



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 21 JUNE 2022

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

Emily Scott
General Manager

Waverley Council
PO Box 9
Bondi Junction NSW 1355
DX 12006 Bondi Junction
Tel. 9083 8000
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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PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

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

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

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

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CM/11.3/22.06	CONFIDENTIAL REPORT - Bronte Surf Club and Community Facilities Building Upgrade - Updated Heads of Agreement

12. Resuming in Open Session 315

13. Meeting Closure

OBITUARIES

CM/3/22.06

Subject: Obituaries

Author: Emily Scott, General Manager



Murray Begg

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/5.1/22.06



WAVERLEY
COUNCIL

Subject: Confirmation of Minutes - Council Meeting - 17 May 2022

TRIM No: SF21/6063

Author: Al Johnston, Governance Officer

RECOMMENDATION:

That the minutes of the Council meeting held on 17 May 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

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

Attachments

1. Council Meeting Minutes - 17 May 2022 .



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 17 MAY 2022**

Present:

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

Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Acting Director, Community, Assets and Operations
Meredith Graham	Acting Director, Customer Service and Organisation Improvement
Mitchell Reid	Acting Director, Planning, Environment and Regulatory
Richard Sheridan	Interim Director, Finance and Governance

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

At 7.33 pm, following the vote on item CM/5.2.1/22.05, Cr Betts left the meeting and did not return.

At 8.01 pm, during the consideration of item CM/8.1/22.05, Cr Nemesh left the meeting and did not return.

At 9.04 pm, having declared a significant non-pecuniary interest in item CM/11.2/22.05, Cr Masselos vacated the chair and left the meeting and Cr Keenan assumed the chair for the item.

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

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Burrill declared a pecuniary interest in item CM/7.7/22.05 – Voluntary Planning Agreement – 154 Ramsgate Avenue, North Bondi, and informed the meeting that she owns property in the street and will leave the meeting for the consideration and vote on this item.
- 2.2 Cr Burrill declared a significant non-pecuniary interest in item CM/7.8/22.05 – Small Grants Program 2021-22 – Round 2 and informed the meeting that she is the organiser of Bondi Beach Playgroups and will leave the meeting for the consideration and vote on this item.
- 2.3 Cr Goltsman declared a significant non-pecuniary interest in item CM/7.8/22.05 – Small Grants Program 2021-22 – Round 2 and informed the meeting that he is a volunteer with COA and will leave the meeting for the consideration and vote on this item.
- 2.4 Cr Goltsman declared a less than significant non-pecuniary interest in item CM/7.9/22.05 – Sydney Water Refresh Vaucluse Diamond Bay Project – Review and Preliminary Submission and informed the meeting that he was a part of the consultation group.
- 2.5 Cr Masselos declared a significant non-pecuniary interest in item CM/11.2/22.05 – CONFIDENTIAL REPORT – Bondi Pavilion Community Radio Station Licence and informed the meeting that she is interviewed every three weeks on Eastside Radio and will leave the meeting for the consideration and vote on this item.

3. Obituaries

Chris Bonney

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 Finnimore (on behalf of Bronte Surf Life Saving Club) – CM/7.11/22.05 – Bronte Surf Club and Community Facilities Building Upgrade – Project Update.
- 4.2 D Hui – CM/7.11/22.05 – Bronte Surf Club and Community Facilities Building Upgrade – Project Update.
- 4.3 S Kenny – CM/8.1/22.05 – Queens Park Laneway Safety.

ITEMS BY EXCEPTION**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

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

- CM/5.1/22.05 Confirmation of Minutes – Council Meeting – 12 April 2022.
- CM/7.2/22.05 Investment Portfolio Report – April 2022.
- CM/7.3/22.05 Audit, Risk and Improvement Committee – Annual Report 2021.
- CM/7.4/22.05 High Impact Event – The Drop Live.
- CM/7.5/22.05 High Impact Event – Diner en Blanc.
- CM/7.6/22.05 High Impact Events 2022-23.
- CM/7.9/22.05 Sydney Water Refresh Vaucluse Diamond Bay Project – Review and Preliminary Submission.

5. Confirmation and Adoption of Minutes**CM/5.1/22.05 Confirmation of Minutes - Council Meeting - 12 April 2022 (SF21/6063)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That the minutes of the Council meeting held on 12 April 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/5.2/22.05 Adoption of Minutes - Waverley Traffic Committee Meeting - 28 April 2022 (SF21/6066)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Lewis

That Part 1 of the minutes of the Waverley Traffic Committee meeting held on 28 April 2022 be received

and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/C.01/22.04 – Birrell Street, Waverley – Cycleway.

And that this item be dealt with separately below.

**CM/5.2.1/22.05 Adoption of Minutes - Waverley Traffic Committee Meeting - 28 April 2022 -
TC/C.01/22.04 - Birrell Street, Waverley - Cycleway (A18/0579)**

This item was saved and excepted by Cr Kay.

MOTION / UNANIMOUS DECISION

Mover: Cr Kay
Seconder: Cr Burrill

That Council adopts the Traffic Committee's recommendation subject to an amendment to clause 2(c) such that the recommendation now reads as follows:

That Council:

1. Does not adopt the Council Officer's Proposal.

Defers this item to undertake community consultation with respect to:

- (a) Demand for the proposed Birrell Street cycleway.
- (b) The draft route attached to the report.
- (c) Other options for the cycleway, such as adding a further separated cycle lane on the westbound uphill section of Birrell Street between Tamarama Street and Henrietta Street.
- (d) The intersection of Carrington Road and Birrell Street being further investigated as to safety and impacts on traffic flow.

Works with Transport for NSW to review the associated line markings, including line markings within the Traffic Control Signal.

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

6. Mayoral Minutes

CM/6.1/22.05 Walking to School - Safe Routes (A04/0668)

MOTION

Mover: Cr Masselos

That Council:

1. Notes that:

- (a) Victoria Walks, an evidence-based health promotion charity, cites a dramatic decline in Australian school children walking to school since the 1970s, when 40% of children walked, in 1994 it was 24% and in 2021 it is thought to be as low as 15%.
 - (b) The benefits of school students walking to school are significant, including improved physical and mental health, increased exercise, maintenance of healthy weight, improved confidence and independence in children, and reduced traffic congestion on roads.
 - (c) Many schools in Waverley require students to cross busy main roads
2. Investigates:
- (a) The establishment of a series of safe walking routes to schools.
 - (b) The types of safety and traffic signage to facilitate safely crossing busy streets and roads.
 - (c) The traffic speeds and any adjustments that may be required to facilitate safe walking routes.
 - (d) Consultation needs of key stakeholders, such as school principals, P&C associations, police and the broader community, and develops an outreach and community consultation strategy.
 - (e) A time frame that will ensure successful stakeholder buy-in and implementation.
 - (f) The required budget necessary for successful implementation and a funding source, including potential State and Federal grant funding.
3. Receives a report on the proposed Walking to School study addressing the identified elements in clause 2, the recommended project plan and required funding.

Background

In a study in south-eastern Sweden, which has relatively high rates of active travel to school, 90% of girls and 67% of boys aged 7–9 years met the recommended number of steps per day (12,000 for girls and 15,000 for boys). In comparison, in Australia, 50% of girls and 32% of boys aged 5–8 meet the recommended number of steps. For more information and comparison between Australia and other countries, see the VicHealth report on *Active Travel, Children and Young People*.

A recent study of more than 12,000 Australian teenagers found they were much more likely to eat their recommended intake of fruit (41%) and vegetables (24%) per day than they were to get the recommended level of exercise (15%). This was particularly so for girls, with only 8% getting the 60 minutes moderate to vigorous physical activity recommended for teenagers, compared to 22% of boys (Morley 2012). Active travel is critical for exercise during teenage years and in the transition to adulthood, because as children grow older they get less exercise through play. Active travel tends to increase during teenage years and young adulthood, while other forms of exercise are declining.

Perhaps more surprising than the connection between walking and physical health is the evidence that walking to school is good for a child's educational development. A study of nearly 20,000 Danish children found that children who walked or cycled to school were able to concentrate much better than others for the first four hours of the day. Research in Washington DC found some correlation between the level of walkability and overall school performance.

Walking to school is not only good for a child's health and education, it helps them understand their world. As part of VicHealth's 'Streets Ahead' program, children at four schools in the Darebin area were asked to map their neighbourhood. Those who walked to school were better able to describe the area they lived in.

Children who were driven drew their neighbourhood as a series of fragmented, abstract images (Streets Ahead 2008-2011, p. 20).

The capacity to walk in their neighbourhood is highly important to children's independent mobility and their general development. Patterns established during childhood tend to carry into adulthood. Those who take up healthy behaviours, such as walking, when they are young are more likely to continue these practices as adults. Children are more likely to walk if their parents walk—and parents are best placed to teach them to negotiate their neighbourhood safely. See the opinion piece below for more on the role of parents in encouraging their children to walk.

Council can further assist in the improvement of the health and safety of our Waverley school students by encouraging walking to school through the establishment of safe walking routes, associated signage, street and road speed adjustments, and support of parents and schools.

<https://www.smh.com.au/politics/federal/try-walking-and-talking-20100131-n6ec.html>

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 2(g).

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

UNANIMOUS DECISION

That Council:

1. Notes that:

- (a) Victoria Walks, an evidence-based health promotion charity, cites a dramatic decline in Australian school children walking to school since the 1970s, when 40% of children walked, in 1994 it was 24% and in 2021 it is thought to be as low as 15%.
- (b) The benefits of school students walking to school are significant, including improved physical and mental health, increased exercise, maintenance of healthy weight, improved confidence and independence in children, and reduced traffic congestion on roads.
- (c) Many schools in Waverley require students to cross busy main roads

2. Investigates:

- (a) The establishment of a series of safe walking routes to schools.
- (b) The types of safety and traffic signage to facilitate safely crossing busy streets and roads.
- (c) The traffic speeds and any adjustments that may be required to facilitate safe walking routes.
- (d) Consultation needs of key stakeholders, such as school principals, P&C associations, police and the broader community, and develops an outreach and community consultation strategy.
- (e) A time frame that will ensure successful stakeholder buy-in and implementation.
- (f) The required budget necessary for successful implementation and a funding source, including potential State and Federal grant funding.
- (g) Existing resources available through the NSW Government and other State and Territory governments.

3. Receives a report on the proposed Walking to School study addressing the identified elements in clause 2, the recommended project plan and required funding.

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

7. Reports

CM/7.1/22.05 Quarterly Budget Review (Q3) - March 2022 (A03/0346)

MOTION / DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes that the Interim Director, Finance and Governance, as the responsible accounting officer, advises that the projected financial position of Council is satisfactory.
2. Adopts the variations to the 2021–22 Operating and Capital budgets in accordance with Attachments 1, 2 and 3 of the report.

Crs Betts and Nemesh were not present for the vote on this item.

CM/7.2/22.05 Investment Portfolio Report - April 2022 (A03/2211)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Receives and notes the Investment Summary Report for April 2022 attached to the report.
2. Notes that the Interim Director, Finance and Governance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

CM/7.3/22.05 Audit, Risk and Improvement Committee - Annual Report 2021 (SF21/5557)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council receives and notes the Audit, Risk and Improvement Committee's Annual Report to Council for 2021 attached to the report.

CM/7.4/22.05 High Impact Event - The Drop Live (A22/0117)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Approves The Drop Live event at south Bondi Park and Beach on Saturday, 1, 8 or 15 October 2022 pending the availability of the headline act.
2. Approves the High Impact event fee of \$63,776 excluding GST.
3. Authorises the General Manager, or delegated representative, to complete negotiations and execute a licence agreement with The Drop Live.

CM/7.5/22.05 High Impact Event - Diner en Blanc (A22/0117)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Approves the Diner en Blanc event at Bondi Beach on Saturday, 12 November 2022.
2. Approves the High Impact event fee of \$32,411 excluding GST.
3. Authorises the General Manager, or delegated representative, to complete negotiations and execute a licence agreement with Diner en Blanc.

CM/7.6/22.05 High Impact Events 2022-23 (A22/0117)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Approves the following program of High Impact 2 events scheduled for the period 1 July 2022 to 30 June 2023:
 - (a) Bondi Festival (including extended tenure of Ferris wheel).
 - (b) City2Surf and Council Marquee Program.
 - (c) Festival of the Winds.
 - (d) The Drop Live.
 - (e) Sculpture by the Sea.
 - (f) Head On Photo Festival.

- (g) Diner en Blanc.
 - (h) Dudley Page New Year's Eve.
 - (i) Summer of Surf Series.
 - (j) Nutri Grain Ironperson Series (subject to confirmation).
 - (k) Outdoor Cinema (venue to be confirmed).
 - (l) Latin American Festival.
 - (m) Sydney WorldPride Bondi Beach Party (2023 only).
 - (n) Ocean Lovers Festival.
 - (o) North Bondi RSL ANZAC Day Dawn Service Ceremony.
2. Notes the following High Impact 1 and Medium Impact events that are included in the annual calendar of events:
- (a) Flickerfest (previously High Impact 2, now High Impact 1).
 - (b) Bondi Blitz (previously High Impact 2, now Medium Impact 1).
 - (c) Carols by the Sea (previously High Impact 2, now Medium Impact 1).
 - (d) Bondi to Bronte Swim (previously High Impact 2, now Medium Impact 1).
 - (e) Global Table (previously High Impact 2, now Medium Impact 1).
3. Notes that all scheduled High Impact events outlined in Attachment 1 of the report are required to submit a COVID-19 Safety Plan and comply with Council's Events Policy and Event Management Guidelines.
4. Authorises the General Manager, or delegated representative, to finalise and execute licence agreements with event organisers as necessary and as noted in the 2022–23 program.

CM/7.7/22.05 Voluntary Planning Agreement - 154 Ramsgate Avenue, North Bondi (SF22/1000)

Cr Burrill declared a pecuniary interest in this item and informed the meeting that she owns property in the street. Cr Burrill was not present at, or in sight of, the meeting for the consideration and vote on this item.

MOTION / DECISION

Mover: Cr Lewis
Seconder: Cr Murray

That Council:

1. Endorses the draft planning agreement attached to the report applying to land at 154 Ramsgate Avenue, North Bondi, offering a total monetary contribution of \$260,862, with \$195,646.50 (75%) to be allocated to Bondi Park works, including upgrades to Biddigal Reserve, sea walls and/or the ocean

pools, and \$65,215.50 (25%) to be allocated to the Waverley Affordable Housing Program (25%) in accordance with Council's Planning Agreement Policy.

2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

Division

For the Motion: Crs Goltsman, Gray, Kay, Lewis, Masselos and Murray.

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

Crs Betts and Nemesh were not present for the vote on this item.

CM/7.8/22.05 Small Grants Program 2021-22 - Round 2 (A21/0468)

Cr Burrill declared a significant non-pecuniary interest in this item and informed the meeting that she is the organiser of Bondi Beach Playgroups. Cr Burrill was not present at, or in sight of, the meeting for the consideration and vote on this item.

Cr Goltsman declared a significant non-pecuniary interest in this item and informed the meeting that he is a volunteer with COA. Cr Goltsman was not present at, or in sight of, the meeting for the consideration and vote.

MOTION / UNANIMOUS DECISION

Mover: Cr Gray

Seconder: Cr Wy Kanak

That Council, under the Small Grants Program 2021–22 (Round 2), grants \$43,938 to the individuals and organisations as recommended in Table 1 of the report, subject to any conditions specified in Attachment 1 of the report.

Crs Betts and Nemesh were not present for the vote on this item.

CM/7.9/22.05 Sydney Water Refresh Vaucluse Diamond Bay Project - Review and Preliminary Submission (A22/0135)

Cr Goltsman declared a less than significant non-pecuniary interest in this item and informed the meeting that he was part of the consultation group.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Continues to support the overall project aim to capture untreated wastewater entering the ocean from the Diamond Bay and Eastern Reserve ocean outfalls by redirecting wastewater flow to the Bondi Wastewater Treatment Plant.
2. Notes the preliminary submission to Sydney Water attached to the report (Attachment 1) on the proposed infrastructure works at Eastern Reserve with recommendations to mitigate the landscape character and visual impacts and address the park user and residential amenity concerns of the project, as outlined in the report.

3. Seeks clarification as Trust Manager of Eastern Reserve from Crown Lands on the approvals pathway for Sydney Water infrastructure development and operations within the Crown Land Reserve.
4. Continues to engage with Sydney Water on the project to ensure the project impacts are suitably mitigated to achieve the best landscape, environmental and residential amenity outcomes are achieved within the scope of the project.

CM/7.10/22.05 Curlewis Street Streetscape and Cycleway Upgrade - Community Consultation (SF20/3091)

MOTION

Mover: Cr Gray
Seconder: Cr Wy Kanak

That Council:

1. Approves and publicly exhibits for 28 days the Curlewis Street Streetscape and Cycleway Upgrade concept design attached to the report.
2. Notes that the community consultation report will be circulated to Councillors following the exhibition period with an update on the revised concept design, in accordance with Step 5 of the Councillor Engagement Process for Capital Works Projects.
3. Notes that traffic-related design elements will be presented to the Waverley Traffic Committee for review, with subsequent consideration by Council.
4. Notes that Transport for NSW has granted Council \$165,000 in funding to develop the design and a further \$835,000 for the construction of the cycleway.
5. Notes that officers have applied to Transport for NSW for an additional \$2,000,000 grant funding for the construction of the cycleway.

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

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

UNANIMOUS DECISION

That Council:

1. Approves the Curlewis Street Streetscape and Cycleway Upgrade concept design attached to the report for 28 days' public exhibition.
2. Notes that the community consultation report will be circulated to Councillors following the exhibition period with an update on the revised concept design, in accordance with Step 5 of the Councillor Engagement Process for Capital Works Projects.
3. Notes that traffic-related design elements will be presented to the Waverley Traffic Committee for review, with subsequent consideration by Council.
4. Notes that Transport for NSW has granted Council \$165,000 in funding to develop the design and a further \$835,000 for the construction of the cycleway.
5. Notes that officers have applied to Transport for NSW for an additional \$2,000,000 grant funding for

the construction of the cycleway.

Crs Betts and Nemesh were not present for the vote on this item.

**CM/7.11/22.05 Bronte Surf Club and Community Facilities Building Upgrade - Project Update
(A20/0329)**

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes that the Public Private Partnership design process for the Bronte Surf Club and Community Facilities Building Upgrade has been paused with Bronte Surf Life Saving Club in line with the processes detailed in the Probity Guidelines for Capital Project Partnerships.
2. Notes the process the Public Private Partnership Project Control Group and Project Executive Group have followed to terminate the contract with the previous architect and progress to updating the Heads of Agreement.
3. Notes the outcomes of the stakeholder and community consultation undertaken by Bronte Surf Life Saving Club and detailed in the Engagement Report attached to the report (Attachment 3).
4. Notes that the Project Control Group will work to resolve issues raised through community consultation in the detailed design phase of the project.
5. Notes that Council officers will continue to investigate step-free access from the northern section of Bronte Park as a priority action from the Bronte Park Plan of Management.
6. Endorses the concept design prepared by Bronte Surf Life Saving Club attached to the report (Attachments 1 and 2) and proceeds to lodge a development application.
7. Authorises the General Manager negotiate an updated Heads of Agreement between Council and the Club, with the agreement (including revised funding proposal) to be reported to Council for endorsement prior to execution.
8. Notes that, under section 55(3)(m) of the *Local Government Act 1993*, Council is not required to invite tenders before entering into a contract if it has entered into a Public Private Partnership.
9. Authorises the General Manager to negotiate directly with Philip Leamon and Associates for head consultant services for the design documentation for the Bronte Surf Club and Community Facilities Building Upgrade.
10. Notes that any contract resulting from the direct negotiations will be between Council and Bronte Surf Club and jointly, and Philip Leamon and Associates.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF NEW CLAUSES 3, 7 AND 13 AND AMENDMENTS TO CLAUSES 1 AND 8.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Notes that the Public Private Partnership design process for the Bronte Surf Club and Community Facilities Building Upgrade has been paused with Bronte Surf Life Saving Club in line with the processes detailed in the Probity Guidelines for Capital Project Partnerships, as agreement could not be reached on an agreed design.
2. Notes the process the Public Private Partnership Project Control Group and Project Executive Group have followed to terminate the contract with the previous architect and progress to updating the Heads of Agreement.
3. Notes that Bronte Surf Life Saving Club has worked with architects to develop an alternative concept design that meets the Club's needs and responds to community feedback.
4. Notes the outcomes of the stakeholder and community consultation undertaken by Bronte Surf Life Saving Club and detailed in the Engagement Report attached to the report (Attachment 3).
5. Notes that the Project Control Group will work to resolve issues raised through community consultation in the detailed design phase of the project.
6. Notes that Council officers will continue to investigate step-free access from the northern section of Bronte Park as a priority action from the Bronte Park Plan of Management.
7. Notes that Council's additional contribution in option 4 is up to \$2.9 million.
8. Endorses the concept design (Option 4) prepared by Bronte Surf Life Saving Club attached to the report (Attachments 1 and 2) and proceeds to lodge a development application.
9. Authorises the General Manager negotiate an updated Heads of Agreement between Council and the Club, with the agreement (including revised funding proposal) to be reported to Council for endorsement prior to execution.
10. Notes that, under section 55(3)(m) of the *Local Government Act 1993*, Council is not required to invite tenders before entering into a contract if it has entered into a Public Private Partnership.
11. Authorises the General Manager to negotiate directly with Philip Leamon and Associates for head consultant services for the design documentation for the Bronte Surf Club and Community Facilities Building Upgrade.
12. Notes that any contract resulting from the direct negotiations will be between Council and Bronte Surf Club and jointly, and Philip Leamon and Associates.
13. Notes that the design prepared for development application (DA) will be presented at a Councillor briefing followed by a report to Council prior to DA lodgement planned for September 2022.

