six categories were received, the highest number of nominations in seven years.

In 2019, however, there were 11 nominations, and three of these were ineligible. Of the eight eligible nominations, there were no nominations in either the group category or Young Local Hero Award. The Young Local Hero Awards has been difficult to attract nominations with three in 2014, three in 2015, one in 2016, one in 2018 and one ineligible in 2019.

In 2019, the 'Best of the Best' was also awarded for the first time since the guidelines were reviewed in 2017. This enabled the community to nominate 'Best of the Best' recipients, along with former Local Hero recipients who were automatically eligible for nomination. There were five nominees in this category: two of whom were past Local Hero recipients, and three who were nominated by community members. This helped in broadening the pool of outstanding nominees for this prestigious award.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 16 April 2019	CM/7.9/19.04	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the recommendations of the judging panel for the Waverley Local Hero Awards 2019 and Certificate of Commendation as follows: <ol style="list-style-type: none"> (a) Local Hero Award – Strengthening Community – Peter Quartly. (b) Local Hero Award – Community Volunteer – Linda Deutsch. Certificate of Commendation – Community Volunteer – Irina Gilstein. (c) Local Hero Award – Community Life – Catherine Kara. (d) Local Hero Award – Second Nature Champion

		<p>– Anne McArthur.</p> <ol style="list-style-type: none"> 2. Endorses the panel's recommendation that a Local Hero 'Best of the Best' bronze plaque be installed on the 'Recognising Our Community Leaders' walk in honour of Audrey and Peter McCallum for their extensive community volunteering. 3. Supports the panel's recommendations that a report be prepared for Council to: <ol style="list-style-type: none"> (a) Review award frequency. (b) Review the Young Local Hero Award criteria.
Council 17 April 2018	CM/7.14/18.04	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes the report. 2. Endorses the recommendations of the Judging Panel for the Waverley Local Hero Awards 2018, Waverley Young Local Hero Award 2018, and Certificate of Commendation as follows: <ol style="list-style-type: none"> (a) Local Hero Award – Strengthening Community: Efim Solove Certificate of Commendation: Laya Slavin (b) Local Hero Award – Community Volunteer: Leila Forde Certificate of Commendation: Allan Scott (c) Local Hero Award – Community Life: Sara Hawkins. (d) Local Hero Award – Working Together: Mums for Mums and Friends of Waverley Cemetery (e) Local Hero Award – Second Nature Champion: Glen Stevens Certificate of Commendation: Robin Mellon (f) Young Local Hero Award: Chloe Luu and Belinda Gao (joint award) (g) Mayoral Certificate of Commendation: Plastic Free Bronte 3. Endorses the Panel's further recommendations as follows: <ol style="list-style-type: none"> (a) That the Heroes receive a trophy, and that the commendations receive a framed certificate.

		<ul style="list-style-type: none"> (b) That all other nominees receive a letter of appreciation from the Mayor. (c) That the winners and commendation recipients be nominated by Council in the NSW Volunteer of the Year awards. <p>4. Officers give consideration to awarding cash prizes to future recipients of these awards.</p>
Council 21 November 2017	CM/7.9/17.11	<p>That Council:</p> <ul style="list-style-type: none"> 1. Endorses the proposed changes to the Local Hero Awards as outlined in this report, specifically that: <ul style="list-style-type: none"> (a) The awards categories listed in Table A of this report be trialled to recognise a broader cross section of the community. (b) The award ceremony be integrated with Council's formal volunteer recognition event during Volunteer Week in May to improve appeal and reach. (c) The 'Best of the Best' Local Hero award be made more broadly accessible to outstanding candidates (beyond the pool of previously recognised local heroes). 2. Appoints a judging panel for the current Council term, consisting of the Mayor or nominee, Cr Goltsman, Cr O'Neill and Cr Wy Kanak.
Operations Committee 7 March 2017	OC/5.3/17.03	<p>That Council:</p> <ul style="list-style-type: none"> 1. Receives and notes the report. 2. Endorses the recommendations of the Judging Panel for the Waverley Local Hero Award 2015, Waverley Young Local Hero Award 2016, and Certificate of Commendation as follows: <ul style="list-style-type: none"> (a) Waverley Local Hero Award 2016: Joe Coelho, Volunteer, Waverley Library, Local Studies Collection. (b) Waverley Young Local Hero Award 2016: Niall Hoskins, Volunteer, Waverley Library, Digital Assistance. (c) Certificate of Commendation, Dr Paul Hotton, North Bondi Surf Club.

Operations Committee 4 August 2015	OC/5.4/15.08	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes the report. 2. Endorses the recommendations of the Judging Panel for the Waverley Local Hero Award 2015, Waverley Young Local Hero Award 2015, and three Certificates of Commendation as follows: <ul style="list-style-type: none"> 2.1 Waverley Local Hero Award 2015: Rabbi Mendel Kastel, Jewish House 2.2 Waverley Young Local Hero Award 2015: not recommended this year 2.3 Certificate of Commendation <ul style="list-style-type: none"> • Grant McMahon, North Bondi Surf Club • Sue Underwood, Beaches Outreach Project • Grant Trebilco, OneWave. 3. Endorses the Panel's recommendation that a perspex trophy called 'Waverley Lifetime Service Award' be introduced, and awarded this year to John Wright OAM, in recognition of his dedicated long term service to the community. 4. Endorses the Panels' recommendation that a 'Best of the Best' Local Hero bronze plaque be installed in the 'Recognising Our Community Leaders' walk, in honour of Rabbi Dovid Slavin, Our Big Kitchen.
Operations Committee 5 May 2015	OC/5.5/15.05	<p>That Council amends the Local Hero Awards eligibility selection criteria as follows: in the fifth criterion, insert the word 'full-time', to read:</p> <p><i>'Current serving local government councillors and full-time council officers are not eligible.'</i></p>
Community, Housing, Environmental Services and Public Works Committee 2 August 2011	C-1108.1	<p>That the Committee:</p> <ol style="list-style-type: none"> 1. Receive and note this report. 2. Endorse the consolidation of the Recognising Our Community Leaders program with the annual Scroll of Honour award at the Australia Day Citizenship ceremony from 2012. 3. Endorse the introduction of a new category to recognise contributions by young people. 4. Endorse the installation of one Local Heroes plaque along the Bondi to Bronte coast walk once every four years.

4. Discussion

Over many years, Council has celebrated the contributions of community members who generously give their time to support a range of activities: community services, arts and culture, sport and recreation, the environment, fundraising and volunteering.

Given Waverley's relatively small population size and long history of repeat recognition events, the recommendations from the 2019 judging panel reflect similar discussions that have been held in recent years. They relate to concerns about the declining numbers of nominations, number of repeat nominations over multiple years (who have since been awarded) and decline in quality of nominations. Following panel deliberations, the 2019 panel members recommended to reduce the frequency of the Local Hero Awards, and to review the criteria for Young Local Heroes in the future.

A review in 2017, considered this information as well as feedback that the 'Local Hero' concept did not capture the quiet achievers, hardworking volunteers and other people in the community who were committed to a cause. The outcome of the review recommended an increased number of categories and broadened eligibility. This led to an increased number of nominations in 2018, but fewer numbers again in 2019.

Various changes have been implemented to freshen up and improve the appeal of the Waverley community recognition awards. In 2018 and 2019, comprehensive communications strategies in partnership with the Communications and Engagement team helped to promote the awards widely. There could be a range of reasons why, despite these efforts, Council finds it challenging to attract more nominations of high quality. Feedback for improvement has included the following comments:

- Increasing the award categories and making the awards more accessible to the community.
- Improving/streamlining the nomination process.
- Recommending a financial prize rather than a trophy (this was not supported).

Potentially distracting from Waverley's awards is Westfield's new annual Local Hero Program, which provides winners with a \$10,000 prize to support their work. This year, the Westfield program was launched in March and nominations closed in April. Waverley's Local Hero Awards was launched in February and closed in early March.

Regarding the Young Local Hero Award, it is recommended that officers broaden the criteria to include excellence. Currently, this award only recognises a young person's contribution to the community. Excellence could be in areas such as the environment, business, volunteering, fundraising, sports, arts and culture, innovation and leadership.

5. Financial impact statement/Timeframe/Consultation

In 2018 and 2019, the award ceremony was delivered as a joint event with the annual volunteer celebrations. These annual celebrations held during Volunteer Week in May will continue to be supported. The only change will be in following a reduced schedule for Local Hero awards from annually to biennially. In the year leading up to Local Hero nominations, engagement with potential nominators, community groups, services and causes could assist in laying the foundation for a successful new round.

6. Conclusion

This report proposes to reduce the Local Hero Awards from an annual to a biennial program and to amend the criteria for Young Local Hero to attract more nominations. This, combined with continued efforts in promoting the program, particularly leading up to the awards, will likely increase the number of quality nominations from the well deserving pool of inspiring community members in Waverley.

7. Attachments

Nil.

REPORT CM/7.9/19.09



Subject: Neighbourhood Amenity Fund - Financial Analysis

TRIM No: A03/0346

Author: Teena Su, Executive Manager, Finance

Director: Darren Smith, Chief Financial Officer

RECOMMENDATION:

That Council receives and notes the financial analysis for the establishment of a Neighbourhood Amenity Fund.

1. Executive Summary

Council's long-term financial outlook is positive according to the current Long Term Financial Plan (LTFP). It is financially viable to fund the Neighbourhood Amenity Program from the reserves fund by allocating \$1 million each year over the 11 years of the current LTFP period to 2029/30.

2. Introduction/Background

At its meeting on 20 August 2019, Council resolved to investigate allocating up to \$1 million each year over the life of the current LTFP to a newly established Neighbourhood Amenity Fund to improve local urban and residential amenity, increase tree canopy and landscaping, capture and keep rain where it falls, and lower street level temperature while improving residential amenity in all areas of Waverley local government area (LGA).

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 20 August 2019	CM/6.2/19.08	<p>That:</p> <ol style="list-style-type: none"> Council notes the ongoing Strategic Asset Management Plan. Council notes the current preparation of a Tree Canopy Study. Council notes the Urban Forest Strategy. Council notes Theme 8, Sustainable Environment, of Council's Community Strategic Plan 2018–2029. Council notes 8.3.3 of the Community Strategic Plan: 'Increase the quantity of trees and plants in our public spaces, parks and streets.' Council notes that the measure of success is an increase

		<p>in canopy and shrubs with a baseline of 23.9% increasing to 29.9% target in 2029</p> <ol style="list-style-type: none"> 7. Council investigates allocating up to \$1 million each year over the life of the current Long Term Financial Plan to a newly established Neighbourhood Amenity Fund. 8. Council notes that Council was successful in two applications for funding under the Five Million Trees for Greater Sydney Grant program. 9. The aim of the Neighbourhood Amenity Fund is to improve local urban and residential amenity, increase tree canopy and landscaping, capture and keep rain where it falls, and lower street level temperature while improving residential amenity in all areas of Waverley. 10. Council establishes criteria to be used for the allocation of monies from this Fund and a process for the optimum allocation of the Fund to achieve the goal of reducing concrete surfaces and increasing landscaping and tree canopy on footpaths, roads, traffic islands, blisters and other public spaces, as deemed appropriate 11. Amenity improvement elements will include landscaping, pavement treatment, water sensitive urban design (WSUD) and lighting, as appropriate. 12. All traffic, road, footpath and landscaping works, including relevant SAMP projects, maintenance works and new capital projects, will have access to the Residential Amenity Fund and be assessed against the criterion of residential amenity improvement. 13. The Neighbourhood Amenity Fund will be used to top up base projects and not for full funding of projects. 14. A report will be prepared for the September 2019 Council meeting analysing the financial viability of this project.
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4. Discussion

This report responds to clauses 7 and 14 of Council's resolution.

Council's current income budget is projected at \$146.53 million and the annual expenditure budget is projected at \$169.54 million for the 2019/20 financial year. A \$1 million allocation to the Neighbourhood Amenity fund would require approximately 6.82% of Council's income. There are significant operational pressures on Council's budget and it should be noted that Council expenditure over the next seven years is expected to outweigh the income that it will generate, as shown in Figure 1.

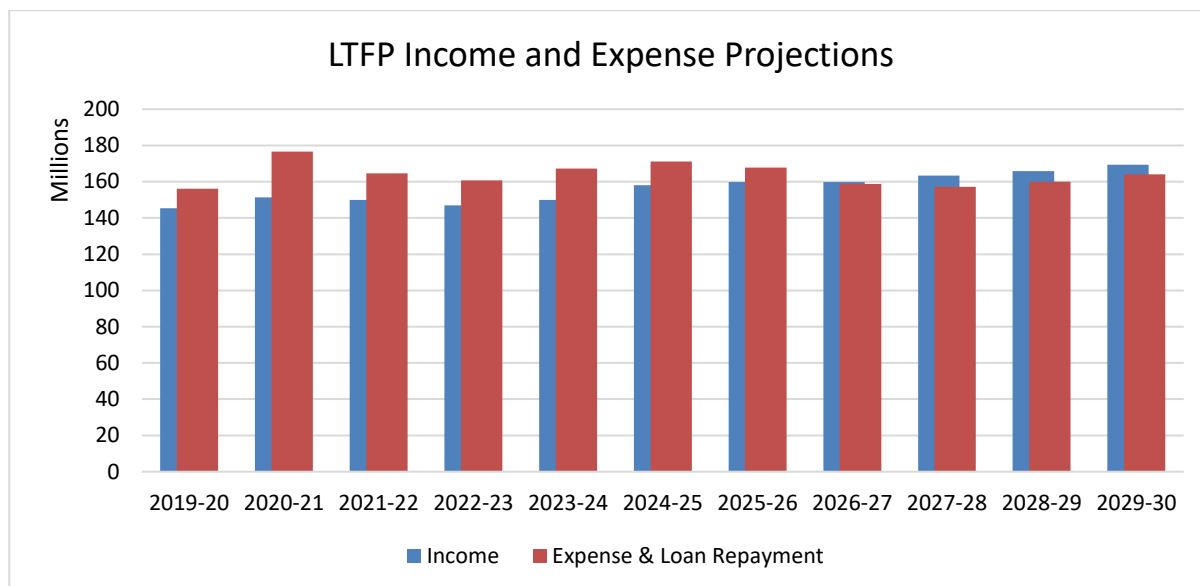


Figure 1. LTFP income and expense projections.

Therefore, it is not possible to fund the annual \$1 million Neighbourhood Amenity Program from current income sources.

However, Council has a healthy reserves fund, which potentially could be used to fund this program. Figure 2 shows the reserve funds holding prior and post the implementation of this Program based on the current LTFP.

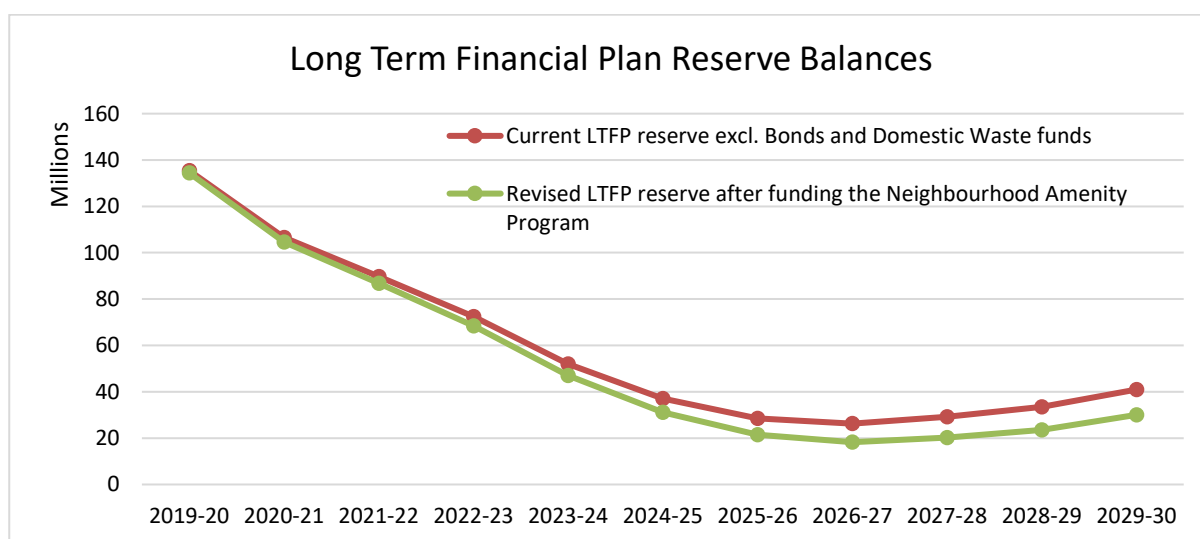


Figure 2. Long Term Financial Plan reserve balances.

This does not account for changes (reductions) in expenditure that Council may make in each annual budget.

This will permit the goal of reducing concrete surfaces and increasing landscaping and tree canopy on footpaths, roads, traffic islands, blisters and other public spaces in the Waverley LGA.

This analysis is on assumption that there are no other changes to the current LTFP.

The report has not assessed any potential ongoing operating cost that may arise from implementing the Neighbourhood Amenity Program.

5. Financial impact statement/Timeframe/Consultation

The Neighbourhood Amenity Program over the life of the current LTFP will be funded from the current LTFP reserves fund without impact on the current allocation to the existing service level.

6. Conclusion

Council has a healthy reserves fund holding that can be applied to implement the Neighbourhood Amenity Program.

7. Attachments

Nil.

REPORT
CM/7.10/19.09

Subject: Sculpture by the Sea - Licence Agreement

TRIM No: SF19/3007

Author: John Clark, Director, Customer Service and Organisation Improvement

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council notes the update on negotiations with Sculpture by the Sea Incorporated set out in this report for the licence agreement for the 2019 Sculpture by the Sea event.

1. Executive Summary

On 16 July 2019, Council resolved, in part, to approve the 2019 Sculpture by the Sea event subject to Sculpture by the Sea Incorporated entering into a licence agreement with Council. The licence agreement formalises the operative provisions of the event.

Council officers have been negotiating with Sculpture by the Sea for several months and it was anticipated that the agreement would have been in place early September 2019. The event management plan is expected to be submitted by 20 September and event bum-in is scheduled for 11 October. While there are minimal outstanding items to be resolved with the licence agreement, it is appropriate to update Council on the status of the agreement given this timing.

2. Introduction/Background

Sculpture by the Sea is a sculpture exhibition that takes place over 18 days from the end of October each year. The event has been running since 1999 and is categorised by the NSW Department of Premier and Cabinet as a Category B Hallmark event.

In line with good practice standards and to ensure transparency and probity, a formal agreement has been developed in conjunction with Sculpture by the Sea to formalise the operative provisions of the event. It is unusual for an event of this scale to be allowed to proceed without a formal agreement. Council officers have been working with Sculpture by the Sea over the past several months to develop the licence agreement. On 16 July 2019, Council endorsed the draft agreement and authorised the General Manager to finalise negotiations and execute the agreement.

Negotiations have been ongoing; however, a final position has not been reached. While there are minimal outstanding items to be resolved, it is appropriate to update Council on the status of the agreement given the timing of the event preparations over the coming weeks, and the fact that access to the park by event organisers is subject to the licence agreement being entered into.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 16 July 2019	CM/7.15/19.07	<p>That Council:</p> <ol style="list-style-type: none"> 1. Approves Sculpture by the Sea for 2019, subject to Sculpture by the Sea Incorporated entering into a licence agreement with Council relating to the staging of the event. 2. Offers Sculpture by the Sea Incorporated a further licence authorising Sculpture by the Sea Incorporated to stage the event for five years with an option of a further five years. 3. Authorises the General Manager, or delegated representative, to finalise negotiations and execute a licence agreement with Sculpture by the Sea Incorporated with respect to the Sculpture by the Sea event for 2019 based on the terms set out in this report as modified by this resolution, and for the subsequent proposed licence. 4. Officers consider amending the licence agreement as follows: <ol style="list-style-type: none"> (a) Insert at the end of clause 3.2.1: 'with the exception of a severe weather event.' (b) Insert at the end of clause 18.4.2(b): 'as required by clause 17.' (c) Insert a new clause 22.4.11: 'Turf remediation of the licensed area, if required.'

4. Discussion

Council officers have continued negotiations with Sculpture by the Sea and while progress has been slower than anticipated there have not been any material variations from the draft agreement endorsed by Council on 16 July 2019. The majority of the amendments have been agreed to by Council's Outdoor Events team based on the most practical approach to running the event. The only exception to this has been the removal of the requirement for Sculpture by the Sea to provide a geotechnical report on the areas in the licensed where installation equipment would be used. This is due to Sculpture by the Sea not agreeing to Council's position on the risk presented by use of a crane at Marks Park and the cost of the report. Based on Council officers' assessment of the risk, Council will undertake the geotechnical assessment at a cost of approximately \$10,000.

The most recent set of proposed amendments to the licence agreement were received by Council on 4 September 2019. At the time of writing this report, Council's General Counsel, legal advisers and the Outdoor Events team were reviewing the amendments. With the event management plan due for submission by around 20 September 2019, Council officers are working to get to a position where the agreement can be executed by that date.

If the agreement is not entered into, the event will not be able to proceed in 2019.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

Funding of approximately \$10,000 is required for the geotechnical survey. This will be accommodated within Events and Risk Management budgets.

Consultation

The licence agreement has been developed in conjunction with Sculpture by the Sea. Major Projects, Parks, Cultural, Outdoor Events, Resource Recovery and General Counsel have contributed to discussion during the negotiation and drafting of the agreement.

6. Conclusion

On 16 July 2019, Council resolved to approve the 2019 Sculpture by the Sea event subject to Sculpture by the Sea Incorporated entering into a licence agreement with Council. Negotiations are ongoing and were anticipated to have been finalised by now. While there are minimal outstanding items to be resolved, it is appropriate to update Council on the status of the agreement, given the timing of the event preparations over the coming weeks.

7. Attachments

Nil.

**REPORT
CM/7.11/19.09**

Subject: 2A Edmund Street, Queens Park - Feasibility Study Outcome

TRIM No: A18/0175

Author: Matt Henderson, Senior Project Manager

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Resolves to demolish and rebuild the building at 2A Edmund Street, Queens Park (Option 4 in the feasibility study attached to this report).
2. In order to fund the project, brings forward the following amounts from the Social Housing Reserve as part of the annual Long Term Financial Plan update 2020/21–2030/31:
 - (a) \$350,000 in design funding to the 2020/21 financial year.
 - (b) \$1.85 million in construction funding to the 2021/22 financial year.

1. Executive Summary

The purpose of this report is to provide an update on the outcomes of the feasibility study for 2A Edmund Street, Queens Park, a social housing block owned by Council. The feasibility study considered four options including three options for building upgrades and one for a full knock-down and rebuild. Council officers are recommending Option 4, the knock-down and rebuild, as the most feasible option, as this will provide a building with a lifespan of 50 years, relatively similar costs to the refurbishment options and a building compliant with the *Disability Discrimination Act*.

2. Introduction/Background

2A Edmund Street is a social housing block owned by Council. The building consists of two levels containing six units (three two-bedroom units per level) and occupied by elderly long-term residents. The ground floor units (unit 2 and 3) are not tenanted due to severe damp. In 2015/16, Council and Bridge began detailed investigations into the cause of persistent damp. The investigations indicated that there were serious issues with the building's sewerage, stormwater systems and failing brick skin.

In the development of Council's Strategic Asset Management Plan (SAMP 5), ATP (consulting engineers) completed a condition assessment on 2A Edmund Street. The condition assessment report rated this building with a building classification of 4 – 'relatively poor'. Due to the extensive work required to bring the building to an acceptable standard, SJB Architects (SJB) was commissioned to undertake a feasibility study on the building to determine the building's best future use.

During SJB's investigations it was identified by Partridge (its structural engineer) that urgent structural works were required on the building immediately. Consequently, Partridge prepared a scope of works and

a remediation contractor (Dapcor) was engaged under a procurement exemption for emergency works. The emergency remediation works included:

- Replacement of brick ties.
- Replacement of ground floor timber sub-floor.
- Brick reconstruction.
- Pest management.
- Installation of drainage and waterproofing.

Dapcor completed the remediation works that were inspected and certified by Partridge.

3. Relevant Council Resolutions

Nil.

4. Discussion

SJB completed the feasibility study and proposed the following four design options:

- Option 1: minor renovation.
- Options 2: minor renovation.
- Option 3: alterations and additions.
- Option 4: new build (two-storey building).

The feasibility study options were presented to Councillors at a Councillor workshop on 25 June 2019.

Options 1, 2 and 3 were considered less feasible by SJB and the Project Control Group (PCG) due the limited longevity of the building. SJB confirmed that the building's longevity for a refurbishment would only see the building extended its building life to 10 years before undergoing further remediation works. Additionally, these three options provide the least financial value in relation to the property value and improvement.

Furthermore, Option 4 was determined by SJB and the PCG as the most feasible option to proceed with, as this option will provide a building with a lifespan of 50 years at a relatively similar cost to option 1, 2 and 3. The building would also comply with the *Disability Discrimination Act*.

The table below summaries the key features, pros and cons of each option.

Table 1. Comparison of options.

Description	Option 1	Option 2
Key features	<ul style="list-style-type: none"> - General refurbishment of all existing apartments - Removal and replacement of kitchen joinery and appliances - Building classification will remain unchanged - Cost = \$1.6M (approx.) 	<ul style="list-style-type: none"> - General refurbishment of all existing apartments - Removal and replacement of kitchen joinery and appliances in units 1, 2, 4 and 5 - DDA Compliance to unit 3 and 6 - Additions to awnings in lobby entry - Upgrade all bathrooms - Building classification will improved slightly - Cost = \$1.6M (approx.)
Pros	<ul style="list-style-type: none"> - General building improvements. 	<ul style="list-style-type: none"> - General building improvements - Shorter relocation time for tenants

	<ul style="list-style-type: none"> - Shorter relocation time for tenants. - Simple fit-out. - Use of existing building fabric. - No authority approvals required. 	<ul style="list-style-type: none"> - Simple fitout - Use of existing building fabric - Complying Development Certificate in lieu of a Development Application
Cons	<ul style="list-style-type: none"> - Remedial works may not resolve issues if not correctly rectified. - Tenants to be relocated for 6 months. - Non-compliant building (DDA). - Buildings longevity approx. 10 years. 	<ul style="list-style-type: none"> - Tenants to be relocated for 6 months - Remedial works may not resolve issues if not correctly rectified - Non-compliant building (DDA) - Buildings longevity approx. 10 years
Description	Option 3	Option 4
Key features	<ul style="list-style-type: none"> - General refurbishment of all existing apartments - Removal and replacement of kitchen joinery and appliances in units 1, 2, 4 and 5 - DDA Compliance to unit 3 and 6 - Additions to awnings in lobby entry - Upgrade all bathrooms - Addition of terrace and balconies to all units - Building classification will improve slightly - Cost = \$1.7M (approx.) 	<ul style="list-style-type: none"> - Knock down and rebuild most feasible option - Key design elements: - Accessible Communal Lift - Accessible Apartment (unit 2) - X6 One Bedroom Units (per level) - Outdoor Terrace/Balcony - Building classification will improve to excellent - Cost = \$1.85 (approx.)
Pros	<ul style="list-style-type: none"> - General building improvements with DDA compliance (units 3 and 6) - Shorter relocation time for tenants - Simple fitout - Use of existing building fabric 	<ul style="list-style-type: none"> - New build and new facilities - Accessible Lift - Greater DDA compliance - Buildings longevity approx. 40+ years - Minimal cost in comparison to Options 1, 2 and 3
Con's	<ul style="list-style-type: none"> - Remedial works may not resolve issues if not correctly rectified - Tenants to be relocated for 6 months - Buildings longevity approx. 10 years - Development Application required 	<ul style="list-style-type: none"> - Tenants will need to be relocated for at least 12 months - Council approval issues non-compliance with FSR - Disruption to neighbours - Development Application required

5. Financial impact statement/Time frame/Consultation

The total anticipated funding required for engaging a head consultant to deliver the detailed design documentation is estimated to be \$350,000, with construction estimated to cost \$1.85 million.

The Long Term Financial Plan currently allocates design funding in 2023/24. It is proposed to bring this design funding forward to 2020/21, with construction in 2021/22.

6. Conclusion

The recommended construction approach is to proceed with Option 4 (knock-down and rebuild), as this option offers the best value for money to council and will provide a compliant building with a lifespan of 50 years.

7. Attachments

1. SJB - Feasibility Study [↓](#)

Project Update Report

**2A Edmund Street
Queens Park NSW 2022**



Project
2A Edmund Street, Queens Park
NSW 2022

Ref 5876
Date issued: 20 March 2019
Version: 01
Prepared by: SH
Checked by: SH

Contact Details
SJB Architects
Level 2, 490 Crown Street
Surry Hills NSW 2010
Australia

T: 61 2 9380 9911
architects@sjb.com.au
www.sjb.com.au

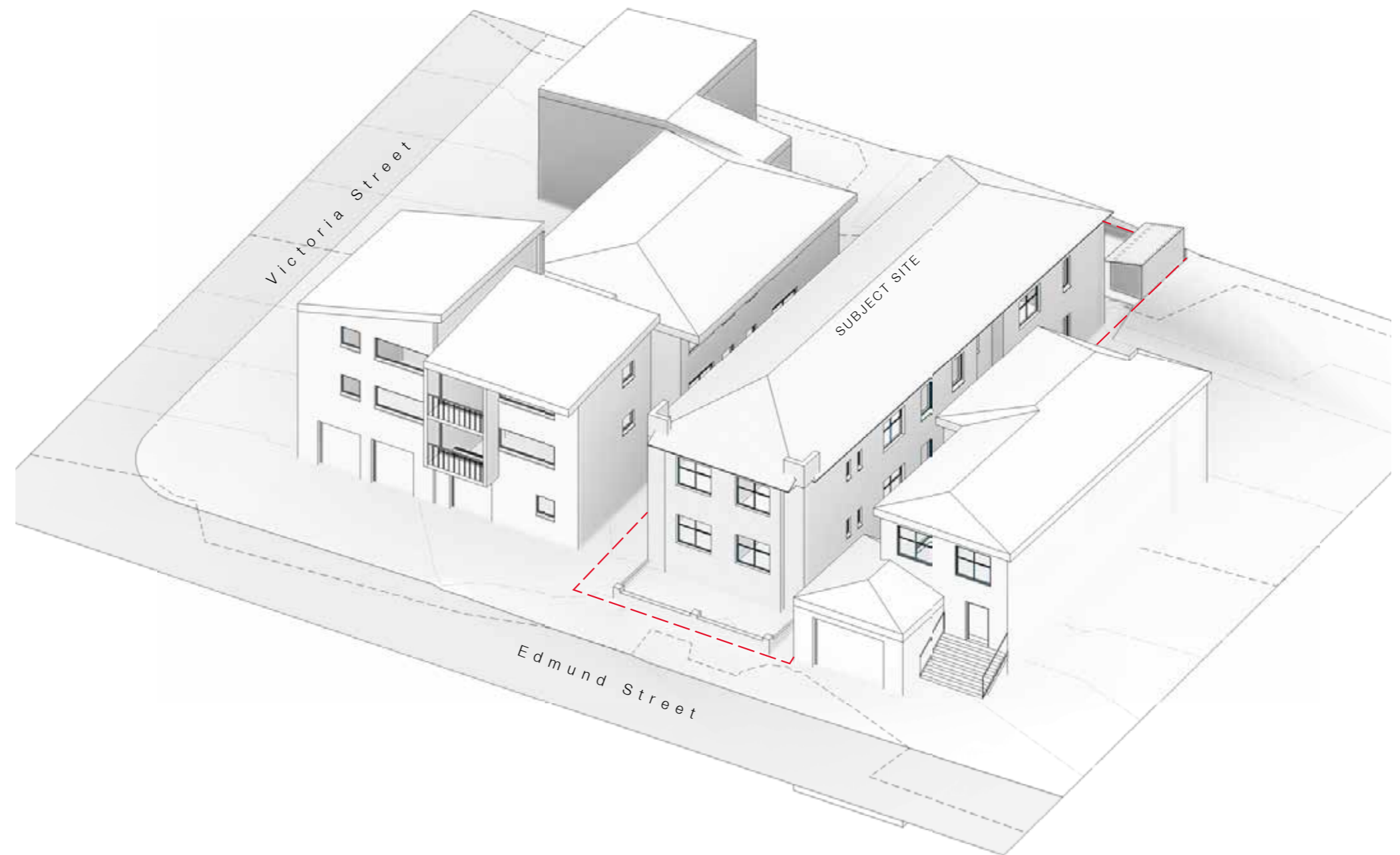
In collaboration with



1.1 Feasibility Investigations

A study was undertaken to inform the feasibility and development potential of the site, including;

- **Option 1:** Minor Renovation
- **Option 2: Renovation**
- **Option 2:** Alteration & Additions
- **Option 3:** New Build (2 Storeys)



Background

1.1 Location Map

2A Edmund Street is located in the Eastern Suburbs of Queen's Park, approximately 7km from Sydney CBD.