Crs Betts and Nemesh were not present for the vote on this item.

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

D Finnimore (on behalf of Bronte Surf Life Saving Club) and D Hui addressed the meeting.

CM/7.12/22.05 Charing Cross Streetscape Upgrade - Project Update (A18/0541)**MOTION**

Mover: Cr Masselos
Second: Cr Keenan

That Council:

1. Progresses Option 3 for the Charing Street Streetscape Upgrade to detailed design, noting the following key items will be addressed in development of the design as appropriate:
 - (a) Selection of tree species to vary and consider the heritage status of building façades.
 - (b) Completion of a posted awning review to inform locations of trees and street furniture items in detailed design.
 - (c) Undertake an options analysis on materiality interpretations to acknowledge the original kerb alignment within the widened footpath.
 - (d) Undertake an options analysis on appropriate lighting, hanging baskets and street furniture in the detailed design.
2. Engages with members of the community during detailed design development, including those from the Charing Cross Precinct that have shown significant interest in the project.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 3.

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

UNANIMOUS DECISION

That Council:

1. Progresses Option 3 for the Charing Street Streetscape Upgrade to detailed design, noting the following key items will be addressed in development of the design as appropriate:
 - (a) Selection of tree species to vary and consider the heritage status of building façades.
 - (b) Completion of a posted awning review to inform locations of trees and street furniture items in detailed design.
 - (c) Undertake an options analysis on materiality interpretations to acknowledge the original kerb alignment within the widened footpath.
 - (d) Undertake an options analysis on appropriate lighting, hanging baskets and street furniture in the detailed design.
2. Engages with members of the community during detailed design development, including those from the Charing Cross Precinct that have shown significant interest in the project.
3. Receives a further report indicating final draft design for consideration and endorsement.

Crs Betts and Nemesh were not present for the vote on this item.

8. Notices of Motions**CM/8.1/22.05 Queens Park Laneway Safety (A22/0153)****MOTION**

Mover: Cr Burrill

Seconder: Cr Kay

That Council:

1. As a precursor to investigating a program of changes to laneways across Waverley, investigate measures to reduce vehicle speed and volumes, as well as improving the safety of pedestrians, in the laneways of Queens Park such as:
 - (a) Introducing speed limiting devices, including raised thresholds and different surface treatments of the lane.
 - (b) Introducing 10 km/h shared zones.
2. Uses Alt Lane, Queens Park, to trial the recommended changes from the above investigation following community consultation, a Councillor briefing, and then a report to the Waverley Traffic Committee.
3. Notes that speed and volume counts are currently underway in Alt Lane.
4. Alerts the NSW Police to the unsafe speeding and illegal 'wrong way' vehicular movement alleged to be occurring in Alt Lane.
5. Conducts an education program about the Street Play program for residents whose properties adjoin laneways in Waverley.

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

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

UNANIMOUS DECISION

That Council:

1. As a precursor to investigating a program of changes to laneways across Waverley, investigate measures to reduce vehicle speed and volumes, as well as improving the safety of pedestrians, in the laneways of Queens Park such as:
 - (a) Introducing speed limiting devices, including raised thresholds and different surface treatments of the lane.
 - (b) Introducing 10 km/h shared zones.
2. Uses Alt Lane, Queens Park, to trial the recommended changes from the above investigation following community consultation, a Councillor briefing, and then a report to the Waverley Traffic Committee.
3. Notes that speed and volume counts are currently underway in Alt Lane.
4. Alerts the NSW Police to the unsafe speeding and illegal 'wrong way' vehicular movement alleged to

be occurring in Alt Lane, and raises these matters for review at the next community precinct safety committee of the Eastern Suburbs Police Area Command.

5. Conducts an education program about the Street Play program for residents whose properties adjoin laneways in Waverley.

Crs Betts and Nemesh were not present for the consideration and vote on this item.

S Kenny addressed the meeting.

CM/8.2/22.05 Heritage Assessment - 34 and 40 Simpson Street and 152 Wellington Street, Bondi Beach (A13/0619)

MOTION

Mover: Cr Fabiano
Seconder: Cr Keenan

That Council:

1. Notes that a request has been submitted by a local resident for Council to initiate an Interim Heritage Order for 40 Simpson Street, Bondi Beach.
2. Officers undertake a preliminary heritage assessment of 34 and 40 Simpson Street and 152 Wellington Street, Bondi Beach, to ascertain the heritage significance of these buildings and report back to Council with recommendations.
3. Notes that the three subject buildings are included in the curtilage of the proposed Bondi Basin Heritage Conservation Area (HCA).

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 2.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Notes that a request has been submitted by a local resident for Council to initiate an Interim Heritage Order for 40 Simpson Street, Bondi Beach.
2. Officers continue to undertake a preliminary heritage assessment of 34 and 40 Simpson Street and 152 Wellington Street, Bondi Beach, to ascertain the heritage significance of these buildings and report back to Council with recommendations.
3. Notes that the three subject buildings are included in the curtilage of the proposed Bondi Basin Heritage Conservation Area (HCA).

Crs Betts and Nemesh were not present for the vote on this item.

CM/8.3/22.05 Raised Pedestrian Crossings - Dover Heights (A14/0145)**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis
Second: Cr Masselos

That Council:

1. Investigates installing a raised pedestrian crossing:
 - (a) In Blake Street, Dover Heights, at the Military Road intersection.
 - (b) Opposite Dudley Page Reserve, Dover Heights.
2. Identifies a funding source for the construction of the raised pedestrian crossings.
3. Receives a report with recommendations and an implementation timeline.

Crs Betts and Nemesh were not present for the vote on this item.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

There were no items of urgent business.

11. Closed Session**CM/11/22.05 Closed Session****MOTION / DECISION**

Mover: Cr Masselos
Second: Cr Keenan

That:

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

CM/11.1/22.05 CONFIDENTIAL REPORT - Bus Shelter Advertising and Maintenance - Procurement Exemption

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/11.2/22.05 CONFIDENTIAL REPORT - Bondi Pavilion Community Radio Station Licence

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

Crs Betts and Nemesh were not present for the vote on this item.

At 8.52 pm, Council moved into closed session and adjourned for a short break.

At 8.54 pm, the meeting resumed in closed session.

CM/11.1/22.05 CONFIDENTIAL REPORT - Bus Shelter Advertising and Maintenance - Procurement Exemption (A04/0403)**MOTION / DECISION**

Mover: Cr Murray
Seconder: Cr Goltsman

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Notes that the COVID-19 pandemic and market volatility have resulted in extenuating circumstances that have prevented Council from tendering its bus shelter advertising and maintenance contract.
3. In accordance with section 55(3)(i) of the *Local Government Act 1993*, approves a short-term extension of its bus shelter advertising contract with JC Decaux until 12 June 2024.
4. Authorises the General Manager to complete negotiations and execute the necessary contractual arrangements.
5. Investigates opportunities for bus shelter upgrades, including advertising installations, with the findings to be presented at a Councillor briefing session in preparation for a long-term contract.

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

Crs Betts and Nemesh were not present for the vote on this item.

**CM/11.2/22.05 CONFIDENTIAL REPORT - Bondi Pavilion Community Radio Station Licence
(A22/0084)**

The Mayor, Cr Masselos, declared a significant non-pecuniary interest in this item and informed the meeting that she is interviewed every three weeks on Eastside Radio. Cr Masselos vacated the chair and was not present at, or in sight of, the meeting for the consideration and vote on this item. The Deputy Mayor, Cr Keenan, assumed the chair.

MOTION / DECISION

Mover: Cr Lewis
Seconder: Cr Murray

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Grants a licence to Eastside Radio to operate the Bondi Pavilion Community Radio Studio for three years with a two-year option, on the terms and conditions set out in the report.
3. Authorises the General Manager to complete negotiations and execute all necessary documentation to finalise the matter.

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

Crs Betts and Nemesh were not present for the vote on this item.

12. Resuming in Open Session

CM/12/22.05 Resuming in Open Session

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Murray

That Council resumes in open session.

At 9.07 pm, Council resumed in open session.

Crs Betts and Nemesh were not present for the vote on this item.

Resolutions from closed session made public

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

13. Meeting Closure

THE MEETING CLOSED AT 9.10 PM.

.....
SIGNED AND CONFIRMED
MAYOR
21 JUNE 2022

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/22.06



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 26 May 2022

TRIM No: SF21/6066

Author: Richard Coelho, Executive Manager, Governance and Risk

RECOMMENDATION:

That Part 1 of the minutes of the Waverley Traffic Committee meeting held on 26 May 2022 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 Transport for NSW (TfNSW), an agency of the NSW Government. It is advisory-only and has no decision-making powers.

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

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

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

Attachments

1. Waverley Traffic Committee Minutes - 26 May 2022 .

**MINUTES OF THE WAVERLEY TRAFFIC COMMITTEE
MEETING HELD BY VIDEO CONFERENCE ON
THURSDAY, 26 MAY 2022**



Voting Members Present:

Cr P Masselos	Waverley Council – Chair
Snr Cst D Cameron	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Mr P Pearce	Representing Marjorie O’Neill, MP, Member for Coogee
Mr R Sritharan	Transport for NSW – Network and Safety Officer
Ms J Zin	Representing Gabrielle Upton, MP, Member for Vacluse

Also Present:

Ms K Lewis	Transport for NSW – Manager, Communication and Stakeholder Engagement
Mr N Zervos	Waverley Council – Executive Manager, Infrastructure Services
Mr C Hutcheson	Waverley Council – Service Manager, Traffic and Transport
Mr M Almuhanha	Waverley Council – Senior Traffic Engineer
Ms B Wang	Waverley Council – Professional Engineer, Traffic and Development
Cr L Fabiano	Waverley Council – Deputy Chair

At the commencement of proceedings at 10.00 am, those present were as listed above, with the exception of Ms J Zin who arrived at 10.13 am.

At 10.18 am, Mr P Pearce left the meeting and did not return.

Apologies

Apologies were received from Mr M Nabarro (Transdev John Holland) and Cr T Kay (Deputy Chair).

Declarations of Pecuniary and Non-Pecuniary Interests

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

Adoption of Previous Minutes by Council - 28 April 2022

The recommendations contained in Part 1 – Matters Proposing that Council Exercise its Delegated Functions – of the minutes of the Waverley Traffic Committee meeting held on 28 April 2022 were adopted by Council at its meeting on 17 May 2022 with the following change:

1. TC/C.01/22.04 – Birrell Street, Waverley – Cycleway.

Council adopted the recommendation of the Traffic Committee subject to an amendment to clause 2(c) such that the recommendation now reads as follows:

That Council:

1. Does not adopt the Council Officer's Proposal.
4. Defers this item to undertake community consultation with respect to:
 - (e) Demand for the proposed Birrell Street cycleway.
 - (f) The draft route attached to the report.
 - (g) Other options for the cycleway, such as adding a further separated cycle lane on the westbound uphill section of Birrell Street between Tamarama Street and Henrietta Street.
 - (h) The intersection of Carrington Road and Birrell Street being further investigated as to safety and impacts on traffic flow.
5. Works with Transport for NSW to review the associated line markings, including line markings within the Traffic Control Signal.

ITEMS BY EXCEPTION

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

- | | |
|---------------|---|
| TC/C.02/22.05 | 32 Edmund Street, Queens Park – Mobility Parking Space. |
| TC/C.03/22.05 | 9 Avoca Street, Bondi – Mobility Parking Space – Removal. |
| TC/C.04/22.05 | 9-11 Andrews Avenue, Bondi – Construction Zone. |
| TC/V.01/22.05 | Bon Accord Avenue, Bondi Junction – Temporary Road Closure. |
| TC/V.02/22.05 | Bondi Festival – Ferris Wheel and Ice Rink – Special Event. |
| TC/V.03/22.05 | 30 and 32 The Avenue, Rose Bay – 'P Motor Bikes Only' Parking Zone. |
| TC/V.04/22.05 | Bondi Icebergs, 1 Notts Avenue, Bondi Beach – Construction Zone. |

PART 1 – MATTERS PROPOSING THAT COUNCIL EXERCISE ITS DELEGATED FUNCTIONS

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

TC/C STATE ELECTORATE OF COOGEE**TC/C.01/22.05 Resident Parking Scheme Area 11 - Extension (A02/0750)****COUNCIL OFFICER'S PROPOSAL:**

That Council installs '2P 8 am–10 pm, Permit Holders Excepted Area 11' parking restrictions in Fletcher Street, Bondi/Tamarama, between Illawong Avenue and Silva Street, as shown in Figure 1 of the report.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to an amendment to clause 1 and the addition of a new clause 2 such that the recommendation now reads as follows:

That Council:

1. Installs '2P 8 am–10 pm, Permit Holders Excepted Area 11' parking restrictions in Fletcher Street, Bondi/Tamarama, between Illawong Avenue and Silva Street, and in Silva Street and Wonderland Avenue, as shown in Figure 1 of the report.
2. Monitors the parking restrictions for 12 months and officers prepare a report to the Traffic Committee with outcomes and further recommendations.

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

TC/C.02/22.05 32 Edmund Street, Queens Park - Mobility Parking Space (A20/0534)**COUNCIL OFFICER'S PROPOSAL:**

That Council installs a 6 metre mobility parking space in front of 32 Edmund Street, 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, TfNSW representative and Waverley Council representative (Chair).

TC/C.03/22.05 9 Avoca Street, Bondi - Mobility Parking Space - Removal (A20/0534)**COUNCIL OFFICER'S PROPOSAL:**

That Council removes the 6 metre mobility parking space in front of 9 Avoca Street, Bondi.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/C.04/22.05 9-11 Andrews Avenue, Bondi - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 9.9 metre 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Sat, Council Authorised Vehicles Excepted' construction zone in front of 5–9 Andrews Avenue, Bondi.
2. Requires the applicant to notify residents in the vicinity of the construction zone prior to it being installed.
3. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the construction zone, as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V STATE ELECTORATE OF VAUCLUSE**TC/V.01/22.05 Bon Accord Avenue, Bondi Junction - Temporary Road Closure (A19/0394)****COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Treats the attachments to the report as confidential as they contain information that would, if disclosed, prejudice the maintenance of law.
2. Approves the temporary closure of Bon Accord Avenue, Bondi Junction, between Bon Accord Lane and Flood Lane, in accordance with the Transport Management Plan (TMP) and Traffic Control Plans (TCP) attached to the report, subject to the following conditions:

- (a) Closures are to take place only during the following days and times:
 - (i) Monday, 26 September 2022, 8.15 am–2.00 pm.
 - (ii) Tuesday, 27 September 2022, 8.15 am–2.00 pm.
 - (iii) Tuesday, 4 October 2022, 5.30 pm–10.00 pm.
 - (iv) Wednesday, 5 October 2022, 9.15 am–8.15 pm.
 - (b) The footpath along Old South Head Road is to remain accessible to all people with a minimum clear width of 2.0 metres.
 - (c) A safe crossing is to be provided at all times for pedestrians and cyclists crossing Bon Accord Avenue at Old South Head Road.
 - (d) The Event Organiser must:
 - (i) Engage a traffic control company approved by the Executive Manager, Infrastructure Services, to implement the TMP.
 - (ii) Facilitate access to residential properties affected by barriers for residents and visitors.
 - (iii) Provide public liability insurance for the event.
 - (iv) Obtain NSW Police approval.
 - (v) Cover all costs associated with traffic control.
 - (vi) Submit the TMP to Transport for NSW (TfNSW) for approval by the Transport Management Centre.
 - (vii) Notify affected residents as shown in Figure 1 of Attachment 1 of the report.
 - (viii) Provide a pre- and post-dilapidation report of the condition of footpaths and landscaping along the section of Old South Head Road and Bon Accord Avenue affected by the event.
 - (e) Council will issue a schedule of conditions with any additional conditions that may be imposed by the NSW Police, TfNSW and the Executive Manager, Infrastructure Services.
3. Liaises with NSW Police and other security or safety enforcement agencies in relation to safety precautions or provisions associated with the event.
4. Delegates authority to the Executive Manager, Infrastructure Services, to amend security provisions and traffic control arrangements as necessary prior to, and during, the event.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.02/22.05 Bondi Festival - Ferris Wheel and Ice Rink - Special Event (A20/0172)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Approves the temporary traffic and parking changes for Bondi Festival on Park Drive South, Bondi Beach, as outlined in Figure 1 of the report, subject to the event organisers:
 - (a) Obtaining NSW Police approval.
 - (b) Notifying Transdev John Holland Buses, NSW Ambulance Service and NSW Fire and Rescue (Bondi, Woollahra and Randwick fire stations) seven days prior to the event.
 - (c) Notifying local residents and businesses seven days prior to the event.
2. Issues a schedule of conditions, with any additional conditions to be imposed by NSW Police and Transport for NSW.
3. Delegates authority to the Executive Manager, Infrastructure Services, to modify the temporary traffic and parking arrangements should on-site circumstances warrant changes.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.03/22.05 30 and 32 The Avenue, Rose Bay - 'P Motor Bikes Only' Parking Zone (A21/0065)**COUNCIL OFFICER'S PROPOSAL:**

That Council installs a 'P Motor Bikes Only' parking zone in the kerbside lane between the driveways of 30 and 32 The Avenue, Rose Bay.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/V.04/22.05 Bondi Icebergs, 1 Notts Avenue, Bondi Beach - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 19 metre 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Sat, Council Authorised Vehicles

Excepted' construction zone on the western side of Notts Avenue, Bondi Beach, between the motor bike parking zone and the parking meter.

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

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE

Nil.

THE MEETING CLOSED AT 10.19 AM.

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SIGNED AND CONFIRMED
MAYOR
21 JUNE 2022

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MAYORAL MINUTES CM/6/22.06



WAVERLEY
COUNCIL

Subject: Mayoral Minutes

Author: Mayor of Waverley, Cr Paula Masselos

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

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

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

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

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

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

REPORT

CM/7.1/22.06



Subject: Integrated Planning and Reporting Documents - Adoption

TRIM No: A19/0535

Author: Teena Su, Executive Manager, Finance
Sneha Sabu, Co-ordinator, Corporate Planning and Reporting
Nikolaos Zervos, Executive Manager, Infrastructure Services
Kerrie Pryke, Executive Manager, Human Resources, Risk and Safety

Director: Richard Sheridan, Interim Director, Finance and Governance

RECOMMENDATION:

That Council:

1. Adopts the Community Strategic Plan, Delivery Program and Operational Plan including the Budget attached to the report (Attachments 2, 3, 4, 6), including:
 - (a) The Rating Structure for 2022–23 contained on page 69 of the Operational Plan 2022–23 together with the Pricing Policy, Fees and Charges 2022–23. In accordance with sections 497, 516, 518, 529(2)(d), 534, 535 and 548(3) of the *Local Government Act* (the Act), the following rates and charges are set for every parcel of rateable land within the local government area for the period 1 July 2022 to 30 June 2023:
 - (i) An ordinary rate of 0.116114 cents in the dollar subject to a minimum rate in accordance with section 548(3) of the Act per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and subcategorised Ordinary in accordance with section 529(2)(b) of the Act.
 - (ii) An ordinary rate of 0.541561 cents in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and subcategorised Ordinary in accordance with section 529 (2)(d) of the Act.
 - (iii) An ordinary rate of 0.894755 cents in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and subcategorised Bondi Junction in accordance with section 529(2)(d) of the Act
 - (b) The Domestic Waste Management Service Charge being set at \$594.40 per service per annum for the financial year 2022-23 in accordance with section 496 of the Act.
 - (c) The Stormwater Management Service Charge contained on page 72 of the Operational Plan 2022–23 in accordance with section 496A of the Act for the financial year 2022–23 as follows:

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
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2. Approves the use of \$776,988 from the Affordable Housing Contributions Reserve for the 2A Edmund Street Redevelopment Project, as set out in the Capital Work Program section of the report.
3. Adopts the Pricing Policy, Fees and Charges for period 1 July 2022 to 30 June 2023 attached to the report (Attachment 5).
4. Adopts the Long Term Financial Plan (LTFP) 6 attached to the report (Attachment 7), noting that the LTFP will be reviewed annually in line with the Operational Plan and annual Budget development.
5. Adopts the Strategic Asset Management Plan 6 (2022–2032) attached to the report (Attachment 8).
6. Adopts the Workforce Plan 2022-26 attached to the report (Attachment 9).
7. Authorises the General Manager to make any necessary editorial and content changes to the documents in line with organisational structural changes and Census 2022 data release.