The site is a Social Housing Block, under the ownership of Waverley Council and managed by social housing provider Bridge Housing. Built circa 1940s, the building is a block of 6 units, 3x 2 bedroom apartments per level, across 2 storeys, with the western facade fronting Edmund Street.

The property is bounded by Queen's Park to the South, connecting the eastern fringe of the large public urban park - Centennial Parklands. A high traffic intersection meets Bronte, Victoria & Carrington Streets to the East, and the iconic Bondi Beach 4kms on the far North East Coast.

Residents are well connected to local amenity with Bondi Junction positioned directly 1km north, and close proximity to the local bus stop on Bronte Road.



1.2 Key Objectives

This feasibility study is to investigate the value proposition of:

1. Renovations
2. Alterations/additions
3. New Build (2 storey low risk approval)
4. New Build (3 storey high risk approval)

The study is to focus on socio-economic and environmental considerations and to examine & review:

- The need for affordable &/or social housing
- Accessibility
- Environmental performance
- Communal spaces
- Restoration or reuse of existing structure
- Maintenance & longevity
- Health and safety
- Structural adequacy
- Damp and water proofing issues



1.3 Site Photographs



1. Street View of Subject Site



2. Street Elevation of Subject Site



3. View of Existing Brickwork Treatment



4. View of Adjacent Properties



5. Letterboxes



6. Garbage Bin Enclosure shared with adjacent block - 17-23 Victoria St.



7. Rear Clothes Drying



8. Northern Pathway Access



9. Northern Wall, looking towards Edmund St.



10. Northern Wall, Entry



11. Communal Laundry at Entry

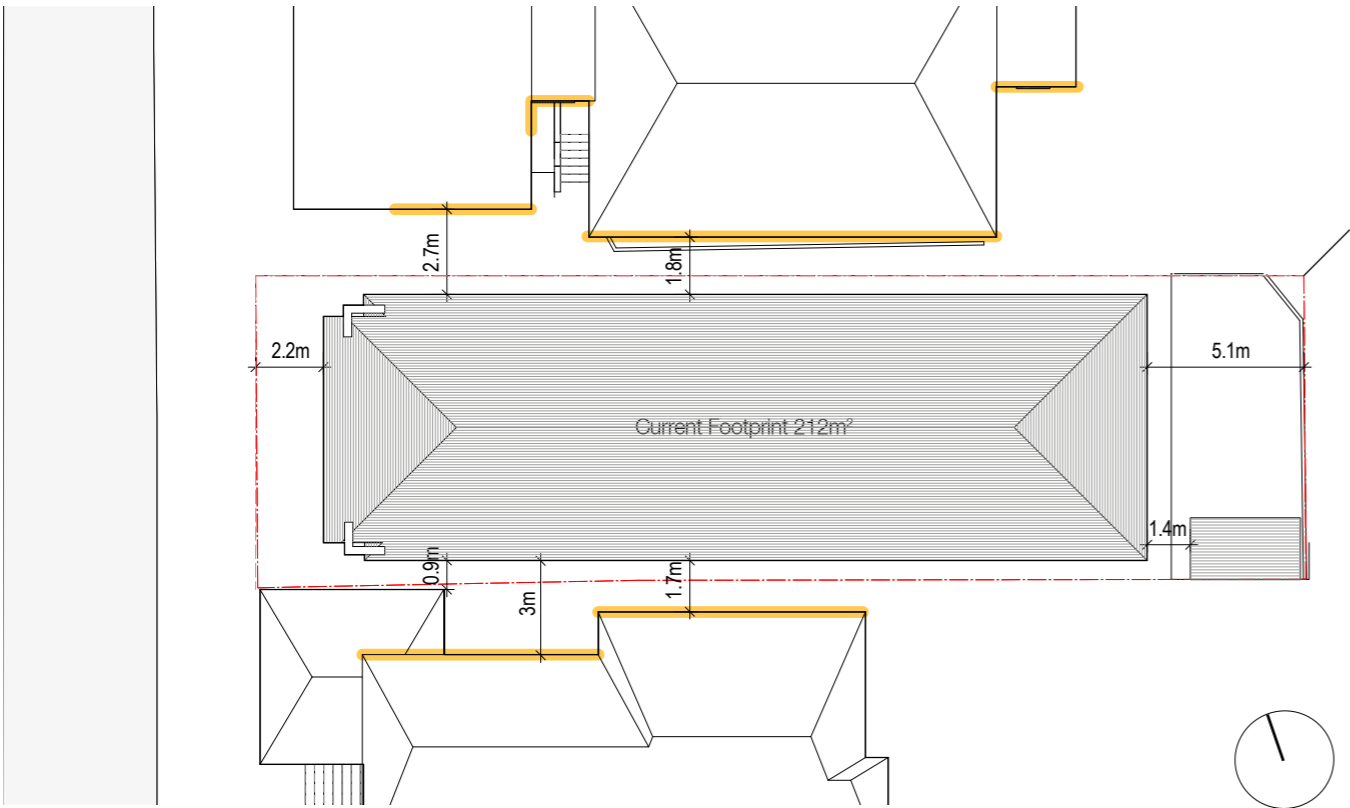


12. Communal Stairwell

A large, stylized number '2' in a light purple color, positioned on the left side of the slide. It has a thick, rounded stroke and a small gap at the top.

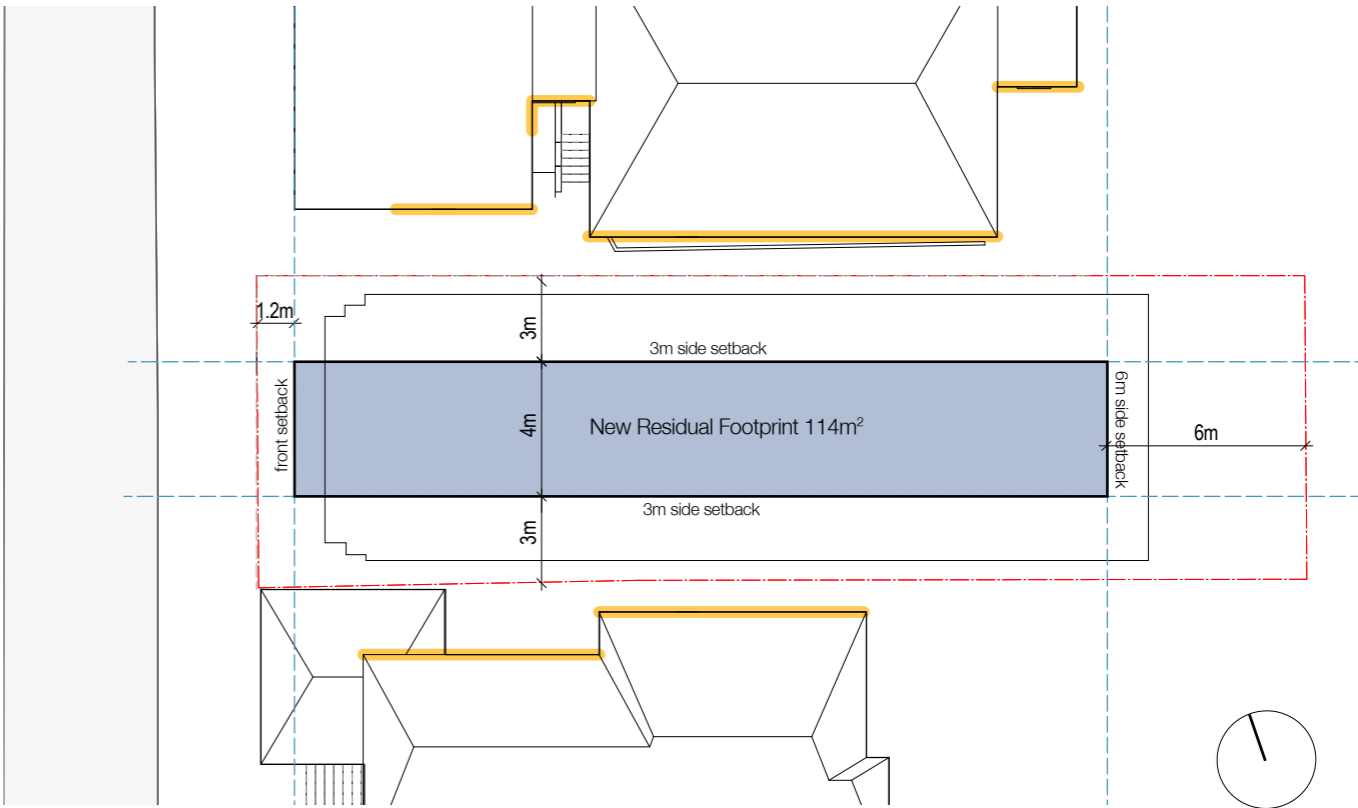
Site Analysis

2.1 Existing Site Coverage Condition



The site features a 2 storey residential flat building with 6 units. The current building footprint is built close up to the site's side boundaries and is in close proximity to neighbouring habitable rooms, illustrated in the diagram above.

2.2 Compliant Development Footprint



Under the Waverley Development Control Plan 2012 and SEPP 65's Apartment Design Guide, the permissible footprint of a new compliant development is highly constrained by setback regulations.

Due to these constraints, Option 3 (re-build of site) would assume a re-development hinged on the argument of using existing condition envelope as a basis. Although this is a common development strategy, it is inherently risky to use precedent as justification for non-compliance

The key setback controls are as follow:

- Front Setback: Aligned to existing street-scape and frontages
- Back Setback: 6m from back boundary
- Side Setbacks: 3m minimum from side boundary for non-habitable rooms, and 6m for habitable rooms. (This assumes screening between habitable & habitable is incorporated)

As illustrated in the diagram above, the residual complying developable area after application of setback controls would yield a smaller footprint than existing building form.

Legend

- Site
- Boundary Setbacks
- Habitable Rooms
- New Residual Footprint After Development Controls

2.3 Existing Site Condition

Summary of Current Design Level of Compliance

	LEP Permissible	Existing	Comments
Site Area		343m ²	
Height of Building (HOB)	9.5m	9.5m to front 8.4m to rear	Current HOB is compliant
Gross Floor Area (GFA)	206m ²	377m ²	Existing development is 171m ² in excess of permissible GFA
Floor Square Ratio (FSR)	0.6:1	1.1:1	Existing development exceeds permissible FSR

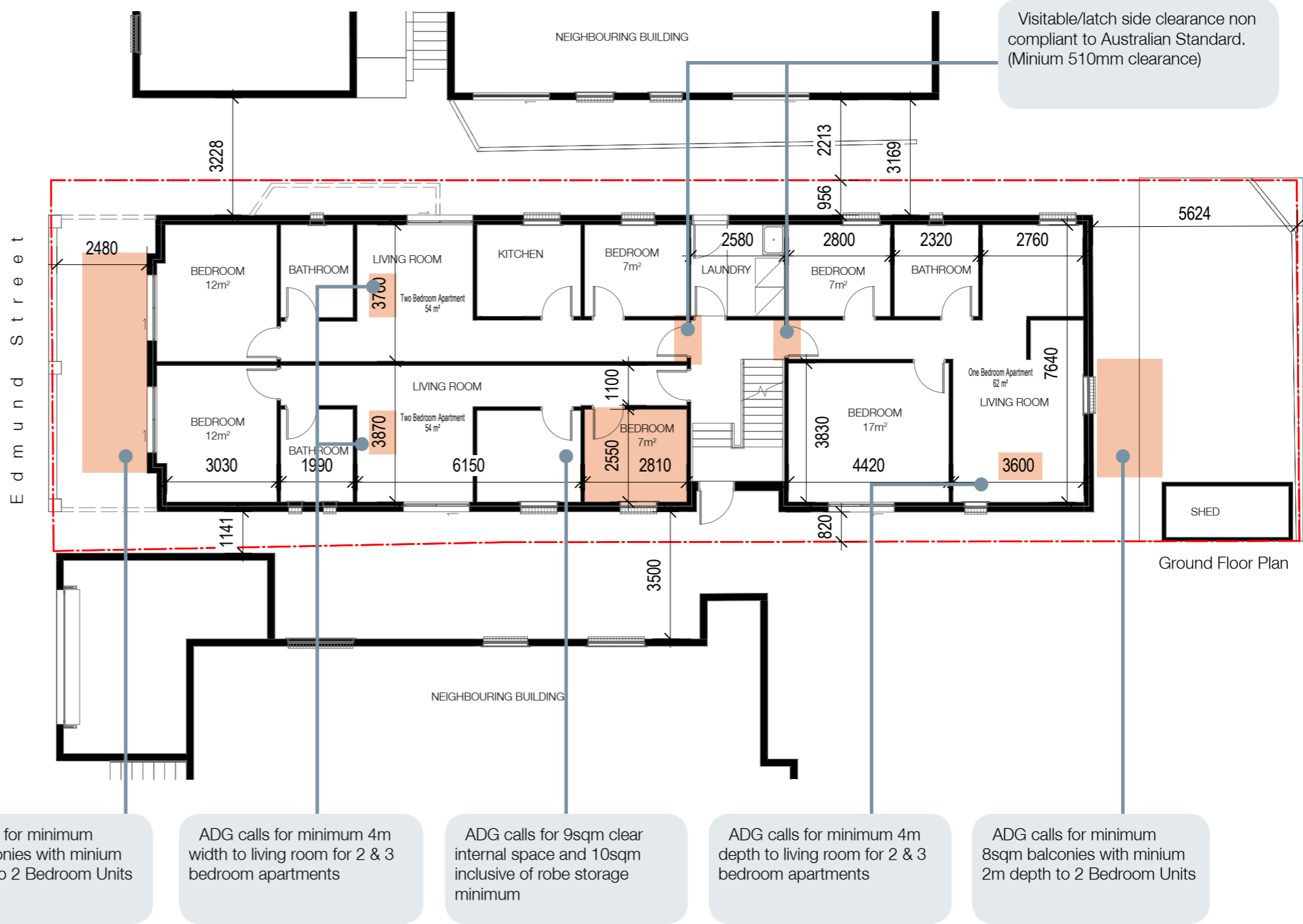
Definitions:

Height of Building : in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building

Gross Floor Area : the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor

Floor Space Ratio : The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

**Disclaimer - Plan and dimension are indicative only and are based on surveyed envelope. An internal survey is required to be carried out to ascertain correct dimension.*





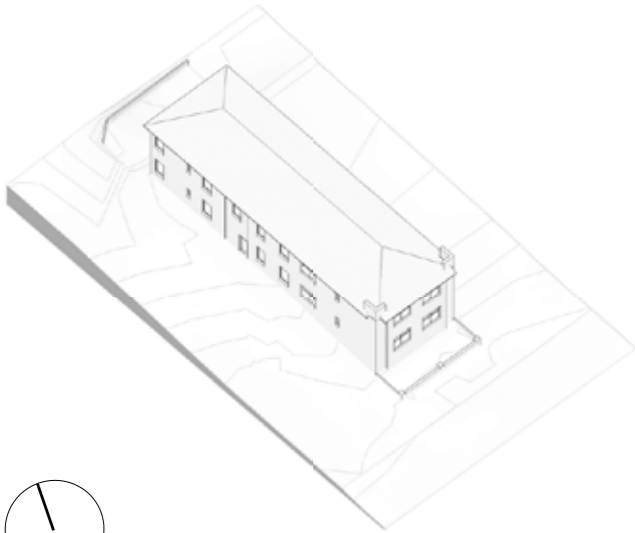
Options

3.1 Option 1_Minor Renovation

Option A features essential upgrades to the existing building. It includes general upgrades to all units, facade, and external pathways.

Key features of this Option includes;

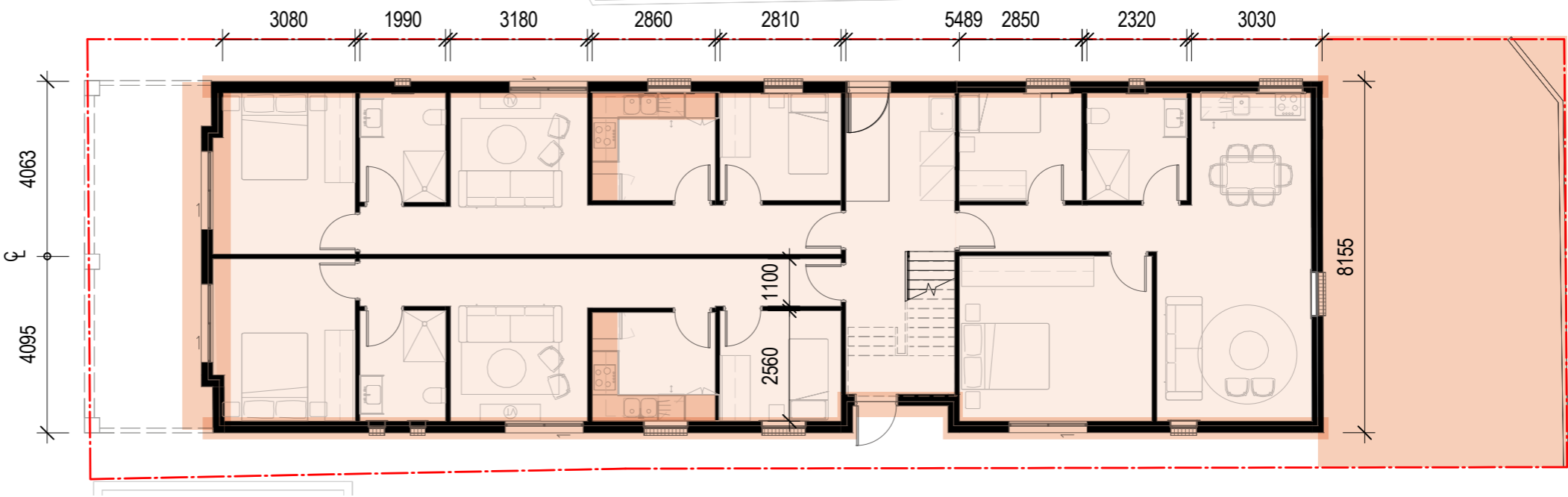
- General refurbishment of existing apartments
- Removal and replacement of kitchen joinery and appliances in Units 1,2,4&5



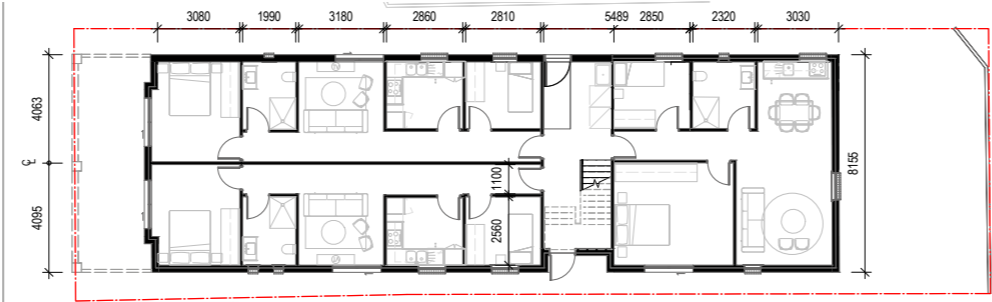
- Major Refurbishment
- General Refurbishment
- New Addition

**Disclaimer - Plan and dimension are indicative only and are based on surveyed envelope. An internal survey is required to be carried out to ascertain correct dimension.*

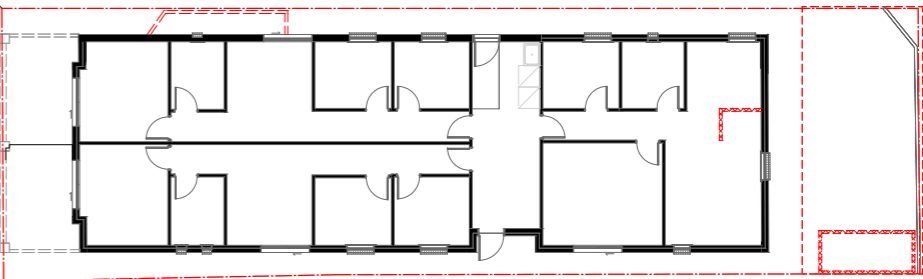
Scope of Works Plan - Ground Floor



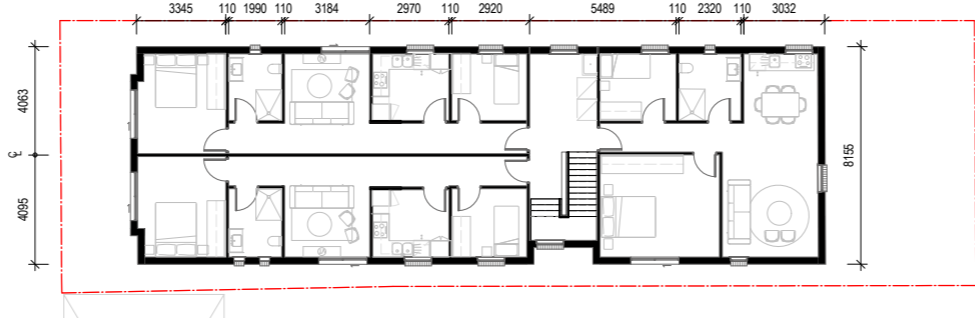
Plan - Ground Floor



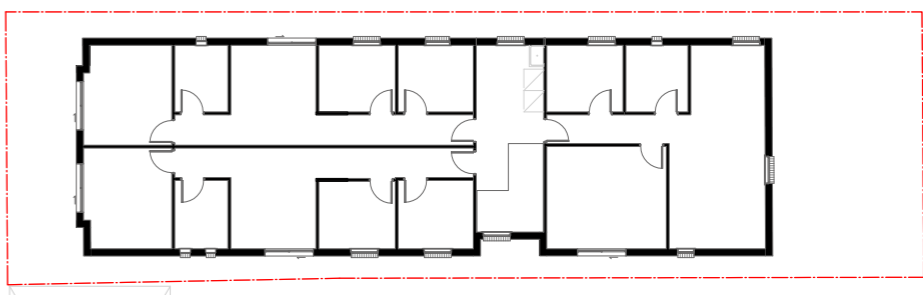
Demolition Plan - Ground Floor



Plan - First Floor



Demolition Plan - First Floor

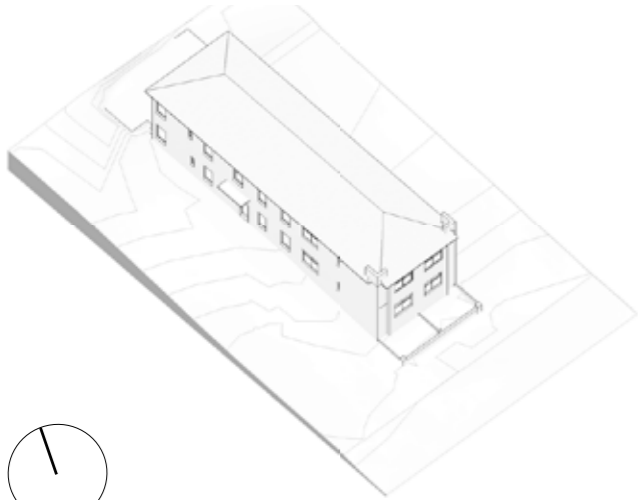


3.2 Option 2_Renovation

Option B features advised upgrades to the existing building. In addition to Option A, It includes a refit of existing bathrooms, addition of awnings above the northern entry, fit out of Unit 3&6 to meet DDA compliances, and additional upgrades to windows and sill.

Key features of this Option includes;

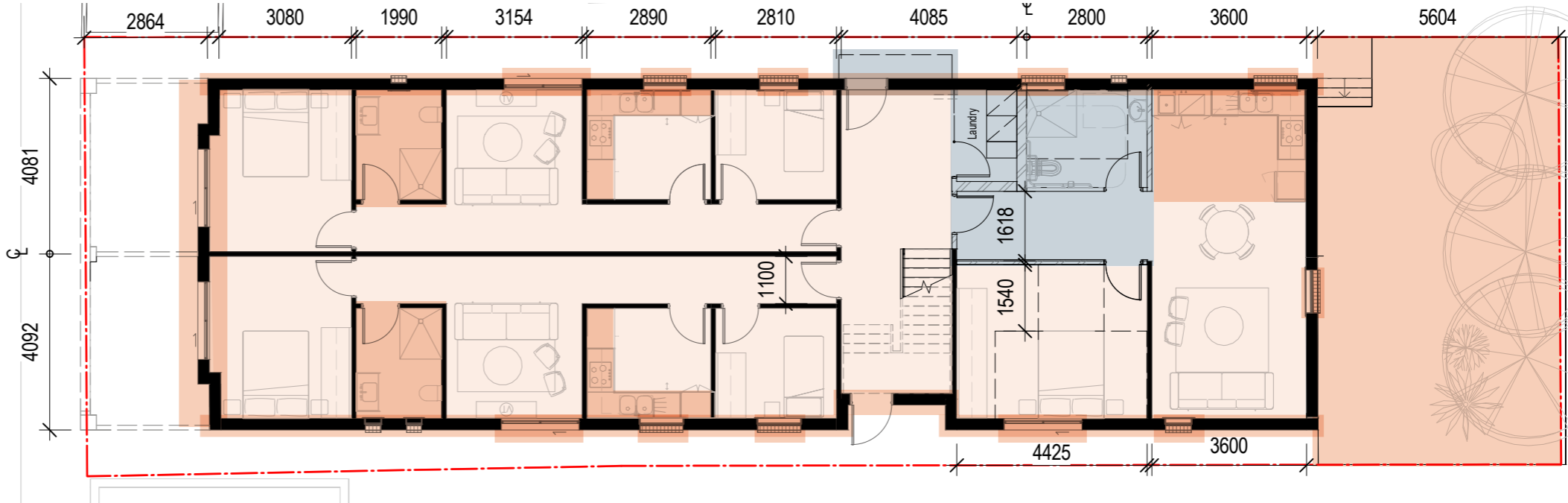
- General refurbishment of existing apartments
- Removal of a bedroom in rear apartment to accommodate laundry unit
- DDA compliance to Unit 3&6
- Removal and replacement of kitchen joinery and appliances in all units
- Addition of awnings in lobby entry
- Upgrade to all bathrooms



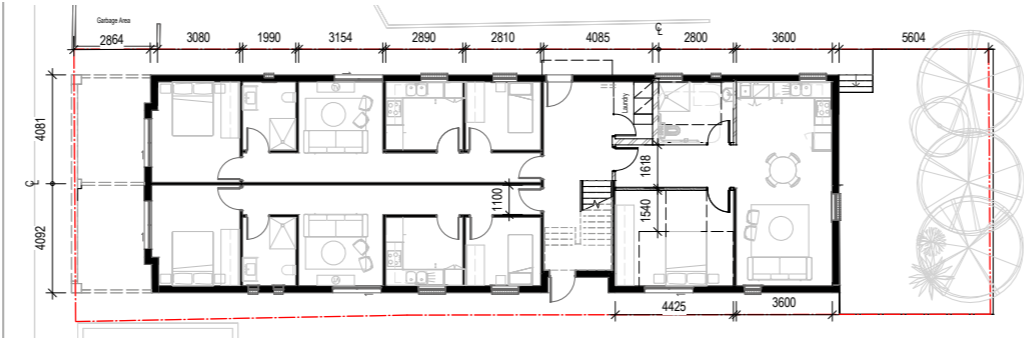
- Major Refurbishment
- General Refurbishment
- New Addition

**Disclaimer - Plan and dimension are indicative only and are based on surveyed envelope. An internal survey is required to be carried out to ascertain correct dimension.*

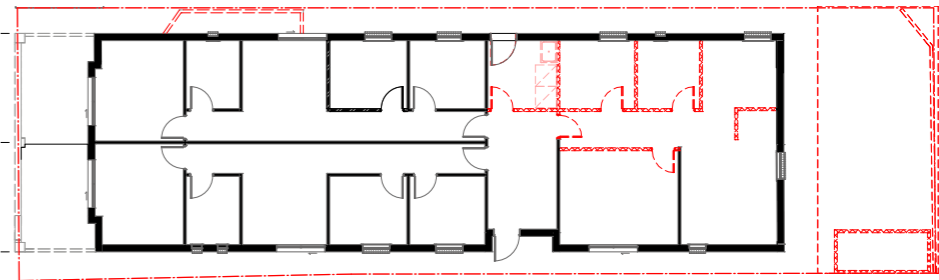
Scope of Works Plan - Ground Floor



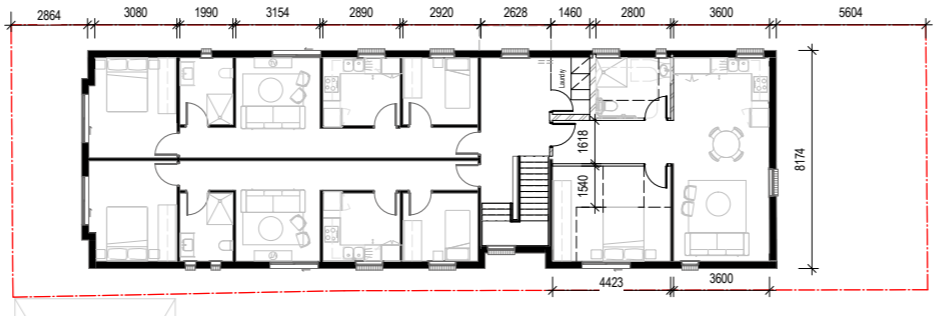
Plan - Ground Floor



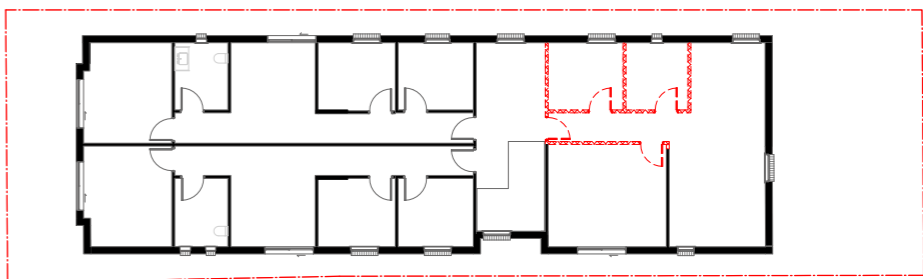
Demolition Plan - Ground Floor



Plan - First Floor



Demolition Plan - First Floor

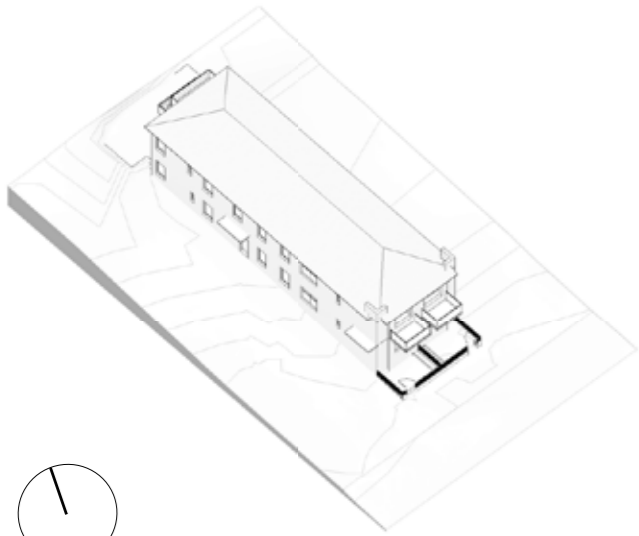


3.3 Option 3_Alterations & Additions

Option 2 features desired upgrades to the existing building. In addition to Option A&B, Option 2 includes the addition of balcony and terraces to the building's front and rear units and full retrofit of kitchens in front units (including demolition of existing kitchen walls).