1. Executive Summary

This report is seeking Council to adopt the Community Strategic Plan 2022-2032, Long Term Financial Plan 6 (2022-2033), Strategic Asset Management Plan 6 (2022-2032), Workforce Plan 2022-26, Delivery Program 2022-2026, Operational Plan 2022-23 including the Budget 2022-23 and Pricing Policy, Fees and Charges 2022-23, considering any submissions received during the public exhibition period 20 April to 18 May 2022. Nine external submissions and 19 internal submissions were received on these documents. Details of submissions received, and any proposed amendments, are set out in Attachment 1.

2. Introduction/Background

All NSW councils are required to facilitate the development of a Community Strategic Plan (with a minimum 10-year outlook) along with a Delivery Program (based around the four-year term of the Council) and an Operational Plan (which looks at yearly activities to be undertaken). These plans are informed by a Resourcing Strategy that is made up of a Long Term Financial Plan, a Strategic Asset Management Plan, and a Workforce Management Strategy/Workforce Plan.

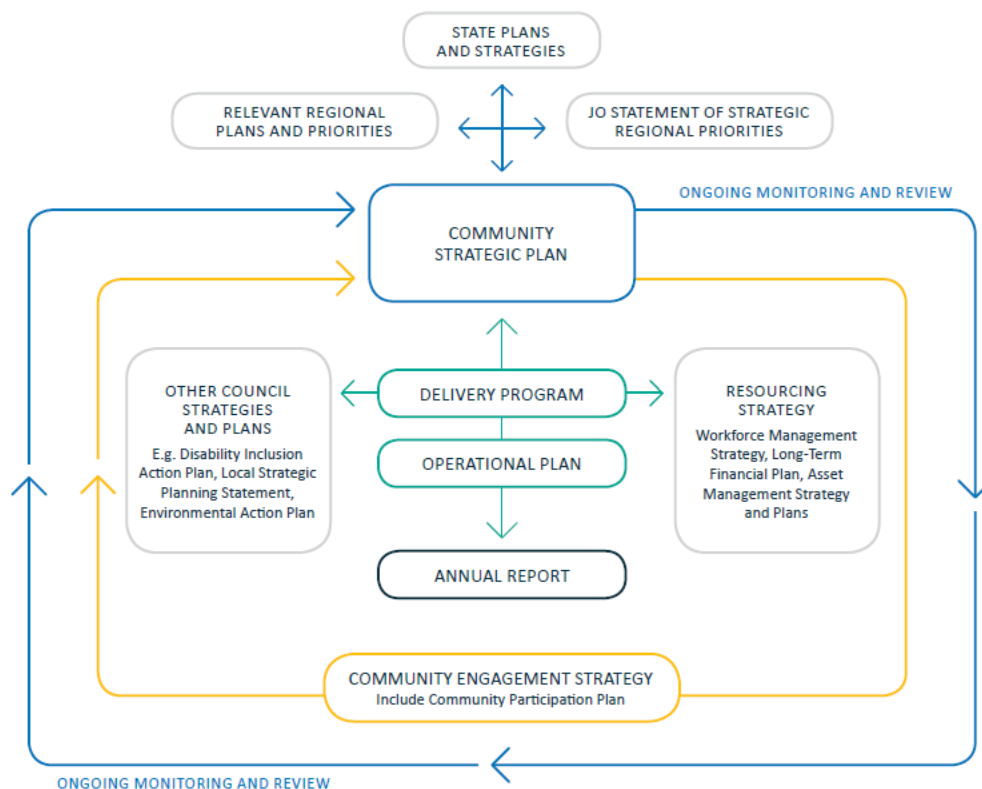


Figure 1. The Integrated Planning and Reporting (IP&R) Framework.

The Integrated Planning and Reporting (IP&R) Framework consists of an inter-related hierarchy of plans which aims to ensure a more sustainable local government sector. Council has in place a hierarchy of integrated plans consisting of a Community Strategic Plan (CSP), Delivery Program (DP) and an Operational Plan (OP), Long Term Financial Plan (LTFP), Strategic Asset Management Plan (SAMP) and Workforce Management Strategy (WMS).

The IP&R framework requires councils to constantly review their plans to ensure they remain relevant and in-tune with changing community needs. Section 402(3) of the *Local Government Act 1993* requires that:

‘Following an ordinary election of councillors, the council must review the community strategic plan before the 30 June following the election. The council may endorse the existing plan, endorse amendments to the existing plan or develop and endorse a new community strategic plan, as appropriate to ensure that the area has a community strategic plan covering at least the next 10 years.’

Each newly elected Council must develop a new Delivery Program that will run for their term in office. The Delivery Program must draw upon the broad directions and strategies defined in the Community Strategic Plan and set out the specific Waverley Council strategies and activities (services and projects) it will undertake during its term to help the community move closer to attaining its long-term vision and aspirations. The Delivery Program 2022-26 (Waverley 2026) sets out the strategies and deliverables Council will need to deliver in the first four years of the 10-year Community Strategic Plan 2022-2032.

Every year the Council is also required to develop an Operational Plan (which is a sub-plan of the Delivery Program) setting out the specific activities (services and projects) it will undertake in that year. Operational Plan 2022-23 (Waverley 2023) sets out the key activities (deliverables), actions, budget and performance measures Council will employ during the 2022-23 financial year.

The Long-Term Financial Plan (LTFP 6 (2022-2033)) is a 11-year rolling plan that informs decision-making and demonstrates how the objectives of the CSP and commitments of the DP and OP will be resourced and funded. The LTFP captures financial implications of asset management and workforce planning.

The Strategic Asset Management Plan (SAMP 6 (2022-2032)) provide the required level of service for the community in accordance with the CSP and in the most cost-effective manner. Levels of service are key business drivers for asset planning, along with technical requirements that ensure asset sustainability.

The Workforce Management Strategy (Workforce Plan 2022-26) is a proactive, four-year document that shapes the capacity and capability of the workforce to achieve council's strategic goals and objectives. It is an internal document to guide Council's resourcing decisions to deliver the Delivery Program. Despite being an internal document and having no public exhibition requirements, the Workforce Management Strategy is required to be adopted by Council. The Workforce Management Strategy is a four-year plan but aligns with the three-year implementation timeframe of the Delivery Plan due to the delayed election cycle.

With the delayed local government elections due to the COVID-19 pandemic, the time available to engage the community on integrated planning and reporting documents was limited. To address this issue, Council presented a Community Engagement Plan with options for engagement to the outgoing Council in June and September 2021. Council engaged the community from July 2021 to February 2022 to understand the community vision and priorities for the draft Community Strategic Plan 2022-2032 (Waverley 2032) and related documents. The draft IPR suite of documents except the Workforce Plan 2022-26 were placed on public exhibition from 20 April to 18 May 2022.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 12 April 2022	CM/7.1/22.04	<p>EXTRACT</p> <p>That Council:</p> <ol style="list-style-type: none"> Publicly exhibits the draft Community Strategic Plan 2022-2032 (Waverley 2032) and the draft Long Term Financial Plan 6 (2022-2033) attached to the report (Attachments 1 and 3) for 28 days. Receives and notes the Waverley Community Strategic Plan Community Engagement Outcomes Report 2022-2023 attached to the report (Attachment 2). Notes that the Long Term Financial Plan (LTFP): <ol style="list-style-type: none"> Will be reviewed annually in line with the Operational Plan and Annual Budget development. Sets out the projects and initiatives that Council intends to invest in and the associated resource requirements for the next 10 years. <p>...</p>
Council 12 April 2022	CM/7.4/22.04	<p>EXTRACT</p> <p>That:</p>

		<p>1. Council publicly exhibits for 28 days:</p> <p>(a) The draft Delivery Program 2022–2026 (Waverley 2026) and the draft Operational Plan 2022–2023 (Waverley 2023), including the Budget and Statement of Revenue Policy, attached to the report (Attachments 1 and 2).</p> <p>(b) The proposed Rating Structure for 2022–23 contained on page 69 of the draft Operational Plan 2022–23 together with the proposed Pricing Policy and Schedule of Fees and Charges 2022–23. In accordance with sections 497, 516, 518, 529(2)(d), 534, 535 and 548(3) of the <i>Local Government Act</i> (the Act), it is proposed that the following rates and charges be set for every parcel of rateable land within the local government area for the period 1 July 2022 to 30 June 2023:</p> <p>...</p> <p>(c) The draft Pricing Policy, Fees and Charges 2022–23 attached to the report (Attachment 4).</p> <p>...</p>
Council Meeting 12 April 2022	CM/7.2/22.04	<p>That Council:</p> <p>1. Publicly exhibits the draft Strategic Asset Management Plan (SAMP) 6 attached to the report (Attachment 1) for 28 days.</p> <p>2. Officers prepare a report to Council following the exhibition period, including consideration of online access to SAMP 6 for Councillors and the community.</p>

4. Discussion

In accordance with section 406 of the *Local Government Act*, the Office of Local Government (OLG) has published Guidelines and a Handbook to support the administration of integrated planning and reporting. The Community Strategic Plan 2022-32 (Waverley 2032), Long Term Financial Plan 6(2022-2033), Strategic Asset Management Plan 2022-2032, Workforce Plan 2022-26, Delivery Program 2022-2026, Operational Plan 2022-23 including the Budget 2022-23 and Pricing Policy, Fees and Charges 2022-23 have been developed in accordance with the OLG Guidelines and Handbook.

Public exhibition submissions (Attachment 1)

The IPR suite of documents were placed on public exhibition from 20 April to 18 May 2022. During the public exhibition period, documents were made available at the Customer Service Centre, Waverley Library and Council website. Advertisement was placed in Wentworth Courier providing details on the exhibition. A CSP webinar was organised and four pop-ups were set up at different locations in the LGA to socialise the Community Strategic Plan, Delivery Program and Operational Plan. Information and engagement options at Have Your Say section of the website were promoted via Have Your Say and Waverley Weekly newsletters. Emails were sent to inform the Precincts of the details of the public exhibition. Boosted Facebook post, Instagram posts and emails to community networks were also used to inform the Waverley community on the public exhibition. Of the total number of visitors to the pop-ups, 81% supported the Community

Strategic Plan vision, 91% supported People theme, 85% and 94% supported the Places and Performance themes. Here it is important to note that 12% of respondents voted neutral for vision, 5.7%, 8.8% and 6.9% voted neutral for People, Place and Performance themes.

Four external submissions were received on the Community Strategic Plan, with one submission having an implication on the Delivery Program. Another five submissions were received on the Pricing Policy, Fees, and Charges. Nineteen Internal submissions were received on the Budget and LTFP 6.

Table 1. External and internal submissions.

Submissions	Total received	Fees & Charges Schedule	Community Strategic Plan, Delivery Program, Operating Plan & Operating Budget & LTFP	Capital Works Budget
External Submissions	9	5	4	0
Internal Submissions	19	1	12	6
Total	28	6	16	6

Community Strategic Plan 2022-2032 (Waverley 2032) (Attachment 2)

The purpose of the Community Strategic Plan is to identify the community's main priorities and aspirations for the future, and plan strategies to achieve them. These strategies are required to take into consideration the issues and pressures that may affect the community and the level of resources that will realistically be available. While Council has a custodial role in initiating, preparing and maintaining the Community Strategic Plan on behalf of the local government area, it is not wholly responsible for its implementation. Other partners, such as state agencies and community groups may also be engaged in delivering the long-term objectives of this Plan.

The Community Strategic Plan essentially addresses four key questions for the community:

- Where are we now?
- Where do we want to be in 10 years' time?
- How will we get there?
- How will we know we have arrived?

The Council's role is to guide the community through these important discussions and to document the response in a meaningful Community Strategic Plan. However, it is important to stress that it is not the Council's responsibility to deliver every aspect of the Community Strategic Plan. Also, it is important to understand that the Community Strategic Plan is not a 'Council' plan, but rather a 'community' plan. Council's primary role is to facilitate its creation.

Council undertook an extensive community engagement program that sought to ensure everyone in the community had the opportunity to contribute. The community consultation commenced in July 2022. During this phase we asked our community what they love about Waverley, what needs to change, and to provide feedback on priority areas for our local government area to focus on. More than 975 community members took the opportunity to share their aspirations for Waverley and tell us our community concerns, vision, future priorities and service levels should be. During the public exhibition period, four submissions were received from the members of the community on the Community Strategic Plan with one submission having implications on the Delivery Program.

Delivery Program 2022-2026 (Waverley 2026) (Attachment 3)

The Delivery Program is intended to be a four-year program adopted by each newly elected Council in the first year following an election. The Delivery Program 2022-26 is the fourth Delivery Program that Council has developed.

The IPR Handbook requires that all the strategies identified in the Community Strategic Plan be carried through to the Delivery Program and expanded into actions. In our Delivery Program, we have called these four-year actions—that is what we are going to deliver to meet the requirements of the strategies outlined in the Community Strategic Plan.

Both the Delivery Program and Operational Plan are required to allocate responsibility and to include measures of effectiveness—in the case of the Delivery Program, they should preferably be outcome based, while in the Operational Plan they are likely to be output based. As far as possible our Delivery Program includes outcome measures for the deliverables identified.

The Delivery Program also needs to include a budget forecast. Reporting on progress with the Delivery Program is required at least half-yearly. However, budget reporting will still be provided quarterly. In summary the Delivery Program includes the strategies identified in the Community Strategic Plan, it expands these strategies into ‘deliverables’ and allocates responsibility for these. It also includes measures of effectiveness and budget information for the four-year period.

The Operational Plan 2022-23 including the Budget and Statement of Revenue Policy (Waverley 2023) (Attachment 4)

The Operational Plan has a one-year time-frame. The OLG suggests that the Operational Plan be defined as a sub-plan of the Delivery Program that spells out the ‘actions’ to be undertaken in a particular year.

The IPR Handbook also requires that actions identified in the Delivery Program be carried through to the Operational Plan. Our Operational Plan carries forward the ‘four-year actions’ from our Delivery Program and includes the action required to ‘deliver’ on what we said we would.

The Operational Plan is also required to include a budget for the year, as well as our Revenue Policy. This includes our rating information as well as our Pricing Policy, Fees and Charges.

No submissions were received from the members of the community on the Operational Plan during the public exhibition period.

Pricing Policy, Fees and Charges 2022-23 (Attachment 5)

We received five submissions from the community; four were related to children's services fees increases, and one related to the Eastgate car park second-hour fee increase.

Staff reviewed and assessed the external submissions, and we recommended the following in response to the community feedback:

- Maintain the draft children's services fee structure
- Amend the Eastgate car park second-hour fee at the 2021-22 level of \$2.6 per hour to keep it within the current agreement criteria.

We also received one internal submission for the City2Surf Marquee Hire to lift the marquee hire fee to \$13,002 (incl GST), from the original draft of \$7,988 (incl GST). The increase is necessary to keep pace of the event cost increase.

Legislative fees in the Fees and Charges are updated upon OLG making announcements.

Budget 2022-23 (Attachment 6)

After considered the submissions received during the exhibition period, the revised draft budget projects an operating income of \$141.0m, operating expenditure before depreciation of \$119.0m for an operating result of \$22.0m. It also projects capital income of \$17.2m and capital expenses of \$44.3m (capital works program at \$37.9m and other capital expense at \$6.3m). A \$5.5m reserves fund has been applied to fund the 2022-23 program.

The following table provides a high-level comparison between the revised draft budget to the original draft budget.

Table 2. Revised Budget compared the Original Draft Budget.

Council Budget Statement - \$'000	Revised Draft Budget 2022/23 Jun 22	Original Draft Budget 2022/23 Apr 22	\$ change on Draft Budget 2022/23	% change on Draft Budget 2022/23
Operating Revenue				
Grants Subsidies & Contributions - Operational	5,711	5,561	150	2.7%
Investment Income	956	956	0	-
Other Revenues	19,649	19,971	(321)	(1.6%)
Rates & Annual Charges	68,855	68,855	0	-
User Charges	45,870	45,855	15	0.0%
Total Operating Revenue	141,042	141,198	(156)	(0.1%)
Operating Expense				
Borrowing Expenses	(53)	(53)	0	-
Employee Costs	(71,309)	(71,355)	47	(0.1%)
Materials & Contracts	(24,373)	(24,508)	134	(0.5%)
Operating Expenses	(22,160)	(22,135)	(25)	0.1%
Rates & Annual Charges	(1,123)	(1,123)	0	-
Total Operating Expense	(119,018)	(119,175)	156	(0.1%)
Operating Surplus (ex. Deprecation)	22,024	22,023	0	0.0%
Capital Income				
Grants Subsidies & Contributions - Capital	15,969	13,009	2,960	22.8%
Net gains from the disposal of assets	1,265	1,307	(42)	(3.2%)
Total Capital Income	17,234	14,316	2,918	20.4%
Capital Expense		0		
Capital Purchases	(6,343)	(6,386)	43	(0.7%)
Capital Works Program	(37,918)	(30,333)	(7,585)	25.0%
Total Capital Expense	(44,261)	(36,719)	(7,542)	20.5%
Net Capital Income/(Expense)	(27,027)	(22,403)	(4,623)	20.6%
Loan Repayment	(460)	(460)	0	-
Total Net Revenue/(Expense)	(5,462)	(839)	(4,623)	550.7%
Reserve transfer (to)/from	5,462	839	4,623	550.8%
Net Budget Surplus/(Deficit)	- 0 -	0	0	(90.8%)

Note: depreciation is excluded from the above budget figure.

Operational Budget

Compared to the April 2022 draft budget, operating income reduced by \$156k:

- Increased by \$150k from DA State grant, offset by the matching expense in the expense section below.
- Increased by \$68k from commercial waste income.
- Increased by \$35k from Bondi Pavilion licence fee.

- Increased by \$200k from City2Surf Marquee Program, offset by the increased program expense in the expense section below.
- Decreased by \$597k from Bondi Pavilion commercial rent due to delay of the Bondi Pavilion Project.

Operating expenses reduced by \$156k:

- Increased by \$150k from DA temporary staff, offset by the matching grant.
- Increased by \$200k from City2 Surf Marquee Program, offset by increased fees revenue.
- Decreased by \$47k from workers compensation based on the StateCover's estimation
- Reduced by \$490k in consultants across the organisation.

During the Council Chambers upgrade, Council will temporarily use the Whitton Lane Office Spaces to house its staff for 18 months. Because Council acquired the Whitton Lane Office via a VPA agreement for the Affordable Housing Program, it should not be occupied by Council's general business. Therefore, staff recommended that Council pays for its use at a commercial market rent rate, estimated at \$181k in FY 2022-23. Any operating profit from Whitton Lane Office is to be preserved in the Housing Program Reserve for the future upkeep of the existing housing stock and other recurrent expenditures relating to the provision of affordable housing.

Fleet Replacement Program

The Q3 deferrals and ongoing supply chain disruption due to the Covid-19 pandemic were considered. The revised Fleet Replacement Program now reflects what is possible to deliver in FY2022-23. Overall, there is a budget reduction of \$43k, as illustrated in the following table.

Table 3. Revised Fleet Replacement Program compared to the Original Draft Fleet Replacement Program (\$).

Fleet Categories	Original Draft Budget 22/23 Qty April 2022	Revised Draft Budget 22/23 Qty June 2022	Original Draft Budget 22/23 \$ April 2022	Revised Draft Budget 22/23 \$ June 2022	\$ change on Original
Light Commercial	23	25	\$ 830,169	\$ 897,255	\$ 67,086
Passenger Vehicle	26	20	\$ 1,006,101	\$ 771,031	-\$ 235,070
Specialised Equipment	18	20	\$ 2,182,956	\$ 2,226,433	\$ 43,477
Truck Fleet	4	5	\$ 1,078,532	\$ 1,160,048	\$ 81,516
Total	71	70	\$ 5,097,758	\$ 5,054,767	-\$ 42,991

Capital Works Program

Grants income for the capital works program has increased by \$650k, these figures are adjusted based on the grant funding projections for capital works project changes.