Key features of this Option includes;

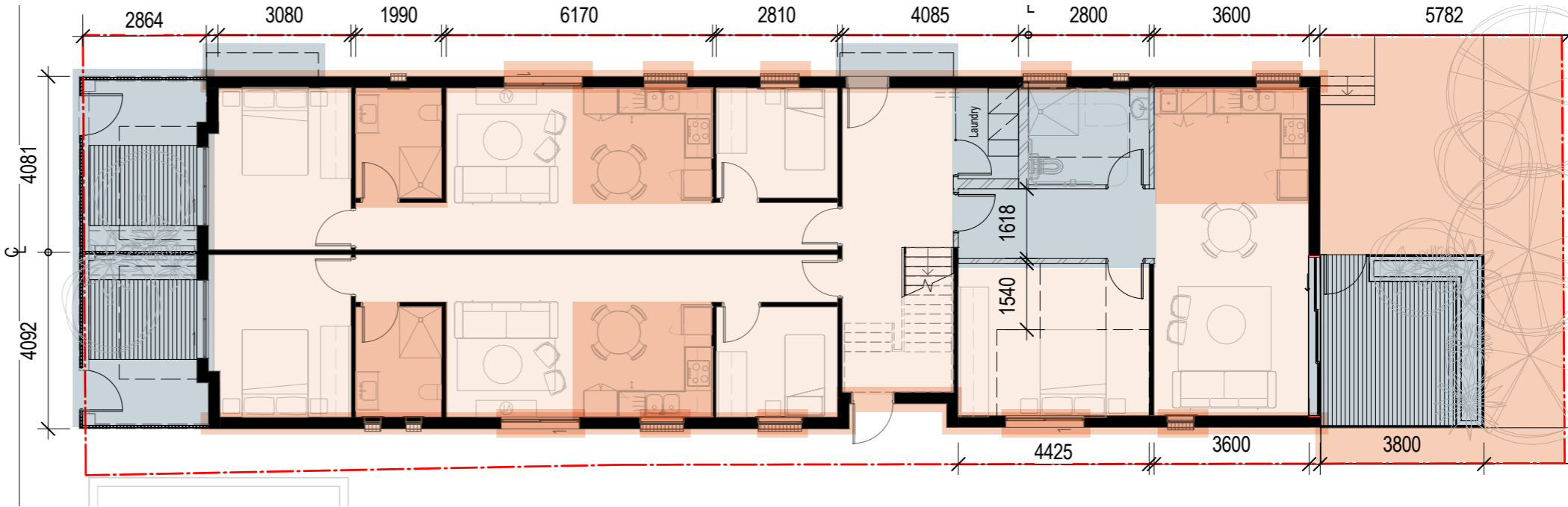
- General refurbishment of existing apartments
- Removal of a bedroom in rear apartment to accommodate laundry unit
- DDA compliance to Unit 3&6
- Removal and replacement of kitchen joinery and appliances in all units
- Addition of awnings in lobby entry
- Upgrade to all bathrooms
- Addition of terrace and balconies to all units.



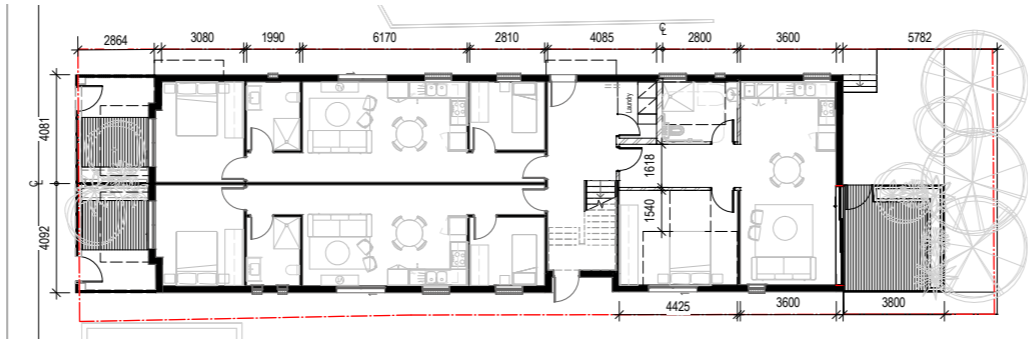
- Major Refurbishment
- General Refurbishment
- New Addition

*Disclaimer - Plan and dimension are indicative only and are based on surveyed envelope. An internal survey is required to be carried out to ascertain correct dimension.

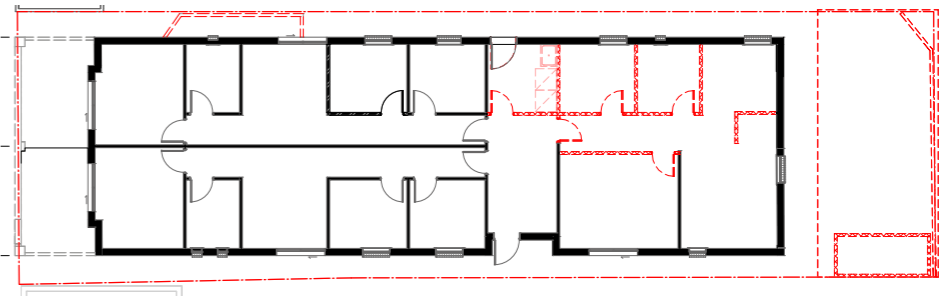
Scope of Works Plan - Ground Floor



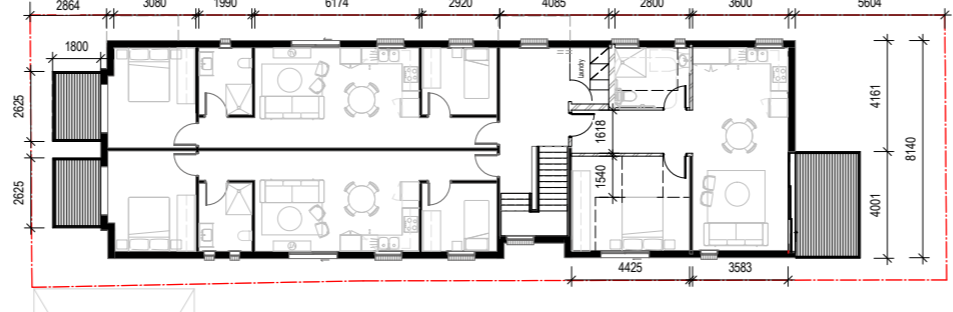
Plan - Ground Floor



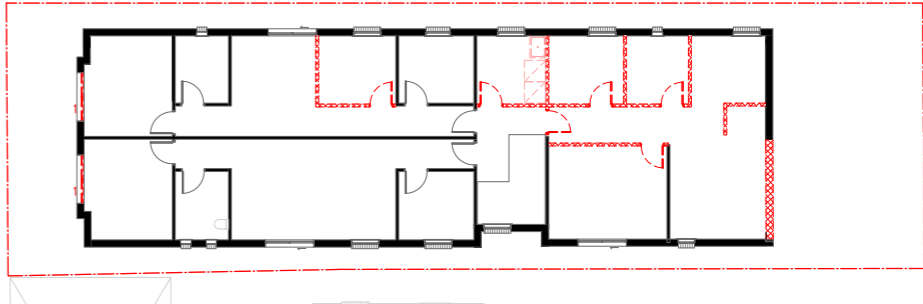
Demolition Plan - Ground Floor



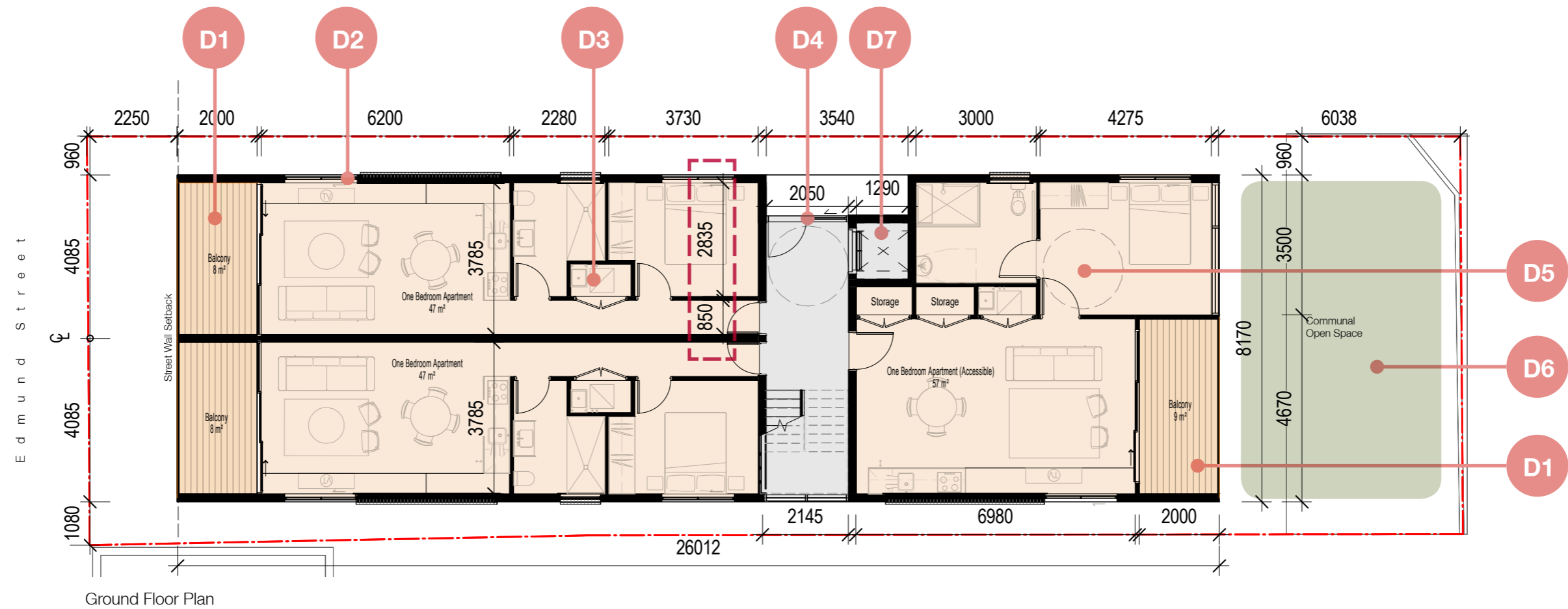
Plan - First Floor



Demolition Plan - First Floor



3.4 Option 4_New Build (2 Storeys)



Option 3 features a 2 storey new built building with 6 apartments, including 2 accessible apartment in the rear. The apartments features individual built in laundry and balconies for amenity (nested within the current envelope).

The existing building footprint is maintained as the building envelope for the new built, as it would not be feasible to construct a building based on current setback controls.

The 2 storeys proposed for Option 3 falls outside the compliant FSR. The overall being 0.6:1, however a 0.97:1 is proposed resulting in a minor risk of approval with Council.

Key Features:

- D1 - Nested balconies within existing building footprint
- D2 - Windows for natural ventilation and solar amenity
- D3 - Internal laundry area
- D4 - Core and breakout area
- D5 - Accessible apartment in rear of building
- D6 - Communal open space located in rear of site
- D7 - Accessible communal lift

Yield	6 Apartments
Storeys	2
GFA	335m ²
HOB	6.4m
FSR	0.97:1

	GFA	Apartment	Height*
Ground Floor	170m ²	3	3.1m
First Floor	165m ²	3	3.3m
Total	335m ²	6	6.4m

- Non-Compliance
- 1 Bedroom Apartment
- Balcony
- Building Core

*Design is preliminary and subjected to further investigation if Option were to proceed



Feasability Summary

Criteria	Option 1_Minor Renovation <ul style="list-style-type: none">General RefurbishmentOpen Plan To Living	Option 2_Minor Renovation <ul style="list-style-type: none">General RefurbishmentRemoval of a bedroom in rear apartment to accommodate laundry unitDDA compliance to Unit 3&6Removal and replacement of kitchen joinery and appliances in all units and upgrade all bathroomsAddition of awnings in lobby entry	Option 3_Alteration & Additions <ul style="list-style-type: none">General refurbishment of existing apartmentsRemoval of a bedroom in rear apartment to accommodate laundry unitDDA compliance to Unit 3&6Removal and replacement of kitchen joinery and appliances in all units and upgrade to all bathroomsAddition of awnings in lobby entryAddition of terraces/balconies to all units.	Option 4_New Build <ul style="list-style-type: none">New Build - 2 Storeys, 6x 1Bedroom UnitsBased on like for like-although non compliant to DCP and ADG
Opportunities Benefits to the Resident, Council, & Community	<ul style="list-style-type: none">General improvementsShorter relocation time for residentUse of existing fabricSimple Fitout = Less wastage/environmental impactLess environmental and local disturbanceMinimal psychological and emotional impact	<ul style="list-style-type: none">General improvementsShorter relocation time for residentUse of existing fabricSimple Fitout = Less wastage/environmental impactLess environmental and local disturbanceMinimal psychological and emotional impact	<ul style="list-style-type: none">General improved compliance to codesImproved Amenity and building fabricImproved Accessibility, and oppurtunity for broader clientel	<ul style="list-style-type: none">New build/new facilitiesGreater Compliance _new building practiceSustainability_methodology and construction managementGreater improved AmenityRelatively minimal cost in comparison to remedial/ refurbishment works
Constraints Disadvantages/Issues to tennant, council or community in pursuing the option	<ul style="list-style-type: none">Unknowns/contingencies within areas not investigated/ uncoveredRemedial works may not resolve issues if not correctly rectified	<ul style="list-style-type: none">Unknowns/contingencies within areas not investigated/ uncoveredRemedial works may not resolve issues if not correctly rectified	<ul style="list-style-type: none">Similar to option 1	<ul style="list-style-type: none">Council approval issues; non-compliance to ADG and DCPCompliance would result in lower yieldIncreased relocation time for residents; 8-12 monthsEnvironmental impact from construction wastageDisturbances to locality
Social Analysis Ability of the project to contribute to the physical/material comfort or attractiveness of site within the context of people and place	<ul style="list-style-type: none">Familiarity of space, building and placeImproved amenity and general improvement to well being and belongig	<ul style="list-style-type: none">Familiarity of space, building and placeImproved amenity and general improvement to well being and belongig	<ul style="list-style-type: none">Increased improvement to amenityPsychological impact to place	<ul style="list-style-type: none">LongevityNew premises-pride and value in place
Economic Financial value of the option for the tennant or council	<ul style="list-style-type: none">Most economicalLeast financial value in terms of property improvementLeast cost to council may reflect in minimal impact to tennant incurred costs.	<ul style="list-style-type: none">Medium-similar to option 1Low financial value in terms of property improvementLow cost to council may reflect in minimal impact to tennant incurred costs.	<ul style="list-style-type: none">Medium-similar to option 1	<ul style="list-style-type: none">Good value economicallyPotential Tax benefits to councilIncreased value of premises/asset
Environmental Impact to the Environment, locally and to the wider environment.	<ul style="list-style-type: none">Less wastageEconomicalLeast disturbance to locality and wider environment due to least disruption and wastage	<ul style="list-style-type: none">Similar to option 1Medium wastageMedium disturbances to environment	<ul style="list-style-type: none">Similar to option 1Medium wastageMedium disturbances to environment	<ul style="list-style-type: none">Improved amenityLess impact through improved performanceLeast impact to environment through modern technologies and construction / wastage/ recycling practices.Increased wastage to landfill if not approached with careBetter energy efficiency via design/construction practice
Cost benefit analysis Cost to build and projected life cycle costs	Option 1	Option 2	Option 3	Option 4
Project capital-cost to carry out the work (*)	\$1,576,863.00	\$1,601,088.00	\$1,716,478.00	\$1,843,000.00
Operation Projected Average (per annum) (**) Regular + Active Maintenance Utilities Operational Cost	\$20,900 PA \$11,200 \$14,600	\$20,900 PA \$11,200 \$14,600	\$20,900 PA \$11,200 \$14,600	Assumed 20% less for new build from Option 1,2&3 \$46,700 x 80% =\$37,360
Total Life Cycle Costs	\$11,200	\$46,700.00	\$46,700.00	\$37,360.00
Key objectives Rating out of 10 (10 being the most desirable outcome)	Option 1-73%	Option 2-74%	Option 3-76%	Option 3 -70% (provided the approval of the development is permissable by Council)
Damp+waterproofing Water tightness of building and performance	6	6	6	9
Affordable social housing Affordability based on capital cost + impact to resident	9	8	8	6 (Cost of new build may offset any reduction offered to future tennant)
Accessibility -ability of premises to be offered as complying with accessibility	7	8	8	9
Environmental performance -thermal, damp, hydraulic, air, solar	6	6	6	9
Communal spaces -options offering social spaces	7	8	8	8
Restoration and re-use -recyling or building fabric and materials	9	8	8	0
Health & safety -health of building and its impact on users, as well as overall safety	6	7	7	9
Approval Process -constraints or potential council related issues at development application	9	9	9	4
Structural adequacy -structural performance	7	7	8	9

* Project Capital Costs derived from WTP Quantity Surveyors Costing Report dated 07.09.2018 aand SJB Phase 3 Costings Report issued and approved 04.09.2018

*★ Operational Costs derived from Asset Technologies Pacific Report-Draft 1, 9th March 2018, 10 Year Programof Expenditure Pages 107-109.



Precedents

4.1 SJB - Ralph Street - Alexandria



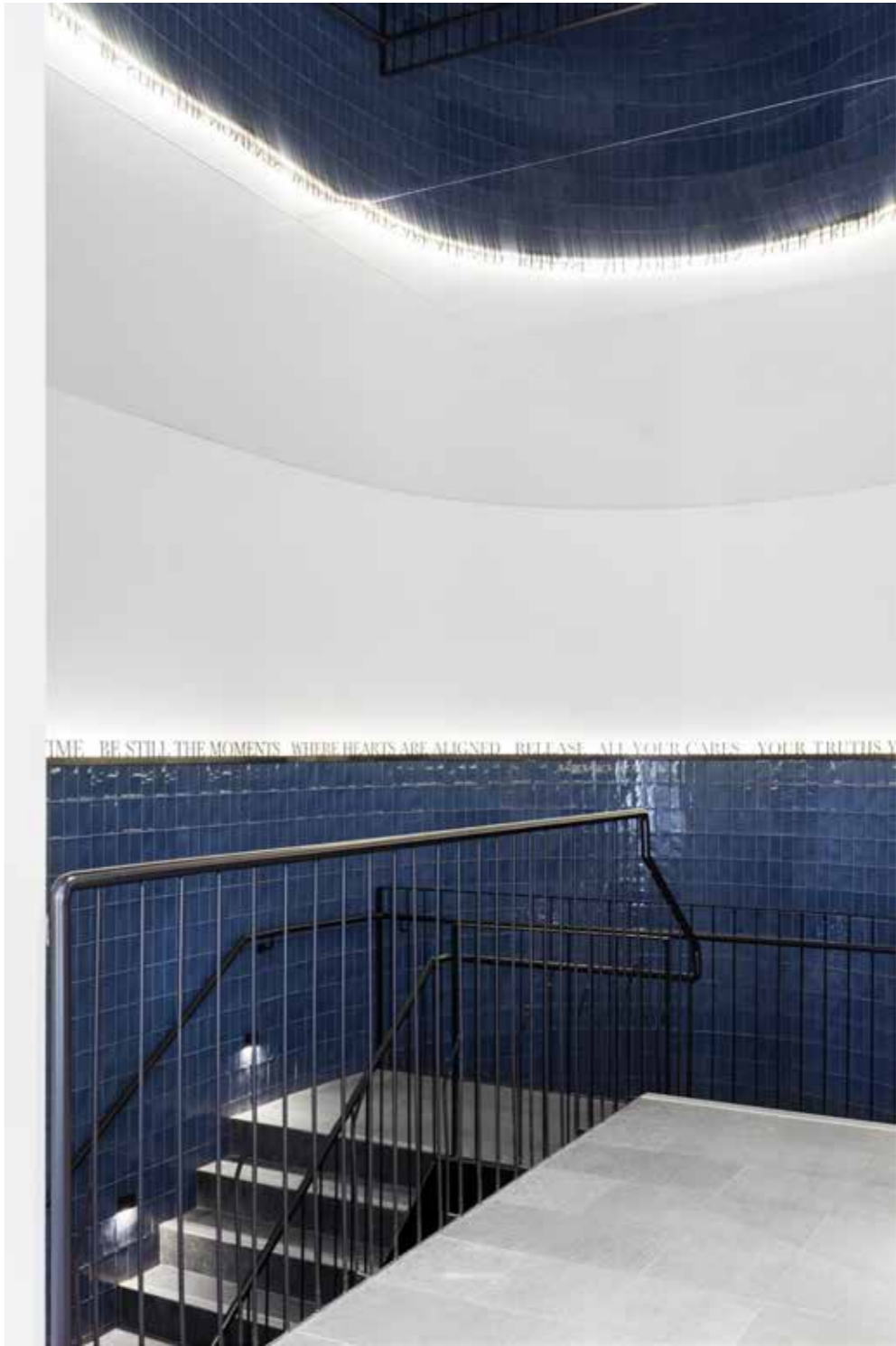
4.2 SJB - 144 Commonwealth Street - Surry Hills




4.3 SJB - 17 Danks Street - Waterloo



4.4 SJB - 41 Birmingham Street - Alexandria





Feedback discussion

5.1 Feedback Discussion

Option Summary

1. Renovations
2. Alterations/additions
3. New Build (2 storey low risk approval)
4. New Build (3 storey high risk approval)

Key Criteria

- The need for affordable &/or social housing
- Accessibility
- Environmental performance
- Communal spaces
- Restoration or reuse of existing structure
- Maintenance & longevity
- Health and safety
- Structural adequacy
- Damp and water proofing issues



REPORT
CM/7.12/19.09

Subject: Tender Evaluation - Seven Ways Streetscape Upgrade

TRIM No: A19/0307

Author: Matt Henderson, Senior Project Manager

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as the Matrix relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Hibernian Pty Ltd as the preferred tenderer for head contracting services for the Seven Ways Streetscape Upgrade for the sum of \$[TO BE INSERTED BY COUNCIL AT THE MEETING].
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Hibernian Pty Ltd for head contracting services for the Seven Ways Streetscape Upgrade.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

1. Executive Summary

The purpose of this report is to seek Council's approval for the appointment of Hibernian Pty Ltd for Head Contracting services for the Seven Ways Streetscape Upgrade project as recommended by the Tender Evaluation Committee (TEC).

2. Description of Service or Product being Tendered

Seven Ways is a local Village Centre serving the Bondi community and is located at the intersection of Glenayr Avenue, Warners Avenue and Blair Street Bondi. This project aims to greatly enhance the amenity and quality of the Public Domain, green space and streetscapes to support local resident's social and recreational utilisation.

In 2016, Council entered into a Voluntary Planning Agreement (VPA) with the adjacent development site 87–89 Glenayr Avenue. The VPA was applied towards the upgrade of the park, public domain and plaza directly adjoining the site to the north-east at the intersection of Glenayr Avenue and Blair Street and associated works in Warners Lane.

Tyrrell Studio were engaged as the Head Consultant to prepare the detailed design documentation. Tyrrell Studio has completed the detailed design documentation and as a result a Request for Tender (RFT) was released to engage a head contractor to deliver the Seven Ways Streetscape Upgrade project.

The head contractor will be responsible for construction, supply, installation and maintenance of all works detailed in the design documentation and specifications.

3. Scope of Tender

The project incorporates the following civil and landscaping works, including but not limited to:

- Installation of site fencing.
- Installation and maintenance of erosion and sedimentation control devices.
- Clearing, stripping and grubbing.
- Demolition and salvage works.
- Earthworks and regrading.
- Construction of subsoil drainage, stormwater pits and pipes.
- Construction of pavements including concrete and gravel.
- Construction of kerbing and drainage.
- Construction of walls, including concrete walls, precast coping, tiling and timber tops.
- Construction of services including electrical, potable water and stormwater.
- Supply and installation of furniture items including seats, bubblers, bins.
- Supply and installation of mulching, planting and grass seeding.
- Spreading of imported and site mulch.

4. Reason for Tender

There is no suitable panel in place for delivery of these works. Hence, a tender was required.

5. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
CM/7.18/19.01	CM/7.18/19.01	That Council brings forward \$1.6 million from the Long Term Financial Plan 2020/21 Local Village Streetscape Upgrade to fund the delivery of the Seven Ways Streetscape Upgrade in the 2019/20 financial year, and ensures that all work is consistent with Council's water-saving urban design policies.

6. Discussion

Invitation to tender

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

- Carl Nugent – Senior Landscape Architect, Open Space Planning.
- Robert Sabato – Senior Project Manager, Major Projects.
- Matt Henderson – Senior Project Manager, Major Projects.

An RFT Evaluation was developed and approved by the Evaluation Panel 14 June 2019.

Tenders for Seven Ways Precinct Upgrade were called on 17 July 2019. Advertisements for the Tender were placed in the Local Government Tenders section of the Sydney Morning Herald and Wentworth Courier on 17 July 2019.

Tenders closed on 20 August 2019 at 2 pm.

The Evaluation Panel used the RFT Evaluation and Probity Plan to determine which tenders offered the best value for money in the provision of Seven Ways Streetscape Upgrade project to Council.

Tenders received

The following tenders were received:

- Design Landscapes Australia Pty Ltd
- Eypave Pty Ltd
- GJs Landscapes Pty Ltd
- Hibernian Contracting Pty Ltd
- Quality Management Construction Pty Ltd
- Sam the Paving Man Pty Ltd
- Statewide Civil Pty Ltd
- Everlast NSW Pty Ltd.

Late tenders

Everlast NSW Pty Ltd submitted a later tender past the tender deadline and consequently were not considered further.

Non-conforming tenders

The following non-conforming tenders were received:

The tender submitted by Eypave Pty Ltd was deemed to be non-conforming due to the fact it did not submit a program that was part of the RFT requirements. Therefore, this tender was not considered further.

Alternative tenders

No alternative tenders received.

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

CONFORMING TENDERS EVALUATED
Design Landscapes Australia Pty Ltd
GJs Landscapes Pty Ltd
Hibernian Contracting Pty Ltd
Quality Management Construction Pty Ltd
Sam the Paving Man Pty Ltd
Statewide Civil Pty Ltd

Tender evaluation

Conforming tenders were evaluated in accordance with Council's Purchasing Procedures and RFT Evaluation and Probity Plan, the Tendering Guidelines for NSW Local Government 2009 issued by the Office of Local Government, and the provisions of the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.

The Evaluation Panel agreed on the following weightings to be used against the advertised selection criteria:

Advertised Evaluation Criteria	Weighting
Proposed methodology/programme	30%
Demonstrated experience and past performance	15%
Key personnel, qualifications, skills and experience	15%
Demonstrated WHS/Environment management systems	10%
Lump sum price	30%
TOTAL	100%

Tenders were given a score on each of the evaluation criteria, resulting in a total score out of 100. Tenders were ranked in accordance with their scores. Final scores and rankings are shown in the confidential Tender Evaluation Matrix attached to this report.

Evaluation Panel's recommendation

Following a diligent evaluation of the tenders, the Evaluation Panel recommends that the services/product offered by Hibernian Pty Ltd provides the best value to Council. Hibernian Pty Ltd demonstrated superior experience, including previous local government experience based on the non-price and price criteria assessment.

The recommended tenderer has also provided quality personnel with extensive background in projects of a similar nature. In addition, the tenderer has provided a detailed program, staging plan, traffic management plan, pedestrian management plan ensuring that the works will be completed in a timely and a safe manner.

7. Financial impact statement/Time frame/Consultation

Financial impact statement

The budget for Seven Ways Streetscape Upgrade project is from C0355.

The preferred tenderer's price is included in the confidential Tender Evaluation Matrix attached to this report.

The total anticipated funding required for Seven Ways Streetscape Upgrade project is \$1,800,000. The total budget allocation for the Seven Ways Streetscape Upgrade project is currently \$1,860,000. There are sufficient funds to cover the price tendered by the recommended tenderer.

Time frame

The project will be delivered in stages, it is anticipated that the first stage of the project will be completed by December 2019. The second stage of the project will be delivered post completion of Stage 1, the anticipated completion date for Stage 2 is March 2019.

Consultation

Consultation has taken place with internal and external stakeholders and will continue throughout the delivery of the project.

8. Conclusion

The Tender Evaluation Panel recommends Council enter into contract with Hibernian Pty Ltd for Seven Ways Streetscape Upgrade project

9. Attachments

1. Tender Evaluation Matrix (confidential)

REPORT
CM/7.13/19.09

Subject: Tender Evaluation - Catering Services

TRIM No: SF19/199

Author: Meredith Graham, Executive Manager, Engaging Waverley
Rodney Crook, Acting Procurement Manager

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council:

1. Treats the Tender Evaluation Matrices to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as they relate to a matter specified in section 10A (2)(d)(i) of the *Local Government Act 1993*. The Matrices contain commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts the nominated companies for appointment to a panel of preferred suppliers for catering services as follows:
 - (a) Recommended supplier panel – Package A – Workshops and meetings:
 - (i) Fresh Catering.
 - (ii) Laissez-Faire Catering.
 - (iii) Dan the Man Cooking.
 - (iv) Feedback Deli Pty Ltd.
 - (b) Recommended supplier panel – Package B – Corporate catering:
 - (i) Fresh Catering.
 - (ii) Laissez-Faire Catering.
 - (iii) Peter Rowland Group.
 - (iv) Spring Street Café Pty Ltd.
 - (c) Recommended supplier panel – Package C – Ad hoc functions and events:
 - (i) Fresh Catering.
 - (ii) Laissez-Faire Catering.
 - (iii) Peter Rowland Group.

3. Authorises the General Manager, or delegated representative, to enter into contracts on behalf of Council with the approved appointees to panels for a term of three years and an option for an additional two years.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

1. Executive Summary

This report seeks to appoint a panel of preferred suppliers for the delivery of catering services to Council.

2. Description of Service or Product being Tendered

Council has undertaken a tender for catering services. The tender is necessary to satisfy Council's procurement obligations.

Council uses catering for a range of activities, including for Council and Committee meetings; and workshops; daytime meetings, such as the Waverley Local Planning Panel and the Audit Committee; for occasional engagement activities, such as breakfast forums; for internal meetings and events, where appropriate and properly authorised; and in the provision of some external events. It is Council's intention to create panel of preferred suppliers so that staff arranging catering services can choose the most appropriate offering from a range of potential suppliers.

3. Scope of Tender

The tender was structured into three packages:

- Package A – Workshops and meetings.
- Package B – Corporate catering.
- Package C – Ad hoc functions and events.

Tenderers had the option of submitting a response to one or more packages depending on their business offering and preferences.

This tender specifically emphasised sustainability and sustainable practices, particularly in regard to the use of packaging and in the selection of food sources and in the development of seasonally appropriate menus. Council's agreement with preferred suppliers will encourage the use of environmentally sensitive practices, where possible.

4. Reason for Tender

The tender was called in order to satisfy Council's obligations to tender and provided the opportunity for appropriate suppliers to supply Council's catering needs.

5. Relevant Council Resolutions

Nil.

6. Discussion

Invitation to tender

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

- Rodney Crook, Acting Procurement Manager.
- Meredith Graham, Executive Manager, Engaging Waverley.
- Brittany Roscoe, Business Improvement Co-ordinator.
- Alejandra Torres, Sustainability Engagement Officer.

An RFT Evaluation and Probity Plan was developed and approved by the Evaluation Panel 22 July 2019.

Tenders for Catering Services were called on 16 May 2019. Advertisements for the Tender were placed in the Local Government Tenders section of the Sydney Morning Herald and Wentworth Courier on 21 and 22 May 2019. The tender was also advertised on Councils' online portal, Tenderlink.