Capital expenses increased by \$7.6m after considering the Q3 projects deferral and reassessment of 2022-23 program delivery timelines. The following table summarises the proposed amendments to the original draft capital works program 2022-23.

Table 4. Revised Capital Works Program budget compared to the Original Draft Program budget (\$).

Capital Works Program	Revised Draft Budget June 2022	Original Draft Budget April 2022	Change on Original Draft Increase/(decrease)
Building Infrastructure	12,976,749	7,386,749	5,590,000
Living Infrastructure	550,000	550,000	0
Public Domain Infrastructure	8,878,100	8,998,100	(120,000)
Recreational & Public Spaces Infrastructure	2,861,000	2,501,000	360,000

Capital Works Program	Revised Draft Budget June 2022	Original Draft Budget April 2022	Change on Original Draft Increase/(decrease)
Road Infrastructure	12,494,721	10,740,000	1,754,721
Sustainability Infrastructure	157,169	157,169	0
Total	37,917,739	30,333,018	7,584,721

Other changes to the Capital Works Program

The 2A Edmund Street Redevelopment Project was fully funded by the Affordable Housing Contribution Reserve (\$2,563,599) and Social Housing Reserve (\$17,750) in the original draft budget presented to the Council in April 2022.

It is recognised that at the May 2022 Strategic Planning and Development Committee meeting, Council confirmed its intent that funds raised through VPAs should be paid into the Social and Affordable Housing Contributions Reserve to go towards new housing stock only. Below is an excerpt of the May 2022 Committee resolution:

4. Continues to support the funds raised through voluntary planning agreements to be paid into the Affordable Housing Contributions Reserve to be used to fund additional housing to expand Council's affordable housing portfolio only, in accordance with the Planning Agreement Policy.

In hindsight, this resolution constrains Council's ability to maintain and upgrade our existing or future housing stock with the reserve funds we collect. Officers will prepare a subsequent report for Council consideration prior to construction commencing.

2A Edmund Street is an existing building and not new housing stock, therefore, we have amended the source of funding. The new funding sources include an allocation from Internal Reserve and the remaining \$777k to be funded using either of the options described below.

Options that were considered by Officers are as follows:

- Option A – An internal borrowing of \$777k from the General Funds with a repayment schedule of over 10 years at a zero-interest rate. The internal borrowing option impacts fund availability for Council's general activities and services.
- Option B – Consider using the Affordable Housing Contributions Reserve of \$777k to fund the 2A Edmund Street redevelopment because the 2A Edmund Street building is a knockdown rebuild. At its meeting in April 2022, Council noted the draft budget and funding allocations.

Staff and ELT recommended Option B, which is incorporated in the revised draft 2022-23 budget. The revised 2A Edmund Street Redevelopment project funding sources as follows:

- \$1,770,436 from Affordable Housing Program Reserve.
- \$32,925 from Social Housing Program Reserve.
- \$776,988 from Affordable Housing Contribution Reserve.

Reserve balance

\$101.1m is the projected balance for 30 June 2023, a \$12.8m lower compared to the Draft Budget presented to the April 2022 council meeting, predominantly due to the Q3 budget review reserves application for the capital works project variations.

In summary, the overall changes proposed no change to the budget bottom line and retains the operating performance ratio at 0.02% for 2022-23.

The following figures outlined where Council's income comes from and how Council allocates expenses:

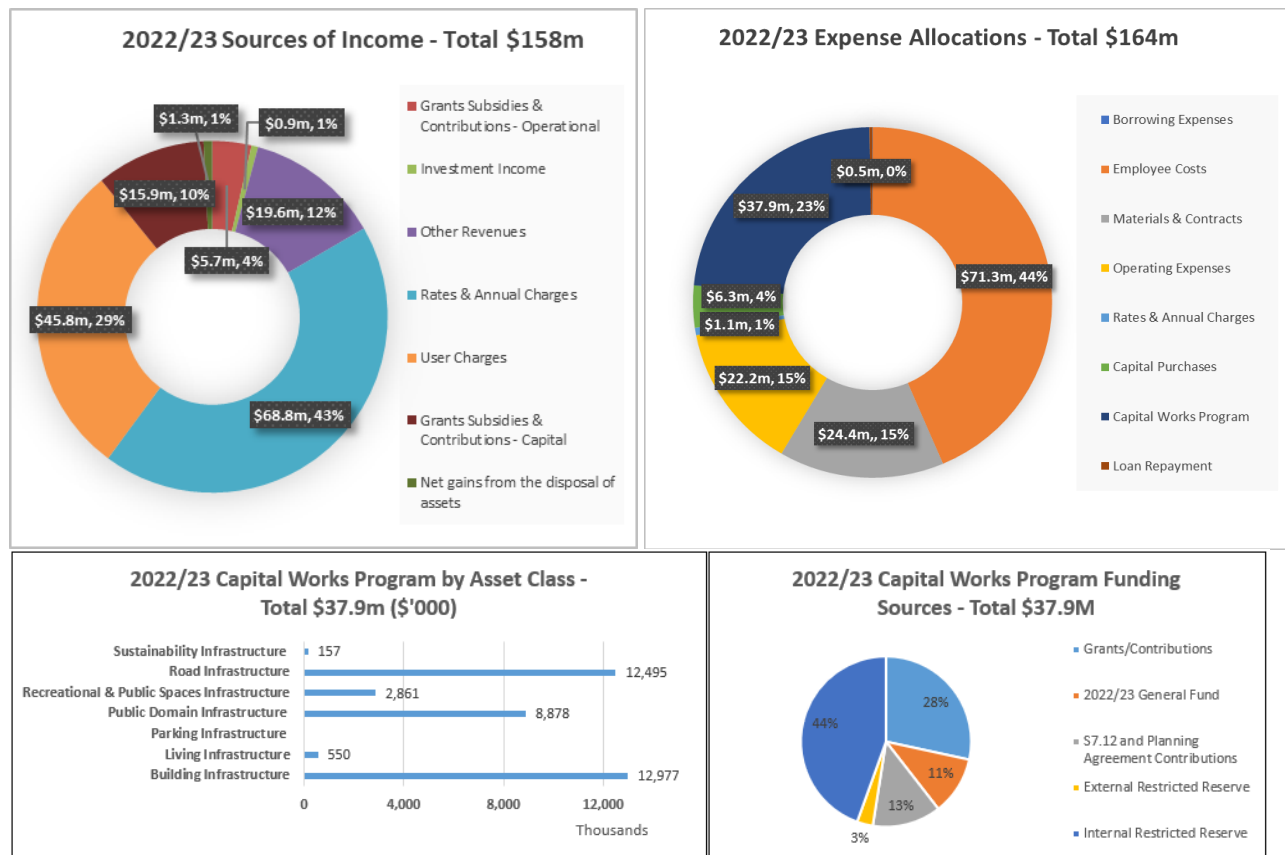


Figure 2. Income and expense.

Long-Term Financial Plan (LTFP 6) (Attachment 7)

The flow-on effect from the 2022–23 budget changes and LTFP capital works program have been assessed and incorporated in the LTFP 6 forecasts. The revised income is projected to increase by \$9.2 million mainly attributed to the Planning Agreement Contribution, Whitton Lane rental income and C2S Marquee program based on revised pricing policy. Refer to the Submission Attachment 1 for further detail.

The following table compared the revise LTFP 6 forecasts to the April 2022 draft version.

Table 5. LTFP 6 forecasts (\$'000).

Budget Statement	Revised LTFP 6 June 22	Revised LTFP 6 April 22	Changes
Total Income	1,936,971	1,927,714	9,257
Expense	(1,527,535)	(1,528,014)	479
Capital Works	(405,857)	(404,121)	(1,737)
Total Expenses	(1,933,392)	(1,932,134)	(1,258)
Loan Principle Payment	(2,040)	(2,040)	0
Reserve	(1,449)	6,461	(7,910)
Net Result	90	(0)	90
Balance Sheet			
NET ASSETS	1,414,392	1,416,012	(1,620)
Total Cash & Investment Securities	121,630	121,766	(136)
Reserve Balance	108,162	108,402	(240)

In summary, the LTFP 6 forecasts a balanced budget for every individual year throughout this planning period to 2032–33. Council meets the OLG's operating performance ratio most of the years except for 2023-24 and 2024-25 while Council implementing the ICT modernisation project. The LTFP 6 forecasts a cash and cash investments balance to be \$122 million and a reserve balance of \$108 million at the end of this planning period ending 30 June 2033.

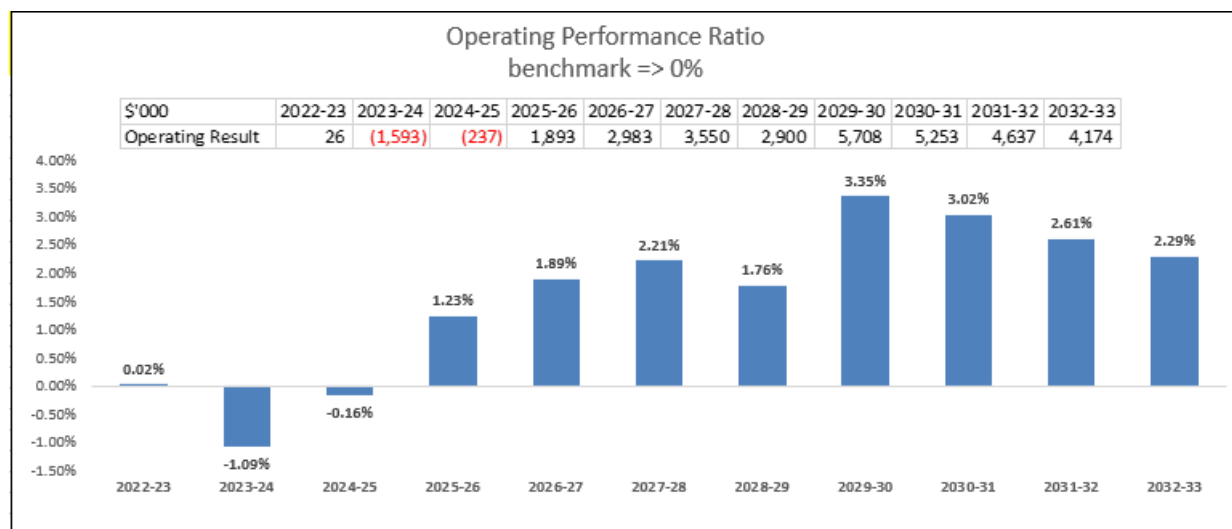


Figure 3. Operating performance ratio.

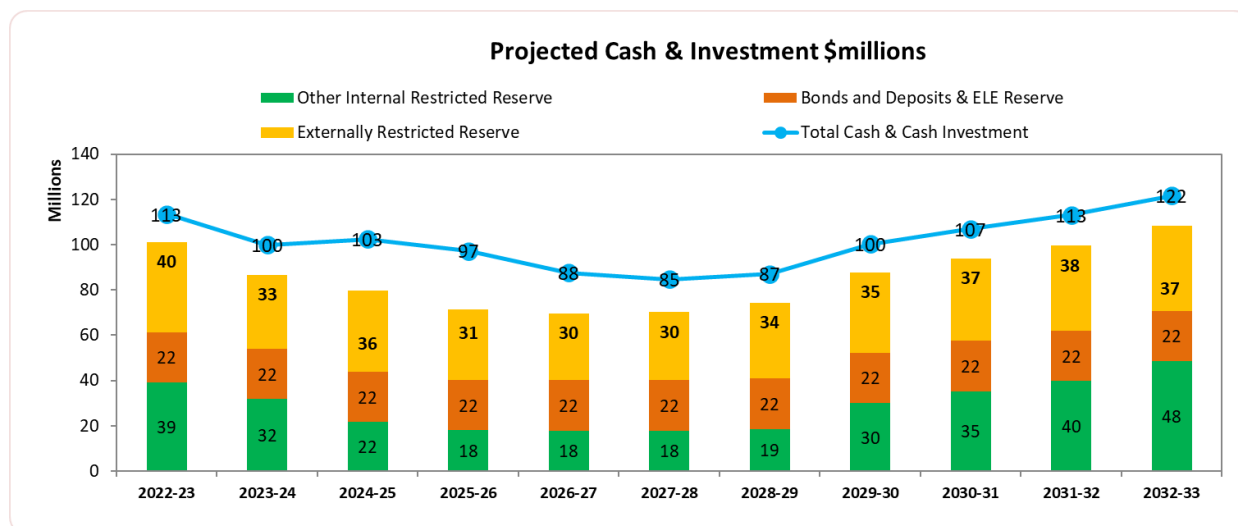


Figure 4. Projected cash and cash investment and reserves balance.

Strategic Asset Management Plan (SAMP 6) (Attachment 8)

Council has developed Asset Management Plans to identify required expenditure in respect to the management of its assets. Asset plans help Council with budgeting for the renewal, expansion, operating and maintenance costs of its assets over the period of the LTFP.

SAMP 6 is made up of:

- Asset Management Policy.
- Asset Management Strategy (AMS).
- Eight individual Asset Management Plans (AMPs).
- Enhanced capital works LTFP.

The purpose of SAMP 6 is:

- To provide framework, ensuring that Council's infrastructure assets are operated, maintained, renewed and upgraded to meet the Levels of Service set by the community.
- Demonstrate Council compliance and commitment to IP&R framework and International Infrastructure Management Manual guidelines.
- Reassess the cost required to meet service levels and integrate with the Long Term Financial Plan.
- Ensure the SAMP 6 supports the objectives set out in Community Strategic Plan – and other Council documents.
- To outline the processes, structures, roles and responsibilities necessary to establish and maintain advanced asset management practices.

As part of Council's financial reporting, Council must report on a number of indicators relating to its infrastructure assets. These indicators are shown in the 'Report on Infrastructure Assets SS7' of Council's annual financial statements. These indicators can be used by Council and the community to get a better understanding of the condition of Council's infrastructure assets. Two of these indicators relate directly to the condition of Council's infrastructure, namely the cost to bring assets to a satisfactory condition and the cost to bring assets to an agreed service level.

Using the new valuation and condition results, asset backlog has been calculated which is taken as 'cost to satisfactory'. Council's current combined backlog, based on current knowledge is \$12.08 million or 1.99%. Comparing to the industry benchmark of 2%, Waverley's backlog ratio is well placed performing within the healthy range.

Minimum condition targets set out in SAMP 4 and that were subsequently used for SAMP 5 were developed from community consultation undertaken in the leadup to SAMP 4. For the development of SAMP 6 a new community engagement process was undertaken to assess service level expectations in comparison to previous targets.

A framework to measure service level outcome has been established, it includes accessibility, quality/condition, responsiveness, customer satisfaction, affordability, and sustainability. These factors combined resulted in some changes to service levels. Overall, Council has very high service levels which is primarily driven by the community's expectations.

Council budgeting in the LTFP ensures adequate funds are available for renewal and maintenance of Council's assets. Figures used to develop the LTFP include:

- SAMP 6 budgeted renewal expenditure is \$405.8m (LTFP amount).
- Backlog cost to meet satisfactory is \$12.08m.
- Cost to Service Level is \$21m.

The SAMP 6 LTFP will be used by Council to develop delivery plans for renewal programs. It is anticipated that these will be developed on an annual basis and will be driven by best practice asset management techniques.

Furthermore, the enhanced LTFP chapter will provide guidance on the Council programs and projects that are either uncoded or not included in the funded LTFP. The purpose of this enhanced LTFP is to highlight all of Council's capital works priorities and allow prioritisation of projects/programs and seeking funding through the available income streams and grants programs.

Council undertook an extensive community consultation process to inform the preparation of SAMP6. A SAMP Priorities Survey was launched to understand community expectations on the levels of service Council offered across asset categories. A Deliberative Panel comprising of selected members of the community were recruited for a four week period to review the survey findings and discuss on funding allocations and asset priorities. The feedback from these sessions informed the SAMP LTFP allocations and updated SLAs across our asset classes. No submissions were received during the public exhibition period.

Workforce Plan 2022-26 (Attachment 9)

The Workforce Management Strategy is a resourcing strategy under the Integrated Planning and Reporting Framework and demonstrates how work identified in the Delivery Program 2022-2026 and Operational Plan/s will be resourced. The Workforce Management Strategy will be reviewed and updated along with the Delivery Program. The Workforce Management Strategy is a four-year plan but aligns with the three-year implementation timeframe of the Delivery Plan due to the delayed election cycle. It will be reviewed in accordance with the IPR review timetable.

Waverley's Workforce Management Strategy (Workforce Plan 2022-26) is a proactive, four-year document that shapes the capacity and capability of the workforce to achieve Council's strategic goals and objectives. It clearly identifies how future staffing and skills requirements will be met, such as through recruitment, staff progression and development, internal redeployment, and succession planning. Executive Managers were engaged to discuss workforce challenges in implementing the Community Strategic Plan, Delivery Program and Operational Plan. The feedback received informed the preparation of the Workforce Plan.

5. Financial impact statement/Time frame/Consultation

The draft Integrated Planning and Reporting documents (Community Strategy Plan, Delivery Program Operational Plan, Pricing Policy, Fees and Charges, Long Term Financial Plan and Strategic Asset

Management Plan) were publicly exhibited for 28 days for community feedback. Exhibition closed on 18 May 2022. Internal stakeholders provided input into the Workforce Plan 2022-26.

The plans are funded by the Budget 2022-23 and Long Term Financial Plan 2022-2033. Council is forecasting a balanced budget through the period until 2032–33 in supporting the current services level and council's key strategic priorities.

6. Conclusion

This report is seeking Council to adopt the Community Strategic Plan 2022-2032, Delivery Program 2022-26 and Operational Plan 2022-23 including the budget, Statement of Revenue Policy, Pricing Policy and Schedule of Fees and Charges 2022-23, Long Term Financial Plan 6 (2022-2033), Strategic Asset Management Plan 6 (2022-2032) and Workforce Plan 2022-26 as required under the Integrated Planning and Reporting framework considering submissions received during the public exhibition period 20 April 2022 to 18 May 2022.

7. Attachments

1. Submissions received during public exhibition period (under separate cover) [⇒](#)
2. Community Strategic Plan 2022-2032 (under separate cover) [⇒](#)
3. Delivery Program 2022-26 (under separate cover) [⇒](#)
4. Operational Plan 2022-23 (under separate cover) [⇒](#)
5. Pricing Policy, Fees and Charges 2022-23 (under separate cover) [⇒](#)
6. Revised Budget 2022-23 (under separate cover) [⇒](#)
7. Long Term Financial Plan (LTFP 6) 2022-2033 (under separate cover) [⇒](#)
8. Strategic Asset Management Plan 6 (2022-2032) (under separate cover) [⇒](#)
9. Workforce Plan 2022-26 (under separate cover) [⇒](#) .

REPORT
CM/7.2/22.06

Subject: Investment Policy - Review

TRIM No: A05/0197

Author: Teena Su, Executive Manager, Finance

Director: Richard Sheridan, Interim Director, Finance and Governance

RECOMMENDATION:

That Council adopts the Investment Policy attached to the report.

1. Executive Summary

The Investment Policy was last adopted by Council on 22 June 2021. Council reviews the Policy annually in June. In this review, officers are proposing some changes to the investment framework in line with NSW Treasury Corporation's (TCorp) investment framework and other administrative changes to the authorisers list to better reflect the new organisation structure and their application.

2. Introduction/Background

Since 2007, Council has been performing annual reviews of its Investment Policy to ensure that the Policy meets the legislative and council requirements. Council reviews the Policy annually in June.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 22 June 2021	CM/7.4/21.06	That Council adopts the Investment Policy attached to this report.

4. Discussion

The Investment Policy was last adopted by Council on 22 June 2021. Council reviews the Policy annually in June. In the 2022 June review, the proposed changes to the Investment Policy are primarily aimed at complying with NSW TCorp's loan covenant requirements as we may consider to borrowing from TCorp in the future. Officers are proposing the following changes:

- Administrative changes:
 - Page 1 – Updated Regulation reference and removed the 30 August 2021 amendment information.
 - Page 9 – Updated position titles to reflect the new organisation structure.
- Amendment to the Investment Framework (pages 5 to 8) to align with NSW TCorp's investment framework:
 - Section 4.2 – Removed the short-term ratings in the rating agencies comparison table

- Section 4.2a – Portfolio credit framework – Removed the short-term credit ratings and expanded the long term credit ratings.
- Section 4.2b – Counterparty/institution credit framework – Removed the short-term credit ratings and expanded the long-term credit ratings.
- Section 4.2c – Term to Maturity framework – Provided more clarify on the framework and modified it to meet TCorp’s loan covenant requirement.
- Section 6 – Definitions (pages 14 to 18) – Updated in line with the framework changes.

The Policy continues with the commitment to invest in ethically, socially, and environmentally beneficial alternative have been made.

The Policy has also been discussed with TCorp, and reviewed by our financial advisors, Prudential, who agree that the Policy is appropriate and aligned to Council’s objectives and requirements.

The above changes have been discussed with the Executive Leadership Team (ELT).

5. Financial impact statement/Time frame/Consultation

The review of this Policy has been carried out by staff and developed in consultation with the:

- Revenue Co-ordinator.
- Interim Director, Finance and Governance.
- NSW Treasury Corporation (TCorp).
- Prudential Investment Services Corp – Council’s independent financial advisor

6. Conclusion

Officers have reviewed the Policy and discussed the changes with ELT.

7. Attachments

1. Investment Policy (marked-up) [📄](#) .



WAVERLEY
COUNCIL

Investment Policy

Investment Policy

Policy owner	Executive Manager Finance
Approved by	Council
Date approved	16-21 June 202 20
Commencement date	22 June 202 21
TRIM Reference	A05/0197
Next revision date	June 202 32
Relevant legislation/codes	Local Government Act 1993 - Section 412 & 625; Trustee Act 1925 – Section 14A(2) and 14C(1) & (2); Local Government (General) Regulation 20 21 ⁰⁵ – Clause 212; Prevailing Ministerial Investment Order.
Related policies/procedures/guidelines	N/A
Related forms	N/A
Amendments on Delegation of Authorisation approved by GM	<p>30 August 2021:</p> <ul style="list-style-type: none"> Removed the Chief Financial Officer Added the Director Finance and Governance

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1. Background

The Policy provides the framework in which council funds are to be invested. Council developed this policy to ensure it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds.

2. Purpose

This policy's objectives are to preserve capital, provide a framework to help Council optimise its return on investment of surplus funds, in accordance with its prevailing investment strategy, in a prudent and measurable manner, specifically by:

- entering into investment types which comply with prevailing Legislative and Accounting Code requirements;
- the establishment of risk management guidelines based upon overall credit rating of the portfolio, exposure limits to individual institutions and term to maturity limits; and
- the use of appropriate benchmarks for investment performance measurement.

When placing investments, cash flow considerations will be made to the time horizons of Council's liabilities to best match appropriate investments for the funds.

3. Scope

The policy applies to Council funds being invested for either short term or long term. The General Manager, Director ~~Finance and Governance~~ [Corporate Services](#) and Executive Manager Finance are responsible persons of council that can make such decisions. The General Manager can delegate the day-to-day management to Council officers and the same must be clearly stated in this Policy and noted in Council's Delegation Register.

4. Policy Content

4.1 Risk Appetite Statement

Waverley Council has low to moderate appetite for investment risk.

Acceptance of some investment risk is necessary to adhere to Council's preference for investments in ethically, socially and environmentally beneficial alternatives and the use of growth fund exposure for increased long term returns.

Banks in the non-fossil fuel lending arena predominantly have lower credit ratings than the large highly rated major banks. Likewise, in utilising the NSW TCorp Long Term Growth Fund, Council has accepted that the presence of growth assets in the fund will result in periods of negative returns, for that particular investment, with the goal of higher overall returns over the long term for the portfolio than solely cash and fixed interest exposures.

To manage investment risk, Council has implemented the following Investment Framework which has been developed to provide tighter exposure limits on lower rated institutions than those of

higher rated institutions as well as sound limits on the allowed exposure to the NSW TCorp growth asset funds.

In addition, along with Council's internal finance team, Council uses an independent investment adviser to assist with ensuring policy limits are adhered to and investment selections are appropriate for the risk appetite of Council.

4.2 Investment Framework

Investments are to comply with three key criteria relating to:

- **Portfolio Credit Framework:** limits the overall credit exposure of the portfolio;
- **Counterparty/Institution Credit Framework:** limits exposure to individual institutions based on their credit ratings, and;
- **Term to Maturity Framework:** limits based upon maturity of securities.

Credit ratings are based upon the Standard & Poor's Investment Rating, or equivalent from Moody's or Fitch ratings agencies, where a Standard & Poor's Investment Rating does not exist.

Rating agencies' comparison table:

Obligor's capacity to repay – Investment Grade Ratings	Standard & Poor's (long-term ratings)	Moody's (long-term ratings)	Fitch (long-term ratings)
Extremely strong	AAA (long-term) A-1+, A-1 (short term)	Aaa (long-term) P1 (short term)	AAA (long-term) F1+, F1 (short term)
Very strong	AA+, AA, AA- (long term)	Aa1, Aa2, Aa3 (long term)	AA+, AA, AA- (long term)
Strong	A+, A, A- (long term)	A1, A2, A3 (long term)	A+, A, A- (long term)
Weakened capacity under adverse conditions or changing conditions	BBB+, BBB, BBB- (long-term) A-2, A-3 (short term)	Baa1, Baa2, Baa3 (long-term) P-2, P-3 (short term)	BBB+, BBB, BBB- (long-term) F2, F3 (short term)

• [Short term credit ratings for investments with maturities of no more than 12 months](#)

• [Long term credit ratings for investments greater than 12 months](#)

(a) Portfolio Credit Framework

The maximum available limits in each rating category are as follows:

Investment Policy

Portfolio Credit Limits		
Long Term Credit Ratings Categories	Short Term Credit Ratings	Maximum
AAA	A-1+	100%
AA	A-1	100%
A	A-2	70%
BBB	-	30%
Specific Ministerial Approved Forms of Investment		
NSW Treasury Corp Deposits and TCorpIM Funds		100%

Long Term Credit Ratings	Portfolio Max %
AAA	100%
AA+, AA, AA-	100%
A+, A, A-	70%
BBB+ and, BBB combined	35%
BBB+	Up to 35%
BBB	Up to 15%
BBB- and lower & Unrated (excluding NSW TCorpIM Funds)	0%
Specific Ministerial Approved Forms of Investment	Portfolio Max %
NSW TCorpIM Funds	60%

(b) Counterparty/Institution Credit Framework

Exposure to individual counterparties/financial institutions will be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

Individual Counterparty Limits		
Long Term Credit Ratings Categories	Short Term Credit Ratings	Maximum
AAA	A-1+	40%
AA	A-1	30%
A	A-2	25%

Individual Counterparty Limits		
Long Term Credit Ratings Categories	Short Term Credit Ratings	Maximum
BBB	-	15%
NSW Treasury Corp Deposits and TCorpIM Funds		
Cash Fund and/or Short Term Income Fund		100%
Medium Term Growth Fund		20%
Long Term Growth Fund		10%

Long Term Credit Ratings	Institution Max %
AAA	50%
AA+, AA, AA-	50%
A+, A, A-	30%
BBB+	10%
BBB	5%
BBB- and lower & Unrated (excluding NSW TCorpIM Funds)	0%
NSW TCorpIM Funds	Product Max %
TCorpIM Cash Fund, TCorpIM Short Term Income Fund	30%
TCorpIM Medium Term Growth Fund	20%
TCorpIM Long Term Growth Fund	10%

Notes:

- Investments are to be restricted to senior ranked obligations from Australian Authorised Deposit Taking Institutions (ADI's) such as banks, building societies and credit unions that are regulated by, and subject to the prudential standards of, the Australian Prudential Regulation Authority (APRA).
- Managed funds are restricted to the NSW TCorpIM Funds and have been given specific approval under the prevailing Ministerial Investment Order.
- Credit ratings are based upon the Standard & Poor's Investment Rating, or Moody's or Fitch equivalents, where a Standard & Poor's Investment Rating does not exist.
- If any of the Council's investments are downgraded such that they no longer fall within the investment policy limits, they will be divested as soon as practicable having regard to potential losses resulting from early redemption and subject to minimising any loss of capital that may arise from compliance with this provision.

(c) Term to Maturity Framework

The investment portfolio is to be invested within the following terms to maturity constraints:

<u>Term to Maturity Limits</u>		
<u>Portfolio % ≤ 1 year</u>	<u>Min 30%</u>	<u>Max 100%</u>
<u>Portfolio % > 1 year ≤ 10 years</u>	<u>Min 0%</u>	<u>Max 70%</u>
<u>Portfolio % > 3 years</u>	<u>Min 0%</u>	<u>Max 50%</u>
<u>Portfolio % > 5 years ≤ 10 years</u>	<u>Min 0%</u>	<u>Max 25%</u>
<u>AA+, AA, AA- rating: 5 yrs maximum</u> <u>A+, A, A-, BBB+ rating: 3 yrs maximum</u> <u>BBB rating: 12 months maximum</u>		

	<u>Term to Maturity Limits</u>		
	<u>Short Term</u> <u>(0-1yr)</u>	<u>Medium Term</u> <u>(Over 1yr—3yrs)</u>	<u>Long Term</u> <u>(Over 3yrs—10yrs max.)</u>
Maximum	100%	50%	30%
Minimum	30%	0%	0%

(d) Performance Benchmarks

The benchmark performance index for the portfolio is the **Ausbond Australian Bank Bill Index**.

(e) Investments in ethically, socially and environmentally beneficial alternatives.

Council invests in alternatives by observing quadruple bottom line accounting principles over both short-term and long-term outlooks—society, environment, economic/financial, civic leadership/governance—and where financial institutions are offering an equal or better return on investment, and within the prevailing legislation and current Investment Policy risk management guidelines.

More specifically, a commitment to (including but not limited to): investments that provide for the ethical treatment of both shareholders and stakeholders, support development of co-operative ownership and control of the work place, high quality products and services, local ventures, appropriate technology, ecologically sustainable practices, social and economic justice, peace and non-violence and the use of renewable resources.

And avoiding investments that create pollution (such as fossil fuel industries), that are speculative, that exploit workers, customers and/or the environment, that are engaged in alcohol, tobacco and arms manufacture, that inhibit human rights and that damage non-renewable resources.

4.2 DELEGATION OF AUTHORITY

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the Local Government Act 1993.

The General Manager has in turn delegated the day-to-day management of Council's Investments as per the following:

Depending upon the size of the investment and its maturity profile the following Council officers are approved to authorise transactions. Each authorisation requires approval from **two** Council officers and where the investment is for greater than \$3 million, or for more than 3 years, the General Manager or Director ~~Finance and Governance~~ Corporate Services **must** be one of these officers.

	Short Term (0-1yr)	Medium Term (Over 1yr – 3yrs)	Long Term (Over 3yr– 10yrs max.)
\$0 - \$1m	<ul style="list-style-type: none"> Executive Manager Finance Revenue Coordinator Management & Systems Coordinator Expenditure Coordinator The General Manager or any Director 	<ul style="list-style-type: none"> The General Manager or any Director Executive Manager Finance Revenue Coordinator Management & Systems Coordinator Expenditure Coordinator 	<ul style="list-style-type: none"> General Manager and/or Director <u>Corporate Services</u> Finance and Governance (mandatory) Any Director Executive Manager Finance

	Short Term (0-1yr)	Medium Term (Over 1yr – 3yrs)	Long Term (Over 3yr– 10yrs max.)
>\$1m - \$3m	<ul style="list-style-type: none"> Executive Manager Finance Revenue Coordinator Management & Systems Coordinator Expenditure Coordinator The General Manager or any Director 	<ul style="list-style-type: none"> The General Manager or any Director Executive Manager Finance Revenue Coordinator Management & Systems Coordinator Expenditure Coordinator 	<ul style="list-style-type: none"> General Manager and/or Director <u>Corporate Services Finance and Governance</u> (mandatory) Any Director Executive Manager Finance
> \$3M	<ul style="list-style-type: none"> General Manager and/or Director <u>Corporate Services Finance and Governance</u> (mandatory) Any Director Executive Manager, Finance 	<ul style="list-style-type: none"> General Manager and/or Director <u>Corporate Services Finance and Governance</u> (mandatory) Any Director Executive Manager, Finance 	<ul style="list-style-type: none"> General Manager and/or Director <u>Corporate Services Finance and Governance</u> (mandatory) Any Director Executive Manager Finance

4.3 PRUDENT PERSON STANDARD / ETHICS AND CONFLICTS OF INTEREST

Council's investments are to be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

Independent advisors utilised by Council are required to declare any actual or perceived conflicts of interest.

4.4 REPORTING & REVIEWING OF INVESTMENTS

All investments must be in the name of Waverley Council and documentary evidence held for each investment and details thereof maintained in an investment Register.

A monthly report will be submitted to Council, providing details of the investment portfolio in terms of performance and counterparty percentage exposure of total portfolio.

4.5 GENERAL

Due to the dynamic nature of the portfolio, it is possible that from time to time there may be breaches of the investment policy's limits for short periods. Should this occur it will be reported to Council at its next ordinary meeting.

4.6 APPLICABLE LEGISLATION

All investments are to be made in accordance with:

- Local Government Act 1993 - Section 412 & 625;
- Trustee Act 1925 – Section 14A(2) and 14C(1) & (2);
- Local Government (General) Regulation 2005 – Clause 212;
- Prevailing Ministerial Investment Order

Refer to Schedule 1 for extracts relating to the above.

Furthermore, Council's investment management is to comply with:

- Prevailing Local Government Code of Accounting Practice and Financial Reporting;
- Australian Accounting Standards; and
- Division of Local Government Circulars.

Following are relevant sections and clauses relating to the above.

Schedule 1: Extracts of Legislative Requirements

LOCAL GOVERNMENT ACT 1993 - SECT 412 & 625

Section 412 Accounting records

- 1) A council must keep such accounting records as are necessary to correctly record and explain its financial transactions and its financial position.
- 2) In particular, a council must keep its accounting records in a manner and form that facilitate:
 - a) the preparation of financial reports that present fairly its financial position and the results of its operations, and
 - b) the convenient and proper auditing of those reports.

Section 625 How may councils invest?

- 1) A council may invest money that is not, for the time being, required by the council for any other purpose.
- 2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.

Note: See Gazette No 152 of 24.11.2000, p 12041

- 3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.
- 4) The acquisition, in accordance with section 358, of a controlling interest in a corporation is not an investment for the purposes of this section.

TRUSTEE ACT 1925 – SECTIONS 14A(2), 14C (1) & (2)

14A (2) Duties of trustee in respect of power of investment

A trustee must, in exercising a power of investment:

- (a) if the trustee's profession, business or employment is or includes acting as a trustee or investing money on behalf of other persons, exercise the care, diligence and skill that a prudent person engaged in that profession, business or employment would exercise in managing the affairs of other persons, or
- (b) if the trustee is not engaged in such a profession, business or employment, exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

14C Matters to which trustee is to have regard when exercising power of investment

- (1) Without limiting the matters that a trustee may take into account when exercising a power of investment, a trustee must, so far as they are appropriate to the circumstances of the trust, if any, have regard to the following matters:
 - (a) the purposes of the trust and the needs and circumstances of the beneficiaries,
 - (b) the desirability of diversifying trust investments,
 - (c) the nature of, and the risk associated with, existing trust investments and other trust property,
 - (d) the need to maintain the real value of the capital or income of the trust,
 - (e) the risk of capital or income loss or depreciation,
 - (f) the potential for capital appreciation,

- (g) the likely income return and the timing of income return,
 - (h) the length of the term of the proposed investment,
 - (i) the probable duration of the trust,
- (2) the liquidity and marketability of the proposed investment during, and on the determination of, the term of the proposed investment,
- (a) the aggregate value of the trust estate,
 - (b) the effect of the proposed investment in relation to the tax liability of the trust,
 - (c) the likelihood of inflation affecting the value of the proposed investment or other trust property,
 - (d) the costs (including commissions, fees, charges and duties payable) of making the proposed investment,
 - (e) the results of a review of existing trust investments in accordance with section 14A (4).
- (3) A trustee may, having regard to the size and nature of the trust, do either or both of the following:
- (a) obtain and consider independent and impartial advice reasonably required for the investment of trust funds or the management of the investment from a person whom the trustee reasonably believes to be competent to give the advice,
 - (b) pay out of trust funds the reasonable costs of obtaining the advice.

LOCAL GOVERNMENT (GENERAL) REGULATION 2021~~95~~ - CLAUSE 212

212 Reports on council investments

- (1) The responsible accounting officer of a council:
- (a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:

- i if only one ordinary meeting of the council is held in a month, at that meeting, or
 - ii if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and
- (b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.
- (4) The report must be made up to the last day of the month immediately preceding the meeting.

Note. Section 625 of the Act says how a council may invest its surplus funds.

5. Review of Policy

This Policy will be reviewed every year or as required in the event of legislative changes or requirements. The Policy may also be changed as a result of other amendments. Any amendments to the Policy must be way of a Council resolution or with the approval of the General Manager.

6. Definitions

Definitions of Eligible Investments:

11am Call Deposits: Cash invested on an overnight basis with an Australian Authorised Deposit-taking Institution (ADI). Funds can be recalled or re-invested prior to the bank's Real Time Gross Settlement cut-off each day.

Ausbond Bank Bill Index

This Index is the NSW Local Government industry standard benchmark formerly known as the UBS Australia Bank Bill Index. This is the generally accepted benchmark for short term, conservative cash and fixed income investors and allows benchmarking against a notional rolling parcel of thirteen 90 day bank bills with an averaging maturity of 45 days. In 2014, Bloomberg acquired the UBS Australia Bond Indices. The benchmark index formerly referred to as UBSA BBI was rebranded as Ausbond Bank Bill Index. Bloomberg calculates a daily Bank Bill Index representing the performance of a notional rolling parcel of bills averaging 45 days.

Australian Prudential Regulation Authority - APRA

APRA (Australian Prudential Regulation Authority) is the prudential regulator of the Australian financial services industry. APRA enforces prudential standards and practices (e.g. capital adequacy and other risk management issues) of banks, credit unions, building societies, insurance companies and friendly societies.

ADI issued Senior Debt Bonds:

Interest bearing securities which are high ranking debt obligations of the issuing ADI. Senior bonds are tradeable in the market. They can be either fixed rate or floating rate interest bearing and are typically issued with 3+ year maturities. Interest is paid at scheduled intervals based on the face value of the bond with repayment of capital paid upon maturity. In the case of a bank failure, senior bond holders rank above subordinated debt holders and shareholders but below covered bond holders and depositors.

Covered Bonds: interest bearing senior ranking debt obligations of an Authorised Deposit-taking Institution (ADI) which have specific bank assets, ie loans, backing the bond. Covered bonds are market traded securities. They can be either fixed rate or floating rate interest bearing and typically are issued with 5+ year maturities. In the case of a bank failure, holders of covered bonds rank ahead of depositors and unsecured senior bond holders having first recourse to the underlying pool of assets backing the bond. If the pool's assets are not sufficient to meet the covered bond's obligations, holders then have recourse to the bank's total assets equal to other senior unsecured bondholders.

Term Deposits: interest bearing deposit held at an ADI for a specific contracted period. Term deposits are not tradeable in the market. They typically have a fixed rate for their life, but floating rate term deposits are also available. Prior to the introduction of Covered Bonds into the Australian market, in early 2012, term deposits ranked at the top of an ADI's capital structure.

Bank Bills and Negotiable Certificates of Deposits (NCDs): are similar types of interest bearing securities issued/accepted by ADIs, typically short dated. Unlike term deposits, these are tradeable in the market prior to maturity.

Authorised Deposit-Taking Institutions - ADI

Authorised Deposit-Taking Institutions (ADIs) are corporations that are authorised under the Banking Act 1959 to take deposits from customers.

T-Corp

New South Wales Treasury Corporation.

Commonwealth/State/Territory Government Securities (e.g. bonds):-

These are interest paying securities which are issued by one of the above Australian government bodies and are guaranteed by that issuer. As such, these securities carry the same credit rating as the issuing government body.

Deposits with NSW Treasury &/or Investments in NSW TCorpIM Funds

The only managed fund options available to NSW council are via NSW Treasury Corporation. The NSW TCorpIM Funds comprise a number of pooled managed funds options each set up as a unit trust. The current cash and fixed income only options available through the NSW TCorpIM Funds are the Cash Fund and the Short Term Income Fund.

The Cash Fund provides the more transactional type option and is designed for investments ranging from overnight to 1.5 years, whilst the Short Term Income Fund is designed for investments ranging from 1.5 years out to 3 years.

Both investments will pay back the balance of the investment generally within 24 to 72 hours.

NSW TCorpIM Medium Term and Long Term Growth Funds: These are diversified funds that invest in a blend of growth assets (e.g. shares & property) and defensive assets (e.g. cash and fixed interest). These funds are designed for investors with longer term time horizons and are able to take additional investment risk in order to generate higher potential returns.