Tenders closed on 13 June 2019 at 2 pm.

The Evaluation Panel used the RFT Evaluation and Probity Plan to determine which tenders offered the best value for money in the provision of Catering Services to Council.

Tenders received

For Package A, workshops and meetings, the following tenders were received:

- Dan the Man Cooking.
- Feedback Deli Pty Ltd.
- Fresh Catering.
- One Pot Catering.
- Penny Lane Catering.
- Peter Rowland Group.
- The University of Sydney Union.
- Laissez-Faire Catering.

For Package B, corporate catering, the following tenders were received:

- Fresh Catering.
- Laissez-Faire Catering.
- Peter Rowland Group.
- Spring Street Café Pty Ltd.

For Package C, ad hoc functions and events, the following tenders were received:

- Fresh Catering.
- Laissez-Faire Catering.
- Peter Rowland Group.

There were no late, non-conforming or alternative tenders received.

Tender evaluation

Conforming tenders were evaluated in accordance with Council's Purchasing Procedures and RFT Evaluation & Probity Plan, the *Tendering Guidelines for NSW Local Government 2009* issued by the Office of Local Government, and the provisions of the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.

The Evaluation Panel agreed on the following weightings to be used against the advertised selection criteria

Advertised Evaluation Criteria	Weighting
Previous experience with similar services	25%
Proposed personnel, experience and qualifications	25%
Demonstrated sustainability management	25%
Quality of service/product and menu offering	25%

Tenders were given a score on each of the evaluation criteria, resulting in a total score out of 100. Tenders were ranked in accordance with their scores. Final scores and rankings are shown in the confidential Tender Evaluation Matrix attached to this report. Prices received from all proponents that are recommended to be appointed to a supplier panel are within an acceptable range, and, based on an assessment of volume, fall within allocated budgets. Value for money will be further assessed through pricing obtained when a catering service is procured.

Contact was made with some organisations submitting tenders to clarify food safety certifications and procedures.

Evaluation Panel's recommendation

In consideration of the requirements for each of the Packages and in reference to the tender evaluation matrix, the following suppliers are recommended for inclusion in a panel of preferred suppliers.

Recommended Supplier Panel – Package A – Workshops and meetings

Fresh Catering
Laissez-Faire Catering
Dan the Man Cooking
Feedback Deli Pty Ltd

Recommended Supplier Panel – Package B – Corporate Catering

Fresh Catering
Laissez-Faire Catering
Peter Rowland Group
Spring Street Café Pty Ltd

Recommended Supplier Panel – Package C – Ad hoc Functions and Events

Fresh Catering
Laissez-Faire Catering
Peter Rowland Group

Appointment of a panel of suppliers for each package will provide the necessary flexibility and options for selecting suppliers based on supplier availability and Council's requirements associated with specific events.

7. Financial impact statement/Time frame/Consultation

Financial impact statement

The budget for Catering Services for the three tender packages is from sustenance budgets held across a range of Council departments.

Prices received from all proponents that are recommended to be appointed to a supplier panel are within an acceptable range, and, based on an assessment of volume, fall within allocated budgets.

The total budget expenditure for catering services is spread across all three packages, and is dependent on events Council holds, the number of Council meetings and workshops scheduled and other catering bookings that are made.

There are sufficient funds to cover the price tendered by the recommended tenderers. No guaranteed budget expenditure has been offered to catering providers, given that their services will be procured from the approved panel, the intention is therefore to distribute catering bookings across the panel, depending on requirements of specific events.

Time frame

The contract offered for this tender is three years with an option for a further two years.

Consultation

Consultation occurred with Council staff internally who use and access external catering services.

8. Conclusion

The Tender Evaluation Panel recommends that Council enters into contract with the proposed panel members for catering services set out above.

9. Attachments

1. Tender Evaluation Matrix - Package A (confidential)
2. Tender Evaluation Matrix - Package B (confidential)
3. Tender Evaluation Matrix - Package C (confidential)

REPORT CM/7.14/19.09



Subject: Tender Evaluation - Security Services

TRIM No: A18/0631

Author: Andrew Best, Manager, Facilities
Rodney Crook, Acting Procurement Manager

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Treats the Tender Evaluation Matrix and Schedule of Rates attached to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as they relate to a matter specified in section 10A (2)(d)(i) of the *Local Government Act 1993*. These documents contain information that would, if disclosed, confer a prejudice the commercial position of the person who supplied it.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Akbar Enterprises Pty Ltd (trading as ECS Security and Investigations) as the preferred tenderer for the supply of security services for the sum of \$[TO BE INSERTED BY COUNCIL AT THE MEETING] for scheduled maintenance and services and the following schedule of rates for unscheduled maintenance and services: \$[TO BE INSERTED BY COUNCIL AT THE MEETING].
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Akbar Enterprises Pty Ltd (trading as ECS Security and Investigations), for a three-year term with two two-year options.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

1. Executive Summary

This report seeks Council's approval for the appointment of Akbar Enterprises Pty Ltd (trading as ECS Security and Investigations) for the provision of security services to Council, as recommended by the Tender Evaluation Panel established for the tender.

2. Introduction/Background

Council has a large property portfolio comprising of a range of community, commercial and operational buildings. To ensure that these building assets are properly protected, Council is required to have under contract a suitably qualified specialist supplier of security services.

Council undertook a tender process seeking submissions from appropriately qualified and experienced contractors for the provision of security services under a contract term of three years with two further two-year options.

The security services supplier provides a range of security related services including the CCTV system

maintenance and monitoring, facilities opening and lock down, mobile security patrols, provision of static guards, back to base alarm monitoring, cash collection and maintenance of access control systems.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 5 November 2012	1310.18.3	<p>That:</p> <ol style="list-style-type: none"> 1. The report be treated as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2) of the Local Government Act 1993. 2. The Evaluation of Findings report attached to Council's file be treated as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2) of the Local Government Act 1993. 3. Council endorses the recommendation to enter into a contract with ECS Security Services for a contract period of 3 years with a 2 year option subject to agreement by both parties to contract conditions. 4. Council notify unsuccessful tenderers of the decision.

4. Discussion

Invitation to tender

Tenders for security services were called on 14 May 2019. Advertisements for the Tender were placed in the Local Government Tenders section of the Sydney Morning Herald and Wentworth Courier on 14 and 15 May 2019. The tender was also advertised on Council's online tendering portal, Tenderlink, on 14 May 2019.

A Tender Evaluation and Probity Plan was developed for the tender and approved by the Evaluation Panel on 25 June 2019. Tenders closed at 2 pm on 27 June 2019.

The evaluation of tenders was delayed by officers to allow time for a formal transition plan to be agreed with the incumbent contractor, to ensure the effective transition to a new supplier were the incumbent not to be successful through the tender process. The planned delay required that all tenderers be contacted to ask that the price validity period be extended by 60 days, which received unanimous agreement.

A Tender Evaluation Panel was established to evaluate the tender submissions. The Panel as listed in Evaluation and Probity Plan consisted of:

- Andrew Best – Manager, Waverley Facilities.
- Eli Bonfini – Facilities Officer.
- Greg Carter – Car Parks Supervisor.

Rodney Crook (Acting Manager, Procurement) chaired the tender evaluation meeting and also participated in the evaluation of tenders.

Panel member Greg Carter was unable to attend the evaluation meeting. As the evaluation period had already been extended and given that the meeting still had a quorum, the remaining panel members decided to proceed with the evaluation of tenders.

The Evaluation Panel used the Tender Evaluation and Probity Plan to determine which tenders offered the best value for money for the provision of security services to Council. The plan detailed the methods to be used to evaluate price, using a range of fixed services costs in addition to the cost mark-up offered by tenderers.

Tenders received

Tenders were received from the following companies:

- Akbar Enterprises Pty Ltd (trading as ECS Security and Investigations).
- Advent Security Electronics Group Pty Ltd.
- Fredon Security.
- H & H Security Australia.
- Mymess Pty Ltd.
- Sydney Security Services Pty Ltd.

Late tenders

Nil.

Non-conforming tenders

Nil.

Alternative tenders

Nil.

Tender evaluation

All six tenders were evaluated in accordance with Council's Purchasing Procedures, the Tender Evaluation and Probity Plan, the *Tendering Guidelines for NSW Local Government 2009* issued by the Office of Local Government, and the provisions of the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.

The evaluation panel agreed on the following weightings to be used against each of the advertised selection criteria:

Advertised Evaluation Criteria	Weighting
Experience and demonstrated capacity to carry out the works	30%
Key personnel qualifications, skills and technical expertise	30%
Documented transition, business continuity and risk management arrangements	10%
Pricing	30%
Total	100%

Tenders were given a score against each of the evaluation criteria, resulting in a total score out of 100. Tenders were ranked in accordance with their scores. Final scores and rankings are shown in the confidential Tender Evaluation Matrix attached to this report.

Evaluation Panel's recommendation

The evaluation panel felt that the successful tenderer provided a comprehensive bid for these services. The company is the current incumbent provider of the service to Council and as such has a detailed knowledge of Council's security systems and requirements. The company has extensive local government experience and provide security services to a number of other Sydney Councils. Their key personnel are well qualified to service the contract with no sub-contractors being used under the contract. Overall, with the price submitted containing no mark up on materials and competitive pricing on all other services, Council is provided with an excellent value for money offering.

5. Financial impact statement/Timeframe/Consultation

The budget for security services exists within the annual operational budgets in the Waverley Facilities and Customer First areas. There are sufficient funds in the budgets to cover the price tendered.

If Council approval is received, it is anticipated the new contract will commence in early October 2019.

6. Conclusion

The Tender Evaluation Panel recommends Council enter into a contract with Akbar Enterprises Pty Ltd (trading as ECS Security and Investigations) for the provision of security services to Council.

7. Attachments

1. Tender Evaluation Matrix (confidential)
2. Schedule of rates (confidential)

**REPORT
CM/7.15/19.09**

Subject: Audit, Risk and Improvement Committee - Appointment of External Independent Members

TRIM No: A18/0658

Author: Ross McLeod, General Manager

Director: Ross McLeod, General Manager

RECOMMENDATION:

That Council:

1. Appoints Elizabeth Gavey, Kath Roach and John Gordon as the external independent members of the Waverley Audit, Risk and Improvement Committee until 31 December 2024, with their appointments beyond 31 December 2020 being subject to Council being satisfied with their performance at a performance review to be conducted in or prior to December 2020.
2. Appoints Elizabeth Gavey as Chair of the Committee during the period of her appointment.

1. Executive Summary

The purpose of this report is to provide Council with the recommendations from the Audit, Risk and Improvement Appointment Panel regarding membership of the Council's new Audit, Risk and Improvement Committee (ARIC). The Panel was established by Council to assess applications for the external independent membership of (ARIC) and recommend membership to Council.

The Appointment Panel unanimously recommends Elizabeth Gavey, Kath Roach and John Gordon as the external independent members of the Waverley ARIC and recommends that Elizabeth Gavey be appointed as Chair of the Committee.

The term of each independent member's appointment is proposed to be for the period to 31 December 2024 subject to Council being satisfied with their performance at a performance review to be conducted in or prior to December 2020. It is noted that Council may need to revisit the membership of and charter for the ARIC should the discussion document recently issued by the Office of Local Government (OLG) lead to changes in requirements on councils relating to ARICs.

2. Introduction/Background

Earlier this year Council established an Audit, Risk and Improvement Committee to replace the existing Audit Committee and adopted a charter for the new committee. Council had intended to have a new Committee in place by June 2019. However, potential changes signalled to guidelines, regulations and appointment requirements governing ARICs meant that establishment was delayed until correspondence had been sent and discussion held with the OLG. After consideration of the information before Council and the lack of certainty as to timing of any changes, the decision was made to continue with appointment of members to the new ARIC. However, it is noted that, if the OLG issues new guidelines/regulations or appointment requirements for ARICs, Council may need to revisit appointments to its Committee.

The charter established by Council provides for the appointment of three suitably qualified external independent committee members, with one of those members to be appointed as the Committee Chair. The charter set out Council's desired mix of skills and experience among the independent membership of the ARIC which comprised the ability to provide assurance and knowledge across one or more of the following areas:

- Enterprise risk management.
- Internal audit.
- Assurance services.
- Financial management.
- Performance improvement.
- Legal compliance and legal risk.
- Management control.
- Asset management.
- Information management risk.
- Corruption and fraud prevention.
- Insurance.
- Treasury risk.
- Work health and safety.

The charter also established a panel consisting of the Mayor, the General Manager, Internal Ombudsman and two external independent representatives chosen from our legal and conduct review panels to assess applications for the external independent membership of the committee and recommend membership to Council. The two independent panel members were Andrew Marsden, Director of OCM and Michael Winram from Maddocks. The Panel was chaired by the General Manager.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council February 2019	CM/7.4/19.02	<p>That Council:</p> <ol style="list-style-type: none"> 1. Establishes an Audit, Risk and Improvement Committee to succeed Council's current Audit Committee, to be operational by the end of May 2019. 2. Authorises the General Manager to undertake all necessary actions to establish the Committee and to select an independent Chair and Members to recommend to Council for appointment. 3. Adopts the Audit, Risk and Improvement Committee Charter for the Committee attached to this report. 4. Sets the remuneration for the external independent committee members at \$1,500 (Chair) and \$1,300 (Member) per meeting, which includes preparation and travel time.

4. Discussion

Council ran an expression of interest for the external independent members in July 2019. Seventeen submissions were received. After a shortlisting process, the Appointment Panel convened on 23 August 2019 and interviewed eight candidates. The Panel agreed unanimously to recommend to Council that it

appoints Elizabeth Gavey, Kath Roach and John Gordon to the ARIC, with Elizabeth Gavey to be appointed Chair.

The skills and experience of the three recommended independent members are summarised below:

Ms **Elizabeth Gavey** has degrees on commerce and law and is a solicitor with over 30 years post admission experience, primarily in banking and corporate fields and as an in-house legal counsel. Ms Gavey is also a graduate member of the Australian Institute of Company Directors and has held senior managerial roles and company directorships.

Ms Gavey has extensive experience on several local government audit committees and is a member of the NSW Electoral Commission Audit and Risk Committee. Ms Gavey is also an experienced chairperson who brings a depth of legal, governance and financial expertise to the Committee. In addition to recommending her as a member, the Panel is also recommending Ms Gavey be appointed as the Chair of the ARIC.

Ms **Kath Roach** has extensive senior experience in the fields of governance and ethics and people and financial management, holding senior roles in state and local government before establishing Sinc Solutions, a consultancy business which provides strategic and operational advice to local government. Sinc Solutions also provides investigation services and business improvement reviews. Prior to these roles Ms Roach had 13 years' experience in the Australian Federal Police.

Ms Roach has a Bachelor of Commerce, a Master of Business Administration and is a graduate member of the Australian Institute of Company Directors. She brings a depth of knowledge and experience in corporate governance, corruption prevention, complaints management and compliance. She has also held memberships on the Mosman Council and Housing NSW risk and audit committees and on various planning panels.

Mr **John Gordon** is a chartered accountant and holds an honours degree in Commerce. He is a member of the Institute of Company Directors and an associate member of Internal Auditors. Mr Gordon has over 40 years' experience providing audit, advisory, risk management and corporate governance advice to a wide range of organisations in the public and private sectors. Mr Gordon worked with PricewaterhouseCoopers (PWC) for 35 years, 22 years as a partner.

Since retiring from PWC in 2008, Mr Gordon has been continuously involved as a member or chair of over 20 public sector audit and risk committees and he brings with him a significant depth and breadth of financial experience and assurance capability.

The Appointment Panel is confident that together the recommended independent members provide the range of skills and experience that the Council is seeking in the membership of the ARIC. The Panel also felt that recommended make up of the ARIC would deliver Council a high-level assurance capability, and would strongly support the strengthening of risk management and management control arrangements that the General Manager is in the process of putting in place across the organisation.

The Councillor member of the committee currently provided for under the charter is expected to be appointed for a 12-month term at the Mayoral Election Council Meeting to be held on 26 September 2019.

5. Financial impact statement/Timeframe/Consultation

There are no unbudgeted costs to Council in running the Expression of Interest and establishing the Appointment Panel, including the remuneration for the services of the three external independent representatives.