- The Medium Term Growth Fund has growth asset exposure of between 20%-40%. This fund aims to provide a return of CPI + 2%pa over 7 years with greater than 50% probability.
- The Long Term Growth Fund has growth asset exposure of between 60%-80%. This fund aims to provide a return of CPI + 3.5%pa over 10 years with greater than 50% probability.

These funds exhibit a higher degree of volatility in in monthly returns relative to cash and fixed floating rate investments and may have periods of negative returns depending upon market conditions.

Standard & Poor's Credit Ratings Description

Credit Ratings

Standard & Poor's (S&P) is a professional organisation that provides analytical services. An S&P rating is an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation – based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

- Likelihood of payment.
- Nature and provisions for the obligation.
- Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights.

The issue rating definitions are expressed in terms of default risk.

Short-Term Credit Ratings (for obligations with maturities of no more than 12 months):**A-1**

This is the highest short-term category used by S&P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.

A-2

A short-term obligation rated A-2 is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

A-3

A short-term obligation rated A-3 exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Long-Term Credit Ratings (for obligations greater than 12 months):**AAA**

An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.

AA

An obligation/obligor rated AA differs from the highest rated obligations only in a small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.

A

An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligor in higher rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.

BBB

An obligation/obligor rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity to the obligor to meet its financial commitment on the obligation.

Plus (+) or Minus (-)

The ratings from “AA” to “CCC” may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories.

CreditWatch

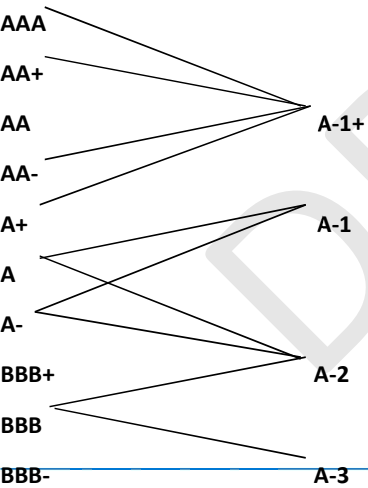
Highlights an emerging situation, which may materially affect the profile of a rated corporation and can be designed as positive, developing or negative. Following a full review the rating may either be affirmed or changed in the direction indication.

Rating Outlook

Assesses the potential direction of an issuer’s long-term debt rating over the intermediate-to-long term. In determining a Rating Outlook, consideration is given to possible changes in the economic and /or fundamental business conditions. An outlook is not necessarily precursor of a ratings change or future CreditWatch action. A “Rating Outlook – Positive” indicates that rating may be raised. “Negative” means a rating may be lowered. “Stable” indicates that ratings are not likely to change. “Developing” means ratings may be raised or lowered.

S&P Ratings Correlations

The standard correlation of short term ratings with long term ratings is shown below.



DRAFT



Circular No. 11-01
Date 17 February 2011
Doc ID. A232163

Contact Finance Policy Section
02 4428 4100
dlg@dlg.nsw.gov.au

REVISED MINISTERIAL INVESTMENT ORDER

A revised Investment Order pursuant to section 625 of the *Local Government Act 1993* has been issued. The Minister for Local Government signed the revised Order on 12 January 2011 and it was published in the NSW Government Gazette on 11 February 2011. It replaces the Order dated 31 July 2008. The revised Order is attached to this circular.

Changes to the Investment Order include:

- the removal of the ability to invest in the mortgage of land (part (c) of the Investment Order dated 31 July 2008)
- the removal of the ability to make a deposit with the Local Government Financial Services Pty Ltd (part (f) of the order dated 31 July 2008)
- the addition of "Key Considerations" in the revised Investment Order, which includes a comment that a council's General Manager, or any other staff, with delegated authority by a council to invest in funds on behalf of the council must do so in accordance with the council's adopted investment policy.

Councils are reminded that on 25 May 2010 the Division of Local Government issued Investment Policy Guidelines (Circular to Councils 10-11 refers). It is expected that all councils will by now have adopted an Investment Policy in accordance with the Guidelines.

A handwritten signature in blue ink, reading 'Ross Woodward'.

Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet

Department of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195

REPORT CM/7.3/22.06



Subject: Investment Portfolio Report - May 2022

TRIM No: A03/2211

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

Director: Richard Sheridan, Interim Director, Finance and Governance

RECOMMENDATION:

That Council:

1. Receives and notes the Investment Summary Report for May 2022 attached to the report.
2. Notes that the Interim Director, Finance and Governance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

1. Executive Summary

For the month of May 2022, Council's investment portfolio generated \$57,719 in interest.

The interest on investment budget for the 2021–22 financial year was adopted by Council at its meeting on 22 June 2021 and was set at \$858,678.

The interest income for year to date achieved 88.44% (\$759,395) of the current approved budget forecast of \$858,678.

2. Introduction/Background

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

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

Table 1. Monthly interest income received by Council.

Month	2021/22 Budget (\$)	Actual Monthly (\$)	Actual YTD (\$)	Tracking Budget (%)
July	858,687	89,930	89,930	10.47%
August	858,687	74,739	164,669	19.18%
September	858,687	76,282	240,951	28.06%

Month	2021/22 Budget (\$)	Actual Monthly (\$)	Actual YTD (\$)	Tracking Budget (%)
October	858,687	63,632	304,584	35.47%
November	858,687	52,572	357,156	41.59%
December	858,687	77,035	434,191	50.56%
January	858,687	63,493	497,684	57.96%
February	858,687	49,821	547,505	63.76%
March	858,687	86,007	633,511	73.78%
April	858,687	68,165	701,676	81.72%
May	858,687	57,719	759,395	88.44%

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 17 May 2022	CM/7.2/22.05	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes the Investment Summary Report for April 2022 attached to the report. 2. Notes that the Interim Director, Finance and Governance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the <i>Local Government Act 1993</i> and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

4. Discussion

As at 31 May 2022, Council's cash investment portfolio for the financial year, generated interest earnings of \$759,395 representing 88.44% of the current approved budget of \$858,687.

Council's investment portfolio posted a marked-to-market return of -0.92% pa for the month of May against the bank bill index benchmark return of 0.41% pa.

Without marked-to-market influences, Council's investment portfolio yielded 0.78% pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities/deposits.

Over the last 12 months, Council's investment portfolio had a 0% return, versus the bank bill index benchmark of 0.05%.

During May, Council's investment portfolio had a \$5.5m among three 12 month term deposits mature with an average rate of 0.50%pa. No new investments were made during the month.

The NSW TCorpIM LT Growth Fund recorded a negative marked-to-market return in May, -0.97% (actual) and was the primary influence on Council's overall negative result. The fund was mainly affected by a poor result in its Australian share component.

As at 31 May 2022, Council's investment portfolio has a current market value of \$137,650,543 which represents a loss of \$252,659 on the \$137,903,202 face value of the portfolio. The table below provides a summary by investment (asset) type.

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

Asset Group	Face Value	Current value
Cash	\$16,637,230	\$16,637,230
Floating Rate Note	\$33,250,000	\$32,813,594
Managed Funds	\$15,515,972	\$15,515,972
Term Deposit	\$72,500,000	\$72,683,747
Total	\$137,903,202	\$137,650,543

Analysis

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

For the past 12 months, the investment portfolio had a 0% return, versus the bank bill index benchmark of 0.05%.

Table 3. Portfolio return.

Month	Portfolio Return %	Ausbond BB Index %	Variance %
Jun-21	2.94	0.03	2.91
Jul-21	2.63	0.04	2.59
Aug-21	2.43	0.02	2.41
Sep-21	-2.00	0.01	-2.01
Oct-21	-1.01	-0.01	-1.00
Nov-21	1.72	0.07	1.65
Dec-21	1.79	0.04	1.75
Jan-22	-1.50	0.06	-1.56
Feb-22	-2.87	0.07	-2.94
Mar-22	-1.84	0.04	-1.88
Apr-22	-1.42	-0.19	-1.23
May-22	-0.92	0.41	-1.33
Average % return Over the last 12 months	0.00	0.05	-0.05

Council has a well-diversified portfolio invested predominantly among a range of term deposits and senior ranked floating rate notes from highly rated government and Australian bank issuers. Council also has a quarter of its portfolio invested in professionally managed funds, via NSW TCorp, which provide exposure to a wide range of asset classes, including international and domestic shares. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection.

Investments in ethically, socially and environmentally beneficial alternatives

As at the end of May 2022, 65% of Council's portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, while fossil-fuel-lending ADIs (including the daily operation fund) accounted for 23.7% of the portfolio. The remaining 11.3% is invested with TCorp.

Over the period of 48 months, from June 2018 to May 2022, Council has reduced its investment in fossil-fuel-lending ADIs from 59% to 23.7%, as displayed in Figure 1 below.

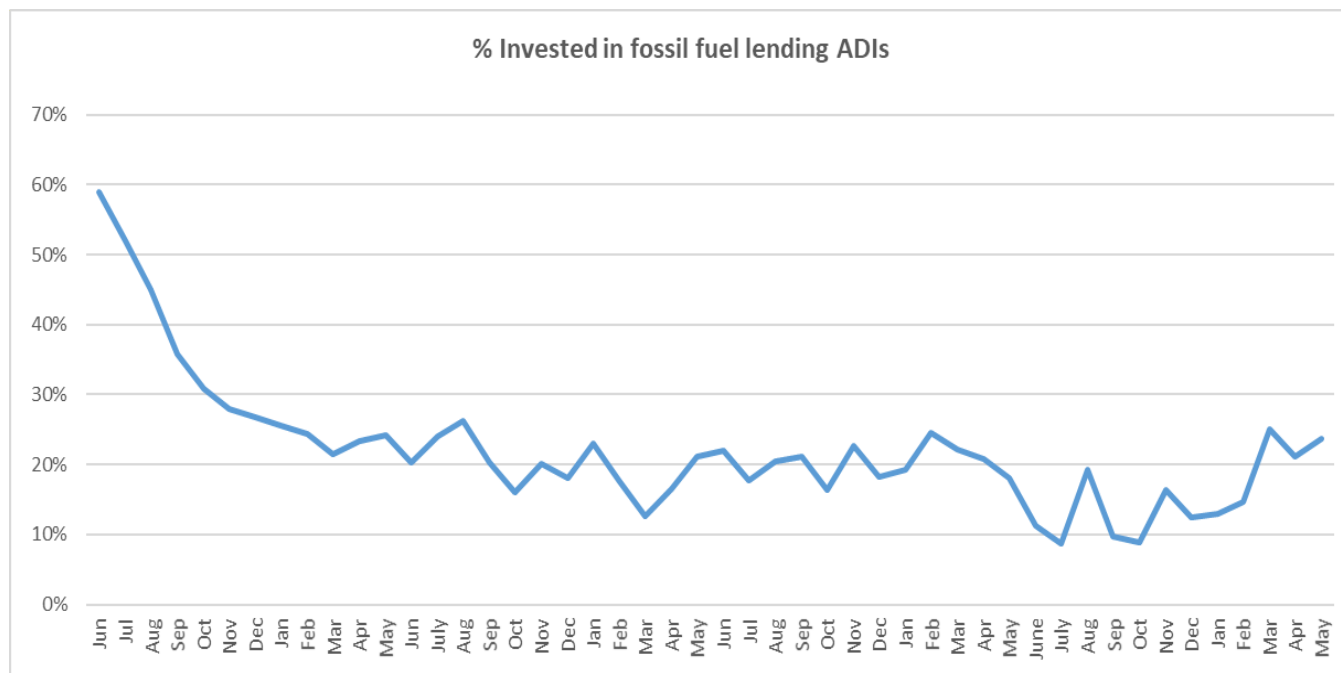


Figure 1. Investments in fossil-fuel-lending ADIs.

When excluding the working capital funds held in the CBA bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 74.02% of Council's investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, while fossil-fuel-lending ADIs accounted for 13.19% of the portfolio. The remaining 12.79% is invested with TCorp as displayed in Figure 2 below.

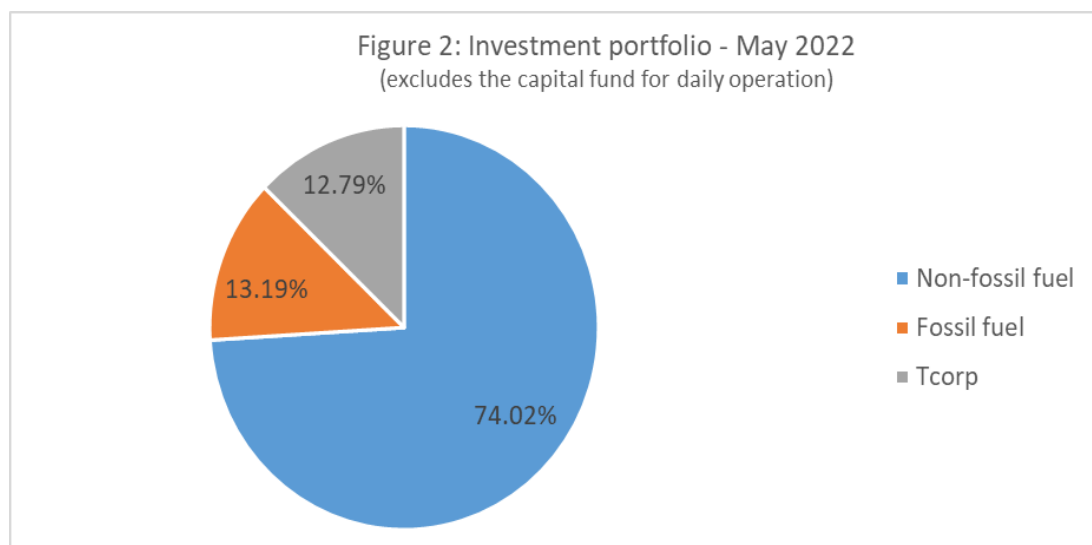


Figure 2. Investment Portfolio

5. Financial impact statement/Time frame/Consultation

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

6. Conclusion

Council's investment portfolio has achieved interest earning of \$759,395 for the year to date, representing 81.72% of the current approved budget forecast of \$858,678.

7. Attachments

1. Investment Summary Report - May 22 [↓](#) .



Investment Summary Report May 2022

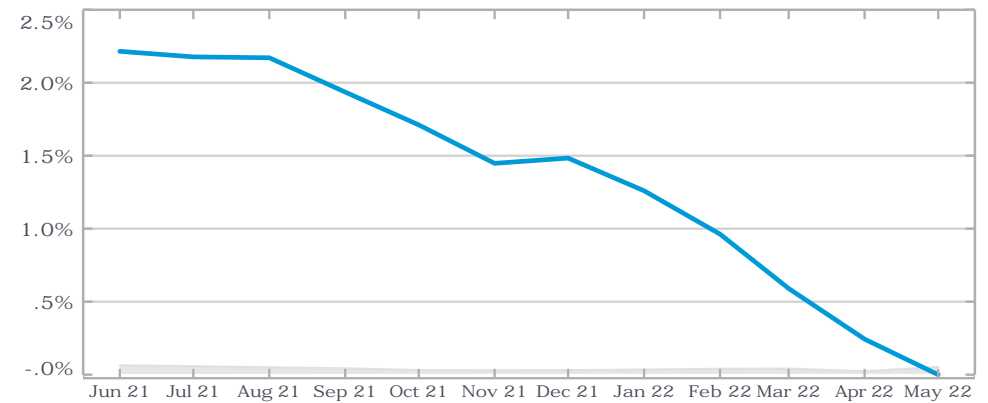
Waverley Council Executive Summary - May 2022



Investment Holdings

	Face Value (\$)	Current Value (\$)
Cash	16,637,230.28	16,637,230.28
Floating Rate Note	33,250,000.00	32,813,593.74
Managed Funds	15,515,971.68	15,515,971.68
Term Deposit	72,500,000.00	72,683,746.85
	137,903,201.96	137,650,542.55

Investment Performance

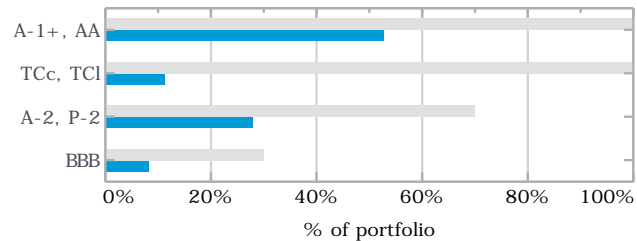


Portfolio Rolling 12 month return

AusBond BB Index Rolling 12 month Return

Investment Policy Compliance

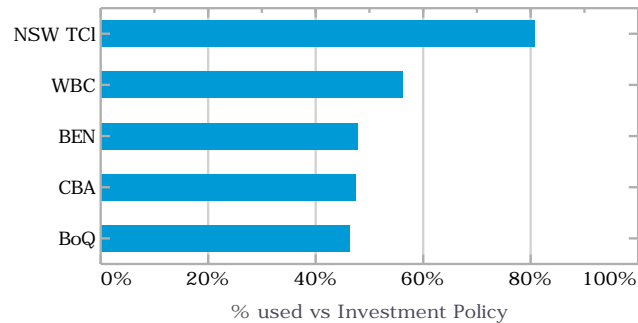
Total Credit Exposure



Portfolio Exposure

Investment Policy Limit

Highest Individual Exposures



Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Between 0 and 1 Year	106,103,202	77% 100%
Between 1 and 3 Years	11,500,000	8% 50%
Between 3 and 10 Years	20,300,000	15% 30%
	137,903,202	

Waverley Council Investment Holdings Report - May 2022



Cash Accounts										
	Face Value (\$)	Rate (% pa)	Institution	Credit Rating		Current Value (\$)	Deal No.			Reference
	10,641,411.46	0.2000%	Commonwealth Bank of Australia	A-1+		10,641,411.46	120789			24hr Call
	4,923,899.29	0.0000%	Commonwealth Bank of Australia	A-1+		4,923,899.29	120794			General Funds
	139,726.12	0.0000%	Commonwealth Bank of Australia	A-1+		139,726.12	120795			Trust Funds
	2,100.00	0.0000%	Commonwealth Bank of Australia	A-1+		2,100.00	120796			Cemetery Funds
	332,271.24	0.0000%	Commonwealth Bank of Australia	A-1+		332,271.24	120797			Depositor Funds
	555,551.28	0.0000%	Commonwealth Bank of Australia	A-1+		555,551.28	120799			Library CP
	1,000.00	0.0000%	Commonwealth Bank of Australia	A-1+		1,000.00	120800			Eastgate CP
	3,696.54	0.0000%	Commonwealth Bank of Australia	A-1+		3,696.54	120801			Hollywood Av CP
	37,574.35	0.0000%	Commonwealth Bank of Australia	A-1+		37,574.35	370151			Library Gift
	16,637,230.28	0.1279%				16,637,230.28				

Managed Funds										
	Face Value (\$)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.			Reference
	2,178,201.86	-0.0226%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	2,178,201.86	411310			Builder Deposits
	2,210,056.60	0.0364%	NSW T-Corp (Cash)	TCc	Cash Fund	2,210,056.60	505262			
	11,127,713.22	-0.9733%	NSW T-Corp (LT)	TCI	Long Term Growth Fund	11,127,713.22	538089			
	15,515,971.68					15,515,971.68				

Term Deposits											
Maturity Date	Face Value (\$)	Rate (% pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
7-Jun-22	1,500,000.00	0.3000%	Bendigo and Adelaide Bank	A-2	1,500,000.00	9-Sep-21	1,503,267.12	541886	3,267.12	At Maturity	
14-Jun-22	4,000,000.00	0.5500%	ME Bank	A-2	4,000,000.00	16-Jun-21	4,021,095.89	541541	21,095.89	At Maturity	
21-Jun-22	1,500,000.00	0.3000%	Bendigo and Adelaide Bank	A-2	1,500,000.00	9-Sep-21	1,503,267.12	541887	3,267.12	At Maturity	
28-Jun-22	3,000,000.00	0.3000%	Bendigo and Adelaide Bank	A-2	3,000,000.00	7-Sep-21	3,006,583.56	541865	6,583.56	At Maturity	
12-Jul-22	3,000,000.00	0.3000%	Bendigo and Adelaide Bank	A-2	3,000,000.00	13-Sep-21	3,006,435.62	541896	6,435.62	At Maturity	
19-Jul-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	20-Jul-21	3,012,986.30	541669	12,986.30	At Maturity	

Waverley Council Investment Holdings Report - May 2022



Term Deposits

Maturity Date	Face Value (\$)	Rate (% pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
2-Aug-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	10-Aug-21	3,012,123.29	541733	12,123.29	At Maturity	
9-Aug-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	10-Aug-21	3,012,123.29	541734	12,123.29	At Maturity	
16-Aug-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	10-Aug-21	3,012,123.29	541735	12,123.29	At Maturity	
23-Aug-22	2,500,000.00	0.3000%	Commonwealth Bank of Australia	A-1+	2,500,000.00	24-Aug-21	2,505,773.97	541770	5,773.97	At Maturity	Green
26-Aug-22	5,000,000.00	0.3500%	Suncorp Bank	A-1+	5,000,000.00	26-Aug-21	5,013,376.71	541782	13,376.71	At Maturity	
2-Sep-22	2,000,000.00	0.3100%	Commonwealth Bank of Australia	A-1+	2,000,000.00	3-Sep-21	2,004,603.29	541834	4,603.29	At Maturity	Green
13-Sep-22	2,000,000.00	0.3800%	Great Southern Bank	A-2	2,000,000.00	14-Sep-21	2,005,413.70	541899	5,413.70	At Maturity	
8-Nov-22	2,000,000.00	0.8000%	Auswide Bank	P-2	2,000,000.00	3-Nov-20	2,009,205.48	540548	9,205.48	Annually	
15-Nov-22	3,000,000.00	0.5400%	Westpac Group	A-1+	3,000,000.00	18-Nov-21	3,000,621.37	542104	621.37	Quarterly	Green
22-Nov-22	3,000,000.00	0.5600%	Westpac Group	A-1+	3,000,000.00	22-Nov-21	3,000,414.25	542108	414.25	Quarterly	Green
13-Dec-22	3,000,000.00	0.6900%	Westpac Group	A-1+	3,000,000.00	17-Dec-21	3,004,310.14	542207	4,310.14	Quarterly	Green
10-Jan-23	3,000,000.00	0.7500%	Westpac Group	A-1+	3,000,000.00	17-Jan-22	3,002,650.68	542247	2,650.68	Quarterly	Green
7-Feb-23	2,000,000.00	0.8800%	Westpac Group	A-1+	2,000,000.00	9-Feb-22	2,001,109.04	542326	1,109.04	Quarterly	Green
14-Feb-23	2,000,000.00	0.8800%	Westpac Group	A-1+	2,000,000.00	9-Feb-22	2,001,109.04	542327	1,109.04	Quarterly	Green
7-Mar-23	2,500,000.00	1.0300%	Westpac Group	A-1+	2,500,000.00	9-Mar-22	2,505,926.03	542421	5,926.03	Quarterly	Green
14-Mar-23	2,000,000.00	1.0300%	Westpac Group	A-1+	2,000,000.00	9-Mar-22	2,004,740.82	542422	4,740.82	Quarterly	Green
21-Mar-23	2,500,000.00	1.0300%	Westpac Group	A-1+	2,500,000.00	9-Mar-22	2,505,926.03	542423	5,926.03	Quarterly	Green
4-Apr-23	3,000,000.00	1.2300%	Suncorp Bank	A-1+	3,000,000.00	22-Mar-22	3,007,177.81	542468	7,177.81	Annually	
20-Feb-24	2,000,000.00	1.5800%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,001,991.23	542328	1,991.23	Quarterly	Green
5-Mar-24	4,000,000.00	1.8300%	Westpac Group	AA-	4,000,000.00	9-Mar-22	4,016,846.03	542424	16,846.03	Quarterly	Green
4-Mar-25	2,000,000.00	2.0200%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,002,545.75	542329	2,545.75	Quarterly	Green
72,500,000.00		0.7302%			72,500,000.00		72,683,746.85		183,746.85		

Waverley Council Investment Holdings Report - May 2022



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
28-Oct-22	2,400,000.00	1.6062%	TMB Snr FRN (Oct22) BBSW+0.90%	A-2	2,400,000.00	28-Oct-19	2,403,590.85	538616	3,590.85	28-Jul-22
2-Dec-22	3,000,000.00	0.9850%	BOz 'SRI' Snr FRN (Dec22) BBSW+0.90%	A-2	3,000,000.00	2-Dec-19	3,006,017.26	538825	7,367.26	2-Jun-22
25-Jan-23	1,250,000.00	1.5774%	BEN Snr FRN (Jan23) BBSW+1.05%	A-2	1,250,000.00	25-Jan-18	1,254,707.24	536145	1,944.74	25-Jul-22
6-Feb-23	1,100,000.00	2.3204%	NPBS Snr FRN (Feb23) BBSW+1.40%	A-2	1,100,000.00	6-Feb-18	1,106,130.18	536174	1,818.18	8-Aug-22
21-Feb-23	1,700,000.00	1.9544%	GSB Snr FRN (Feb23) BBSW+0.90%	A-2	1,700,000.00	21-Feb-20	1,704,373.72	539454	819.24	22-Aug-22
30-Jul-24	2,500,000.00	1.4920%	SUN Snr FRN (Jul24) BBSW+0.78%	AA-	2,500,000.00	30-Jul-19	2,499,572.33	538331	3,372.33	29-Jul-22
24-Oct-24	1,000,000.00	1.6474%	GSB Snr FRN (Oct24) BBSW+1.12%	BBB	1,000,000.00	24-Oct-19	1,004,414.83	538604	1,624.83	25-Jul-22
2-Dec-25	2,250,000.00	0.6050%	BEN Snr FRN (Dec25) BBSW+0.52%	BBB+	2,250,000.00	2-Dec-20	2,198,381.30	540603	3,393.80	2-Jun-22
24-Feb-26	1,300,000.00	1.5205%	SUN Snr FRN (Feb26) BBSW+0.45%	AA-	1,300,000.00	24-Feb-21	1,271,066.24	540958	433.24	24-Aug-22
4-Mar-26	4,000,000.00	0.7483%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB	4,000,000.00	4-Mar-21	3,913,898.49	540983	7,298.49	6-Jun-22
18-Jun-26	4,000,000.00	0.8228%	BEN Snr FRN (Jun26) BBSW+0.65%	BBB+	4,000,000.00	11-Jun-21	3,915,842.74	541523	6,762.74	20-Jun-22
15-Sep-26	3,750,000.00	0.6345%	SUN Snr FRN (Sep26) BBSW+0.48%	AA-	3,750,000.00	9-Sep-21	3,657,847.19	541877	5,084.69	15-Jun-22
23-Dec-26	5,000,000.00	0.6050%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	5,000,000.00	21-Sep-21	4,877,751.37	541916	5,801.37	23-Jun-22
					33,250,000.00		32,813,593.74		49,311.76	

Waverley Council

Accrued Interest Report - May 2022



Accrued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
<u>Floating Rate Note</u>									
TMB Snr FRN (Oct22) BBSW+ 0.90%	538616			28-Oct-19	28-Oct-22	0.00	31	3,274.01	1.61%
BOz 'SRI' Snr FRN (Dec22) BBSW+ 0.90%	538825			02-Dec-19	02-Dec-22	0.00	31	2,509.73	.99%
BEN Snr FRN (Jan23) BBSW+ 1.05%	536145			25-Jan-18	25-Jan-23	0.00	31	1,674.64	1.58%
NPBS Snr FRN (Feb23) BBSW+ 1.40%	536174			06-Feb-18	06-Feb-23	3,898.52	31	2,039.69	2.18%
GSB Snr FRN (Feb23) BBSW+ 0.90%	539454			21-Feb-20	21-Feb-23	4,132.40	31	1,818.28	1.26%
SUN Snr FRN (Jul24) BBSW+ 0.78%	538331			30-Jul-19	30-Jul-24	0.00	31	3,167.95	1.49%
GSB Snr FRN (Oct24) BBSW+ 1.12%	538604			24-Oct-19	24-Oct-24	0.00	31	1,399.16	1.65%
BEN Snr FRN (Dec25) BBSW+ 0.52%	540603			02-Dec-20	02-Dec-25	0.00	31	1,156.13	.60%
SUN Snr FRN (Feb26) BBSW+ 0.45%	540958			24-Feb-21	24-Feb-26	1,664.18	31	863.31	.78%
NPBS Snr FRN (Mar26) BBSW+ 0.63%	540983			04-Mar-21	04-Mar-26	0.00	31	2,542.17	.75%
BEN Snr FRN (Jun26) BBSW+ 0.65%	541523			18-Jun-21	18-Jun-26	0.00	31	2,795.27	.82%
SUN Snr FRN (Sep26) BBSW+ 0.48%	541877			15-Sep-21	15-Sep-26	0.00	31	2,020.84	.63%
CBA Green Snr FRN (Dec26) BBSW+ 0.41%	541916			23-Sep-21	23-Dec-26	0.00	31	2,569.18	.61%
Floating Rate Note Total						9,695.10		27,830.36	.99%
<u>Floating Rate Term Deposits</u>									
Westpac Group	535241			16-May-17	16-May-22	7,183.40	15	1,210.69	1.18%
Floating Rate Term Deposits Total						7,183.40		1,210.69	1.18%
<u>Managed Funds</u>									
Short Term Income Fund	411310	Builder Deposits		01-Dec-15		0.00	31	-492.01	-.27%
Cash Fund	505262			30-Jul-15		0.00	31	803.51	.43%
Managed Funds Total						0.00		311.50	.08%
<u>Term Deposit</u>									

Waverley Council Accrued Interest Report - May 2022



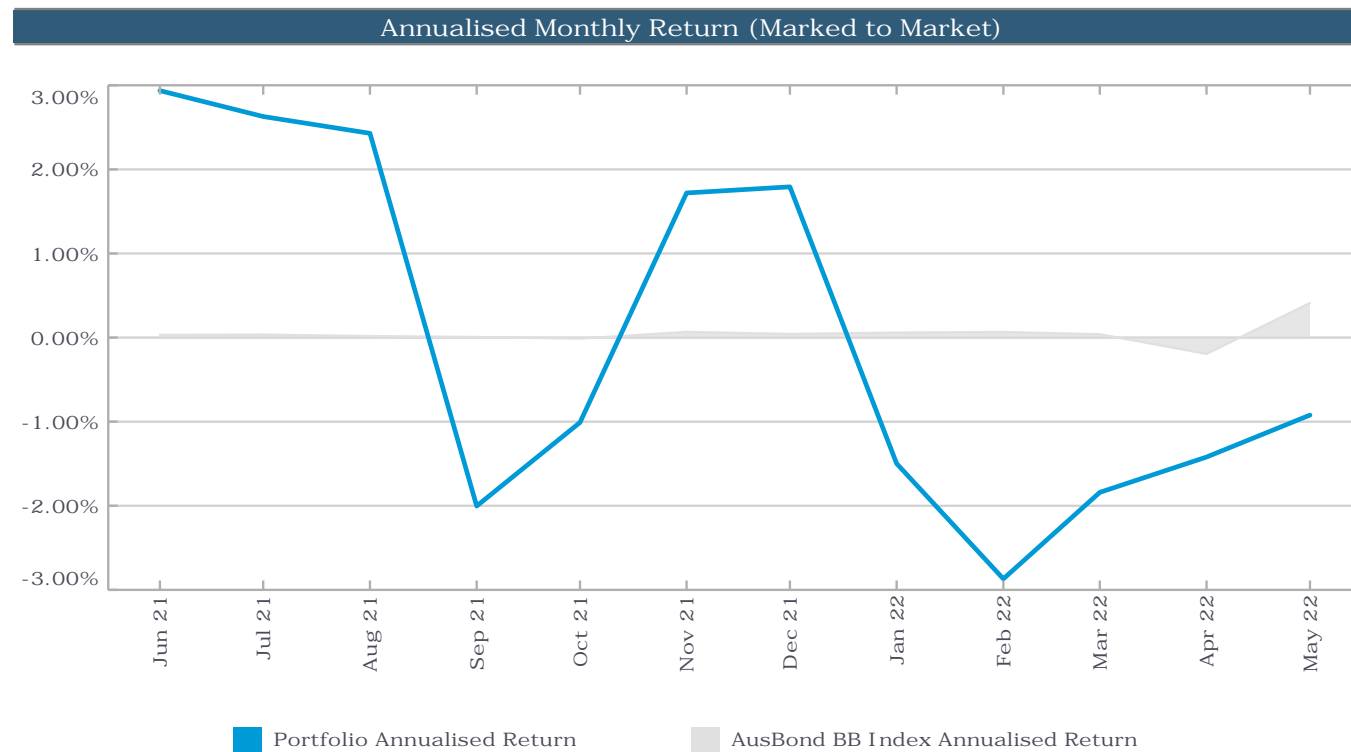
Accrued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
ME Bank	541290			28-Apr-21	03-May-22	12,671.23	2	68.49	.50%
ME Bank	541347			18-May-21	10-May-22	7,335.62	9	184.94	.50%
ME Bank	541348			18-May-21	24-May-22	7,623.29	23	472.61	.50%
Bendigo and Adelaide Bank	541886			09-Sep-21	07-Jun-22	0.00	31	382.19	.30%
ME Bank	541541			16-Jun-21	14-Jun-22	0.00	31	1,868.49	.55%
Bendigo and Adelaide Bank	541887			09-Sep-21	21-Jun-22	0.00	31	382.19	.30%
Bendigo and Adelaide Bank	541865			07-Sep-21	28-Jun-22	0.00	31	764.38	.30%
Bendigo and Adelaide Bank	541896			13-Sep-21	12-Jul-22	0.00	31	764.39	.30%
ME Bank	541669			20-Jul-21	19-Jul-22	0.00	31	1,273.97	.50%
ME Bank	541733			10-Aug-21	02-Aug-22	0.00	31	1,273.97	.50%
ME Bank	541734			10-Aug-21	09-Aug-22	0.00	31	1,273.97	.50%
ME Bank	541735			10-Aug-21	16-Aug-22	0.00	31	1,273.97	.50%
Commonwealth Bank of Australia	541770	Green		24-Aug-21	23-Aug-22	0.00	31	636.98	.30%
Suncorp Bank	541782			26-Aug-21	26-Aug-22	0.00	31	1,486.30	.35%
Commonwealth Bank of Australia	541834	Green		03-Sep-21	02-Sep-22	0.00	31	526.58	.31%
Great Southern Bank	541899			14-Sep-21	13-Sep-22	0.00	31	645.48	.38%
Auswide Bank	540548			03-Nov-20	08-Nov-22	0.00	31	1,358.90	.80%
Westpac Group	542104	Green		18-Nov-21	15-Nov-22	3,950.14	31	1,375.89	.54%
Westpac Group	542108	Green		22-Nov-21	22-Nov-22	4,142.47	31	1,426.86	.56%
Westpac Group	542207	Green		17-Dec-21	13-Dec-22	0.00	31	1,758.09	.69%
Westpac Group	542247	Green		17-Jan-22	10-Jan-23	0.00	31	1,910.95	.75%
Westpac Group	542326	Green		09-Feb-22	07-Feb-23	4,291.51	31	1,494.80	.88%
Westpac Group	542327	Green		09-Feb-22	14-Feb-23	4,291.51	31	1,494.80	.88%

Waverley Council
Accrued Interest Report - May 2022



Accrued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Westpac Group	542421	Green		09-Mar-22	07-Mar-23	0.00	31	2,186.99	1.03%
Westpac Group	542422	Green		09-Mar-22	14-Mar-23	0.00	31	1,749.59	1.03%
Westpac Group	542423	Green		09-Mar-22	21-Mar-23	0.00	31	2,186.99	1.03%
Suncorp Bank	542468			22-Mar-22	04-Apr-23	0.00	31	3,133.97	1.23%
Westpac Group	542328	Green		09-Feb-22	20-Feb-24	7,705.21	31	2,683.84	1.58%
Westpac Group	542424	Green		09-Mar-22	05-Mar-24	0.00	31	6,216.99	1.83%
Westpac Group	542329	Green		09-Feb-22	04-Mar-25	9,850.96	31	3,431.23	2.02%
Term Deposit Total						61,861.94		45,688.79	.72%
						78,740.44		75,041.34	<u>.78%</u>

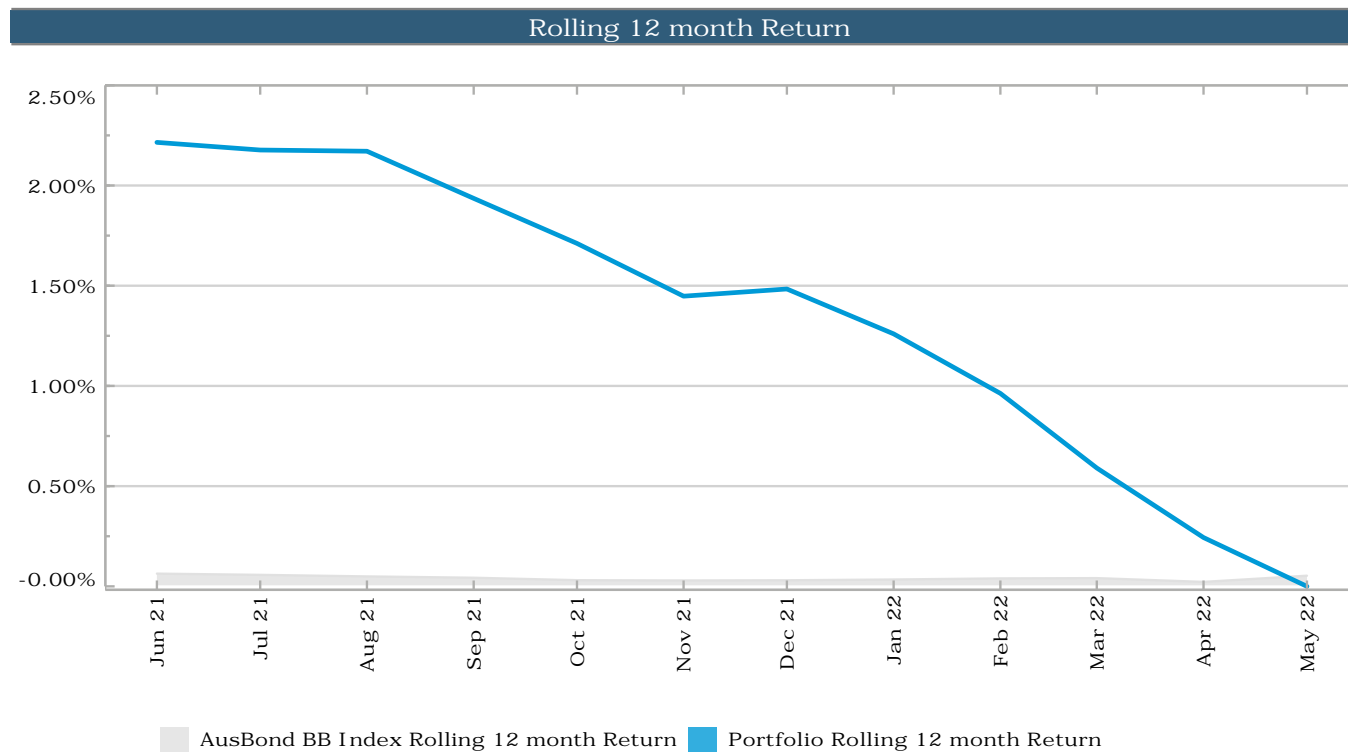
Waverley Council
Investment Performance Report - May 2022



Historical Performance Summary

	Portfolio	AusBond BB Index	Outperformance
May 2022	-0.92%	0.41%	-1.33%
Last 3 Months	-1.39%	0.09%	-1.48%
Last 6 Months	-1.11%	0.07%	-1.18%
Financial Year to Date	-0.26%	0.05%	-0.31%
Last 12 months	-0.00%	0.05%	-0.05%

Waverley Council
Investment Performance Report - May 2022



Historical Performance Summary (actual)

	Portfolio	AusBond BB Index	Outperformance
May 2022	-0.08%	0.03%	-0.11%
Last 3 Months	-0.35%	0.02%	-0.37%
Last 6 Months	-0.55%	0.04%	-0.59%
Financial Year to Date	-0.24%	0.05%	-0.29%
Last 12 months	-0.00%	0.05%	-0.05%