The adopted charter of the new ARIC states that the external independent members will be appointed for a term of four years, in the December following the Council election. Due to the timing of the appointment of the new Committee members, it is recommended that the term of their appointment be to December 2024 following the 2024 Council election. This is longer than four years, but officers are of the view that a short appointment to December 2020 is not sufficient time to allow the new committee members to understand Waverley's context and organisational disposition, and then to make a significant impact before new appointments are required. Due to the length of the proposed appointment, it is recommended that the membership of each external independent member beyond 31 December 2020 be subject to Council being satisfied with their performance at a performance review to be conducted in or prior to December 2020. Such a review is permissible under section 9 of the ARIC Charter.

It should be noted that the term of the appointment of the recommended independent members may need to be altered when the NSW Office of Local Government (OLG) issues its guidance or regulations on the operation of ARICs. The OLG has just released a Discussion Paper on a draft risk management and internal audit framework for local councils, with comments sought from councils by 31 December 2019. It contains a proposal for the independent members of the ARIC to be prequalified via the NSW Government's Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members. Once the consultation and guideline development process is finalised, the OLG will notify councils of the new requirements and the steps and timeline for implementation. Council will be able to consider implementation for ARIC membership at that time.

The first meeting of the ARIC is expected to be held on 29 October 2019.

6. Conclusion

This report presents the recommendation of the Audit, Risk and Improvement Appointment Panel to appoint Elizabeth Gavey (Chair), Kath Roach and John Gordon as the independent external members to the Waverley ARIC until December 2024, with their appointments beyond 31 December 2020 being subject to Council being satisfied with their performance at a performance review to be conducted in or prior to December 2020.

7. Attachments

Nil.

NOTICE OF MOTION CM/8.1/19.09



Subject: RESCISSION MOTION - CM/8.1/19.08 - RESCISSION
MOTION - CM/5.2.4/19.07 - Military Road - Pinch Point
Improvements

TRIM No: A16/0524

Submitted by: Councillor Betts
Councillor Nemesh
Councillor Goltsman

MOTION:

That resolution CM/8.1/19.08 – RESCISSION MOTION – CM/5.2.4/19.07 – Military Road – Pinch Point Improvements, passed at the Council meeting on 20 August 2019, be rescinded.

Background

This matter was last considered by Council at its meeting on 20 August 2019. Immediately after the meeting, Crs Betts, Nemesh and Goltsman submitted a notice of motion to rescind the decision.

BELOW IS A MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 20 AUGUST 2019:

**CM/8.1/19.08 RESCISSION MOTION - CM/5.2.4/19.07 - Military Road - Pinch Point
Improvements (A16/0524)**

MOTION

Mover: Cr Lewis
Seconder: Cr Wakefield

That resolution CM/5.2.4/19.07 – Military Road – Pinch Point Improvements, passed at the Council meeting on 16 July 2019, be rescinded.

FORESHADOWED MOTION

Mover: Cr Lewis
Seconder: Cr Wakefield

That Council undertakes the proposed works at pinch point locations 1, 2 and 3 along Military Road, in accordance with the drawings attached to the June Traffic Committee report.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos, O'Neill, Wy Kanak and Wakefield.

Against the Motion: Crs Betts, Goltsman, Kay and Nemesh.

DECISION: That the Rescission Motion be adopted.

THE FORESHADOWED MOTION NOW BECAME THE MOTION.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

Immediately after the meeting, a notice of motion to rescind this decision was lodged with the General Manager. The rescission motion will be considered at the next Council meeting.

NOTICE OF MOTION CM/8.2/19.09



Subject: Belgrave Street Reserve - Play Equipment

TRIM No: A12/0171

Submitted by: Councillor Kay
Councillor Betts
Councillor Burrill

MOTION:

That Council officers urgently investigate the condition of the Belgrave Street Reserve play space equipment from a health, safety and usability viewpoint and determine, in consultation with the Bronte Precinct, whether the equipment can be maintained or needs replacement, what ancillary upgrades may be required for the Reserve's landscaping, and in what timeframe the work can be performed.

Background

The Bronte Precinct convenor has reported to Ward councillors and senior Council officers that the 20-year-old play space on the north eastern side of Belgrave Street has equipment that is rusty and filthy. She also indicated that the equipment is unsafe and unhealthy due to urination, defecation and vomit, and has not been cleaned or maintained.

When a recent enquiry was made by Cr Tony Kay as to when this Reserve would get some attention, he received the following response: 'In 2016 we did some planting and replaced the seat. Our recent play audit has not identified any repair works were necessary to the equipment. Considering the age of the equipment, however, I expect we would be looking to replace the playground in the next two to three years.'

The community has indicated that they need more certainty about actions to the play space and landscaping of the Reserve, so that the current deterioration can be urgently rectified.

It appears that the play space is unfit for use. The area deserves better than what is there now.

General Manager's comment

Following an onsite inspection of the Belgrave Street Reserve playground in 2016, Council undertook additional landscaping and seat replacement at the Reserve. Considering the age of the equipment, the playground is due for replacement within the next two to three years. This aligns with the Council-adopted Play Strategy and the Long Term Financial Plan.

Each year, Council undertakes a safety compliance audit of all of our playgrounds to ensure they are safe and equipment is compliant. This audit was completed in December 2018. In addition, Council officers also undertake weekly site inspections of play grounds to check safety/risk issues. Through these inspections, no defects have been noted at the Belgrave Street Reserve playground. These inspections have deemed all equipment within this Reserve to be safe for continued use.

To address concerns raised about the look and feel of the playground, an interim maintenance program including a full pressure clean of equipment has been completed and mulching/planting will be undertaken over the coming weeks. This will improve the look and feel of the reserve as an interim response while a full replacement/upgrade is scheduled.

2019/20 Playground Upgrade Program

There is strong community desire to upgrade playgrounds following the endorsement of the strategic asset management plan that budgeted a rolling annual program for upgrades from 2015. Following this funding program, officers are working through a very full schedule for the 2019/20 financial year. The program is prioritised based on quality, age and safety as well as capacity to deliver.

The playgrounds being replaced or refurbished this financial year include:

- Marks Park (under construction).
- Bondi Park equipment upgrade.
- Varna Park.
- Barracluff Park.
- Marlborough Reserve.
- Clarke Reserve.
- Cuthbert Street Reserve (subject to funding).
- Onslow Street Reserve (subject to funding).

To ensure these playgrounds are done properly and meet community and Council expectation, officers choose to run quality consultation programs with several opportunity to seek input. This is a high-quality but resource-intensive program that generally results in playground upgrades taking around 12 months to complete: consultation and design phase (six months); procurement and tendering (three months); equipment delivery and construction (three months minimum). For this reason, we have to limit the number of playgrounds we can deliver each year and have to prioritise resources based on need. Including the recruitment of two additional staff to deliver the current program, the Open Space Planning team is at capacity in terms of delivering a quality program on time and budget.

If Council determined that Belgrave Street playground was a priority for this financial year, the 2019/20 program would need to be re-prioritised and a playground deferred until 2020/21. However, due to the priority needs associated with the 2019/20 program and the external funding delivery requirements, this is not recommended. Alternatively, Council could determine to upgrade the Belgrave Street Playground in 2020/21 with delivery as part of the 2020/21 capital works program.

Emily Scott

Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.3/19.09



Subject: Oxford Street Mall - Cosmetic Upgrade and Maintenance

TRIM No: A14/0404

Submitted by: Councillor Masselos

MOTION:

That:

1. Council undertakes maintenance and a cosmetic short-term upgrade of Oxford Street Mall, as this is a strategic entry point into Bondi Junction and the Waverley local government area.
2. Such short-term cosmetic upgrades and maintenance to include (but not be limited to):
 - (a) Replacement of 'sails' and/or cleaning, as appropriate.
 - (b) Repair any broken/misplaced paving.
 - (c) Neaten the areas directly under the trees in the Mall.
 - (d) Design and construct garden features in various locations in the Mall.
 - (e) Any other small beautifications deemed suitable and appropriate.
 - (f) Interpretation of the Tram History Walk.
3. Council notes that there is existing budget to cover the cost of the maintenance and cosmetic upgrade and, as such, the works be undertaken before the end of the 2019/20 financial year.

Background

Oxford Street Mall is the strategic entry point for Bondi Junction and the Waverley local government area (LGA). Its presentation reflects the quality of the Waverley LGA as a whole. Oxford Street Mall is in desperate need of maintenance and cosmetic upgrade, given a full redesign and upgrade of the Mall is not due in the near future. A number of the sails are dirty or torn, while a number of pavers are broken, loose or trip hazards. While there are a number of trees in the Mall, they are fairly scrappy. At present, the Mall is uninviting; so, there is an opportunity to:

- Neaten the areas directly under the trees.
- Design and plant some gardens in the Mall that will soften and beautify the area and create an inviting atmosphere.

General Manager's comment

The Waverley LGA Mall Restoration program is allocated a total budget of \$10,000,000 in the current Long Term Financial Plan 5. \$8.8 million is allocated to a full upgrade of Oxford Street Mall in 2026/7 and 2027/8 financial years. In 2017/8, a maintenance program was rolled out through Bondi Junction including tree pit replacements, consistent seat replacements, re-constructing the rain gardens, landscaping the tree pits along Oxford Street. This drastically improved the look and feel of the commercial centre public domain infrastructure. However, due to priorities at the time, the Mall was not an area of focus as part of this program. This financial year, a minor maintenance upgrade would be of benefit to improve the look and feel of the Mall, as detailed in the motion. Existing maintenance budgets exist to undertake this work as part of our annual program.

Emily Scott

Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.4/19.09



Subject: Cliff Walk - Route Adjustment

TRIM No: A03/1331-05

Submitted by: Councillor Lewis

MOTION:

That Council investigates and reports back on adjusting the Cliff Walk such that it follows along Weonga Road between Military Road and Weonga Reserve in place of that section along Blake Street.

Background

Weonga Reserve lies to the north of Rodney Reserve and is adjacent to the cliffs. The current Cliff Walk route leaves the coast (from the south) and Military Road (from the north) at Blake Street. By including Weonga Reserve as part of the Cliff Walk (accessed via Weonga Road), users will experience a further approximately 150 metres of the coast. It also reduces the amount of the walk along the busy Military Road.

General Manager's comment

The Cliff Walk was established as a walking route taking in the clifftop parks from Bondi Park to Clarke Reserve then onto Watsons Bay. In 1999, Council was successful in gaining a grant from the Commonwealth Government's Federation Community Projects Program for a cliff walk project marking Australia's Centenary of Federation. With additional funding from Council and the Metropolitan Greenspace Program, the project began construction in 2001.

The Cliff Walk was mapped connecting Waverley's clifftop parks and streets. Council provided maps as signage in parks, printed brochures and online. As smart phones were introduced, it is commonplace to see walkers on this route using online maps to assist in navigation. The Cliff Walk section in Dover Heights connects Rodney Reserve to Eastern Reserve via Blake Street and on to Military road, then back on to Lancaster Road. The Cliff Top Walk route and the associated improvement projects were adopted by Council at the time. Furthermore, in 2004 dot markers were installed on the kerb line for the purpose of assisting navigation. The location of these markers was identified in consultation with the community and adopted by Council.

The purpose of identifying the walking route is to assist in wayfinding and to ensure that adequate facilities are provided along the route. There is, however, no issue with walkers using alternative routes, and they can freely do so.

The Blake Street road connection allows walkers to pass through the Blake and Military Road Village Centre, with an opportunity to stop at the local café or catch a bus. Along the Cliff Walk, there are no other opportunities to stop at a café from North Bondi to Vacluse. In consultation with the café, Council understands that they support the existing location of the walking route. The bus stops at Blake and Military Road also offers ample seating and shelter. Blake Street is clearly visible from Rodney Reserve, and with adequate wayfinding is not difficult to negotiate on foot.

An alternative route using Myuna Road bypasses the shops and bus shelters. Furthermore, wayfinding from Rodney Reserve into Wyonga Reserve is more difficult to navigate as there are no clear site lines through this space.

Since the walk was established back in 2001, Council has had no record of complaints or security issues regarding this route.

Taking into consideration the points raised above, it is recommended that the existing route remain unchanged, showing Blake Street as the formal walking route.

Emily Scott

Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.5/19.09



Subject: Rat Control in Bondi Junction

TRIM No: A14/0106

Submitted by: Councillor Burrill
Councillor Goltsman

MOTION:

That Council's Compliance Team contracts a pest control company to install a program of rat baits in the public domain across the Bondi Junction commercial area, including the West Oxford Street shopping strip, using their pest control budget.

Background

Residents of the streets surrounding the western end of Oxford Street have reported that their properties are becoming inundated with rats, which they believe is due to building site excavations occurring on Oxford Street.

Though it is the responsibility of the property owners to provide pest control, Council should also install rat baits in the public domain within the Bondi Junction commercial area to reduce this problem.

Council has historically allocated budgets to carry out rat baiting programmes in Bondi Junction, mainly in the pedestrian mall and in Spring Street. This mitigated potential health issues.

General Manager's comment

Council's Compliance Team are already in the process of sourcing quotes from pest control providers, in response to earlier complaints from residents about rats in Bondi Junction.

\$2,200 is in the current Compliance budget for public pest control services. A total of \$47,722 is allocated across various Department budgets for pest control purposes. An appropriate additional budget allocation will be considered as part of the Q1 budget review process if necessary.

Peter Monks
Director, Planning, Environment and Regulatory

NOTICE OF MOTION CM/8.6/19.09



Subject: Swooping Magpies

TRIM No: A14/0106

Submitted by: Councillor Burrill
Councillor Goltsman

MOTION:

That Council:

1. Identifies timing and locations for annual nesting magpies in parks, reserves and nature strips within the municipality.
2. Puts in place a process to warn residents and visitors, including Council's website, social media and signage.
3. Immediately installs warning signage in Bronte Park, between Bayview Street and the playground, and other locations reported to Council.

Background

There have been numerous reports of people, including young children under the age of five years old, being swooped upon by magpies during nesting seasons this year and in prior years. This has resulted in several head injuries. In fact, distressed parents have shown many injuries online, such as cuts to faces, and have reported these incidents to Council. They were particularly distressed that there were no warning signs that the magpies were nesting in the area, and would be protective of their nests.

The lack of warning is particularly concerning in locations where many children are present, such as near sports grounds, playgrounds and community halls.

It is important to note that Randwick Council has placed signage warning of swooping magpies in their high-risk areas.

General Manager's comment

In 2019, Council has received three complaints regarding swooping magpies in our parks and reserves: two from Bronte Park and one from Clementson Park. To better manage this seasonal issue, officers support the development of temporary signage at these identified locations, warning people about the dangers of swooping birds. These temporary signs can be designed by our Communications team but printed externally. The cost, estimated at \$1,000, can be funded from existing operational budgets. For future requests, it is recommended that officers keep a watching brief on complaints received and place signage at other hot spot locations as they are identified.

Emily Scott
Director, Community, Assets and Operations

URGENT BUSINESS
CM/10/19.09**W A V E R L E Y**
COUNCIL**Subject:** Urgent Business**Author:** Ross McLeod, 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/11/19.09

Subject: Moving into Closed Session

Author: Ross McLeod, General Manager

**RECOMMENDATION:**

That:

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

CM/11.1/19.09 CONFIDENTIAL REPORT - Rowe Street Access to Bondi Junction Interchange

This matter is considered to be confidential in accordance with section 10A(2)(d)(ii) 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 competitor of Council.

CM/11.2/19.09 CONFIDENTIAL REPORT - Bondi Surf Bathing Life Saving Club - Conservation and Upgrade Project - Head Consultant Procurement

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

CM/11.3/19.09 CONFIDENTIAL REPORT - Eastern Suburbs Cricket Club - Indoor Cricket Nets Facility Project - Heads of Agreement

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

2. Pursuant to section 10A(1), 10(2) and 10A(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the *Local Government Act 1993*.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act 1993*.

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 2005*, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clauses 14.9–14.10 of the Waverley Code of Meeting Practice, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

RESUMING IN OPEN SESSION CM/12/19.09

Subject: Resuming in Open Session
Author: Ross McLeod, General Manager



RECOMMENDATION:

That Council resumes in open session.

Introduction/Background

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