Waverley Council Environmental Commitments Report - May 2022

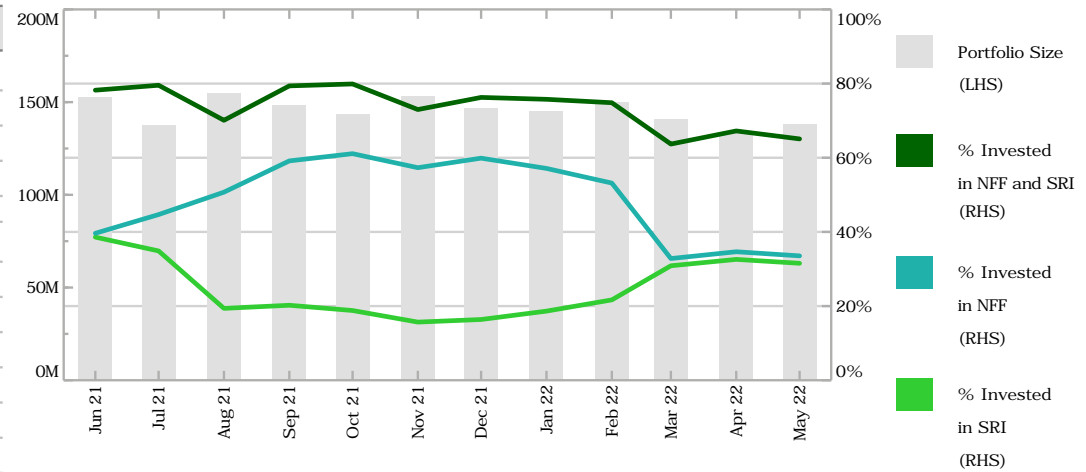


Current Breakdown

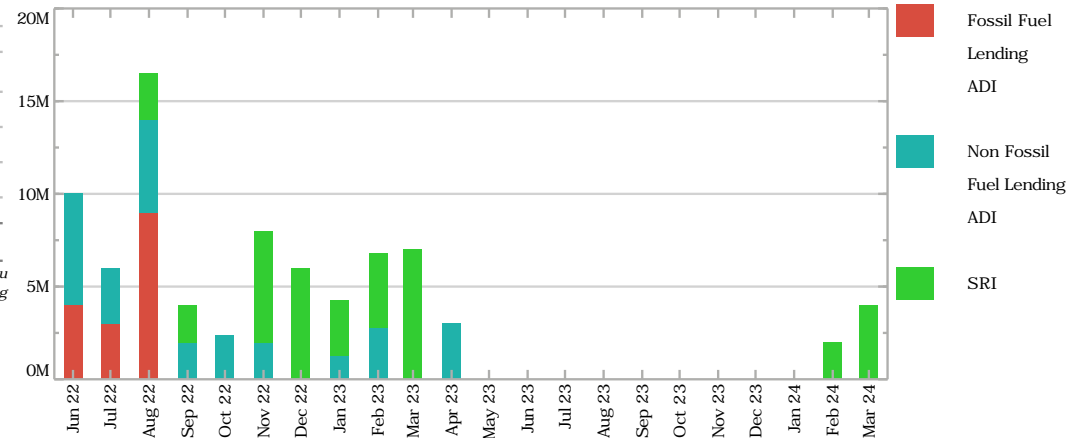
ADI Lending Status *	Current Month (\$)	Previous Month (\$)
Fossil Fuel Lending ADIs		
Bank of Queensland	16,000,000	21,500,000
Commonwealth Bank of Australia	16,637,230	4,114,501
Westpac Group		2,500,000
	32,637,230 23.7%	28,114,501 21.1%
Non Fossil Fuel Lending ADIs		
Auswide Bank	2,000,000	2,000,000
Bendigo and Adelaide Bank	16,500,000	16,500,000
Great Southern Bank	4,700,000	4,700,000
Newcastle Permanent Building Society	5,100,000	5,100,000
Suncorp Bank	15,550,000	15,550,000
Teachers Mutual Bank	2,400,000	2,400,000
	46,250,000 33.5%	46,250,000 34.6%
Other		
NSW T-Corp (Cash)	4,388,258	4,387,947
NSW T-Corp (LT)	11,127,713	11,237,084
	15,515,972 11.3%	15,625,031 11.7%
Socially Responsible Investment		
Bank Australia (Sustainability)	3,000,000	3,000,000
CBA (Green)	9,500,000	9,500,000
Westpac Group (Green TD)	31,000,000	31,000,000
	43,500,000 31.5%	43,500,000 32.6%
	137,903,202	133,489,532

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

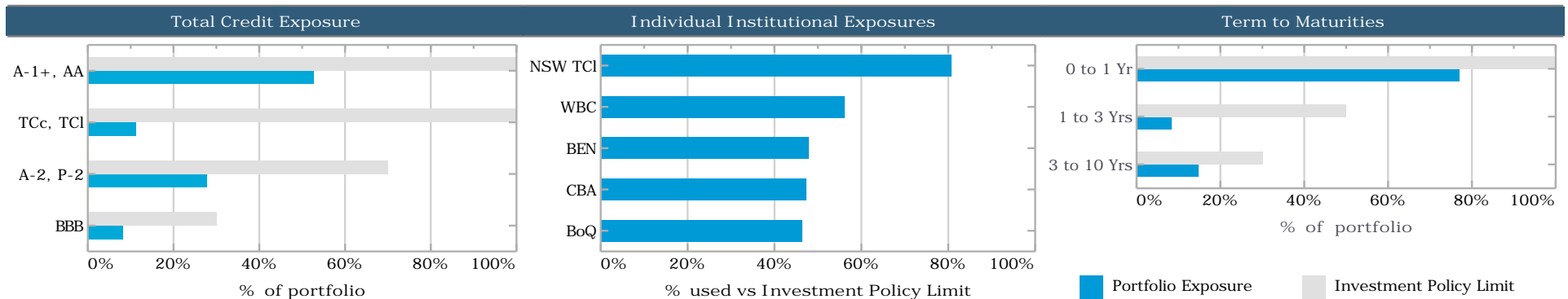
Historical Portfolio Exposure to NFF Lending ADIs and SRIs



Upcoming maturities



Waverley Council Investment Policy Report - May 2022



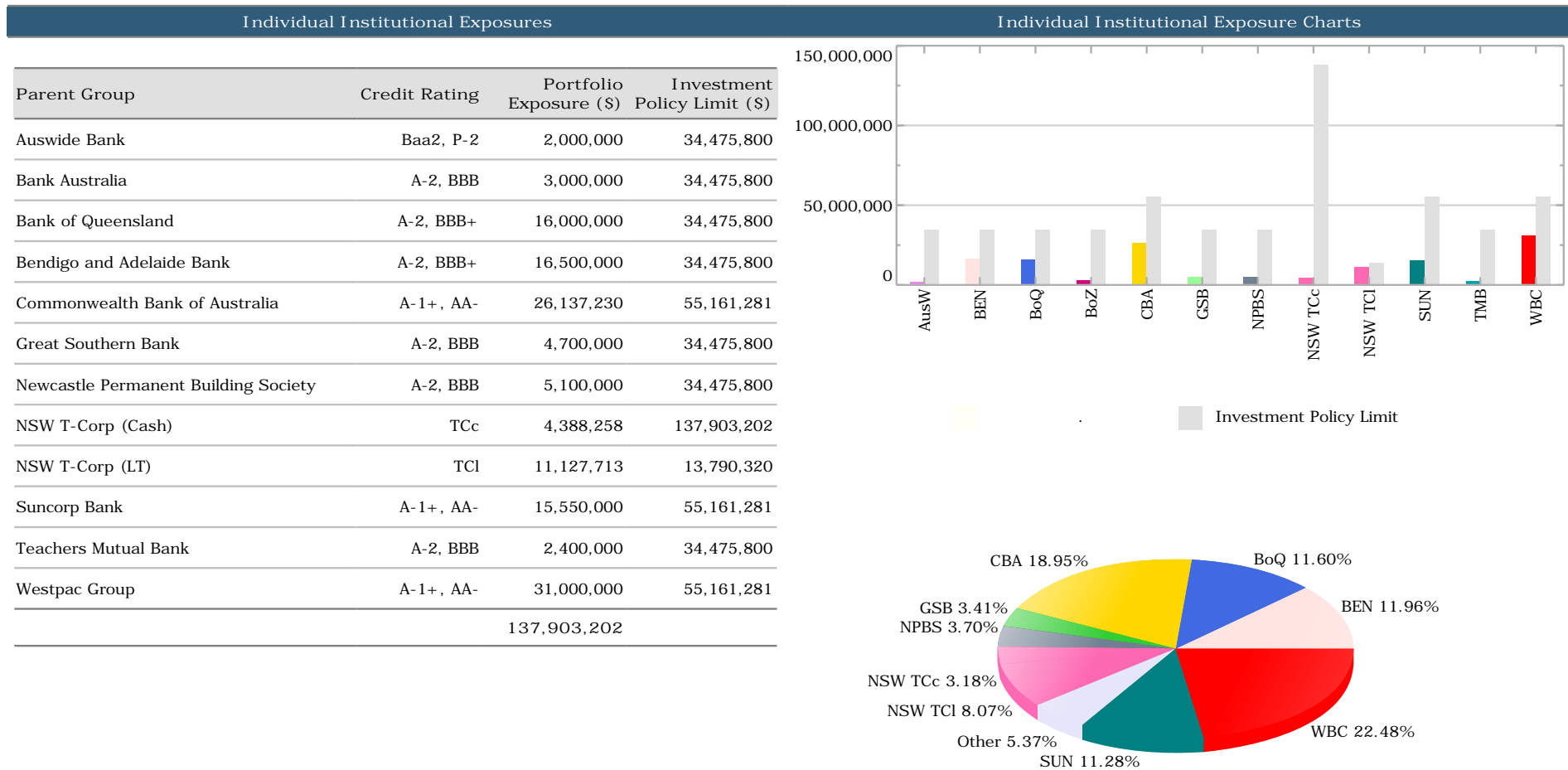
	Credit Rating	Face Value (\$)	Policy Max
Short Term	A-1+	52,137,230	
Long Term	AA	20,550,000	
		72,687,230	53% 100% a
Short Term	TCc	4,388,258	
Short Term	TCI	11,127,713	
		15,515,972	11% 100% a
Short Term	A-2	36,450,000	
Short Term	P-2	2,000,000	
		38,450,000	28% 70% a
Long Term	BBB	11,250,000	
		11,250,000	8% 30% a
		137,903,202	100%

a = compliant
r = non-compliant

	% used vs Investment Policy Limit
NSW T-Corp (LT) (TCI)	81% a
Westpac Group (A-1+, AA-)	56% a
Bendigo and Adelaide Bank (A-2, BBB+)	48% a
Commonwealth Bank of Australia (A-1+, AA-)	47% a
Bank of Queensland (A-2, BBB+)	46% a
Suncorp Bank (A-1+, AA-)	28% a
Newcastle Permanent Building Society (A-2, BBB)	15% a
Great Southern Bank (A-2, BBB)	14% a
Bank Australia (A-2, BBB)	9% a
Teachers Mutual Bank (A-2, BBB)	7% a
Auswide Bank (P-2, Baa2)	6% a
NSW T-Corp (Cash) (TCc)	3% a

	Face Value (\$)	Policy Max
Between 0 and 1 Year	106,103,202	77% 100% a
Between 1 and 3 Years	11,500,000	8% 50% a
Between 3 and 10 Years	20,300,000	15% 30% a
	137,903,202	
Detailed Maturity Profile	Face Value (\$)	
00. Cash + Managed Funds	32,153,202	23%
01. Less Than 30 Days	10,000,000	7%
02. Between 30 Days and 60 Days	6,000,000	4%
03. Between 60 Days and 90 Days	16,500,000	12%
04. Between 90 Days and 180 Days	14,400,000	10%
05. Between 180 Days and 365 Days	27,050,000	20%
06. Between 365 Days and 3 Years	11,500,000	8%
07. Between 3 Years and 5 Years	20,300,000	15%
	137,903,202	

Waverley Council Individual Institutional Exposures Report - May 2022



Waverley Council
Cashflows Report - May 2022



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>
3-May-22	541290	ME Bank	Term Deposits	Maturity Face Value - Received	2,500,000.00
		ME Bank	Term Deposits	Interest - Received	12,671.23
<u>Deal Total</u>					<u>2,512,671.23</u>
Day Total					2,512,671.23
6-May-22	536174	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	3,898.52
<u>Deal Total</u>					<u>3,898.52</u>
Day Total					3,898.52
9-May-22	542326	Westpac Group	Term Deposits	Interest - Received	4,291.51
<u>Deal Total</u>					<u>4,291.51</u>
	542327	Westpac Group	Term Deposits	Interest - Received	4,291.51
<u>Deal Total</u>					<u>4,291.51</u>
	542328	Westpac Group	Term Deposits	Interest - Received	7,705.21
<u>Deal Total</u>					<u>7,705.21</u>
	542329	Westpac Group	Term Deposits	Interest - Received	9,850.96
<u>Deal Total</u>					<u>9,850.96</u>
Day Total					26,139.18
10-May-22	541347	ME Bank	Term Deposits	Maturity Face Value - Received	1,500,000.00
		ME Bank	Term Deposits	Interest - Received	7,335.62
<u>Deal Total</u>					<u>1,507,335.62</u>
Day Total					1,507,335.62
16-May-22	535241	Westpac Group	Floating Rate Term Deposits	Maturity Face Value - Received	2,500,000.00
		Westpac Group	Floating Rate Term Deposits	Interest - Received	7,183.40
<u>Deal Total</u>					<u>2,507,183.40</u>
Day Total					2,507,183.40
18-May-22	542104	Westpac Group	Term Deposits	Interest - Received	3,950.14

Waverley Council
Cashflows Report - May 2022



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>
<u>Deal Total</u>					<u>3,950.14</u>
<u>Day Total</u>					<u>3,950.14</u>
23-May-22	539454	Great Southern Bank	Floating Rate Note	Coupon - Received	4,132.40
<u>Deal Total</u>					<u>4,132.40</u>
	542108	Westpac Group	Term Deposits	Interest - Received	4,142.47
<u>Deal Total</u>					<u>4,142.47</u>
<u>Day Total</u>					<u>8,274.86</u>
24-May-22	540958	Suncorp Bank	Floating Rate Note	Coupon - Received	1,664.18
<u>Deal Total</u>					<u>1,664.18</u>
	541348	ME Bank	Term Deposits	Maturity Face Value - Received	1,500,000.00
		ME Bank	Term Deposits	Interest - Received	7,623.29
<u>Deal Total</u>					<u>1,507,623.29</u>
<u>Day Total</u>					<u>1,509,287.47</u>
<u>Net Cash Movement for Period</u>					<u>8,078,740.41</u>

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-Jun-22	538825	Bank Australia	Floating Rate Note	Coupon - Received	7,448.22
<u>Deal Total</u>					<u>7,448.22</u>
	540603	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	3,431.10
<u>Deal Total</u>					<u>3,431.10</u>
<u>Day Total</u>					<u>10,879.32</u>
6-Jun-22	540983	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	7,708.52
<u>Deal Total</u>					<u>7,708.52</u>
<u>Day Total</u>					<u>7,708.52</u>
7-Jun-22	541886	Bendigo and Adelaide Bank	Term Deposit	Maturity Face Value - Received	1,500,000.00
		Bendigo and Adelaide Bank	Term Deposit	Interest - Received	3,341.10

Waverley Council
Cashflows Report - May 2022



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>
<u>Deal Total</u>					<u>1,503,341.10</u>
Day Total					1,503,341.10
9-Jun-22	542421	Westpac Group	Term Deposit	Interest - Received	6,490.41
<u>Deal Total</u>					<u>6,490.41</u>
	542422	Westpac Group	Term Deposit	Interest - Received	5,192.33
<u>Deal Total</u>					<u>5,192.33</u>
	542423	Westpac Group	Term Deposit	Interest - Received	6,490.41
<u>Deal Total</u>					<u>6,490.41</u>
	542424	Westpac Group	Term Deposit	Interest - Received	18,450.41
<u>Deal Total</u>					<u>18,450.41</u>
Day Total					36,623.56
14-Jun-22	541541	ME Bank	Term Deposit	Interest - Received	21,879.45
		ME Bank	Term Deposit	Maturity Face Value - Received	4,000,000.00
<u>Deal Total</u>					<u>4,021,879.45</u>
Day Total					4,021,879.45
15-Jun-22	541877	Suncorp Bank	Floating Rate Note	Coupon - Received	5,997.33
<u>Deal Total</u>					<u>5,997.33</u>
Day Total					5,997.33
17-Jun-22	542207	Westpac Group	Term Deposit	Interest - Received	5,217.53
<u>Deal Total</u>					<u>5,217.53</u>
Day Total					5,217.53
20-Jun-22	541523	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	8,475.97
<u>Deal Total</u>					<u>8,475.97</u>
Day Total					8,475.97
21-Jun-22	541887	Bendigo and Adelaide Bank	Term Deposit	Interest - Received	3,513.70
		Bendigo and Adelaide Bank	Term Deposit	Maturity Face Value - Received	1,500,000.00
<u>Deal Total</u>					<u>1,503,513.70</u>
Day Total					1,503,513.70
23-Jun-22	541916	Commonwealth Bank of Australia	Floating Rate Note	Coupon - Received	7,624.66
<u>Deal Total</u>					<u>7,624.66</u>
Day Total					7,624.66
28-Jun-22	541865	Bendigo and Adelaide Bank	Term Deposit	Interest - Received	7,249.32
		Bendigo and Adelaide Bank	Term Deposit	Maturity Face Value - Received	3,000,000.00

Waverley Council
Cashflows Report - May 2022



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>
				<u>Deal Total</u>	<u>3,007,249.32</u>
				Day Total	3,007,249.32
				<u>Net Cash Movement for Period</u>	<u>10,118,510.44</u>

REPORT

CM/7.4/22.06



Subject: Code of Meeting Practice - Adoption

TRIM No: SF20/873

Author: Al Johnston, Governance Officer

Director: Richard Sheridan, Interim Director, Finance and Governance

RECOMMENDATION:

That Council adopts the Code of Meeting Practice attached to the report.

1. Executive Summary

At its meeting on 3 May 2022, the Finance, Operations and Community Services Committee considered a draft Code of Meeting Practice and resolved to place it on public exhibition. The draft Code was exhibited from 5 May 2022, with a closing date of 15 June 2022 for the receipt of submissions.

No submissions were received. However, officers have made two minor changes to the Code. The changes are detailed in section 4 of the report.

The report recommends the Code of Meeting Practice attached to the report be adopted.

2. Introduction/Background

In accordance with section 360(3) of the *Local Government Act 1993* (the Act) a council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice based on the Office of Local Government's (OLG) *Model Code of Meeting Practice for NSW local Councils* (the Model Code).

Before adopting its new Code of Meeting Practice, Council must exhibit a draft Code for 28 days and allow a 42-day submission period. The draft Code was exhibited on Council's website and at the Customer Service Centre from 5 May 2022, with a closing date of 15 June 2022 for the receipt of submissions. No submissions have been received.

Officers have made two minor changes to the draft Code to improve its readability and to clarify a procedure involving the acceptance of amendments. These are detailed in section 4 below.

The report recommends the Code of Meeting Practice attached to the report be adopted.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Finance, Operations and Community Services Committee 3 May 2022	FC/5.1/22.05	That Council: 1. Publicly exhibits the draft Code of Meeting Practice attached to the report for 28 days with a 42-day submission period, in accordance with section 361 of the <i>Local Government Act 1993</i> subject to the

		<p>following amendments:</p> <p>(a) Clause 5.19 (page 43 of the agenda) – Amend the second sentence to read: ‘Where a councillor attends a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same rights, including voting rights, as if they were attending the meeting in person.’</p> <p>(b) Clause 16.2 (page 79 of the agenda) – Amend the second sentence, which refers to Councillors attending a meeting by audio-visual link only, to read: ‘Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor must suspend their audio-visual link to the meeting so that the councillor cannot be seen or heard by the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.’</p> <p>(c) Clause 15.14 (pages 75–76 of the agenda) – Amend to read: ‘Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor’s audio link to the meeting for the purposes of enforcing compliance with this code. Before taking this action, the chairperson must state the provision of this code that they believe has been breached.’</p> <p>2. Receives a further report at the June 2022 Council meeting considering any submissions received and presenting the final version of the Code of Meeting Practice for adoption.</p>
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4. Discussion

No submissions have been received on the draft Code. However, officers have made the following minor changes to the document:

- The section titled ‘Meetings held by audio-visual link in an emergency’ has been renamed ‘Meetings held in an emergency’ and relocated to the end of the Coming Together part (pp. 23-24 of the Code) to improve the flow of the sections within the part.

- A note has been added to clause 10.18 (on p. 36 of the Code) to clarify the procedure involving the acceptance of amendments. The note reflects the advice emailed to all Councillors by the Executive Manager, Governance and Risk, on 17 May 2022 following a Councillor enquiry about the procedure.

The changes made by officers are highlighted in red font in the attached Code for adoption.

5. Financial impact statement/Time frame/Consultation

Financial

There have been no unbudgeted costs incurred by Council to prepare the new Code.

Time frame

The Code of Meeting Practice attached to this report will come into effect on the day following its adoption.

Consultation

As required by section 361 of the *Local Government Act 1993*, Council publicly exhibited the draft Code of Meeting Practice for a period of 28 days on Council's website and at the Customer Service Centre and provided a further 14 days for the receipt of submissions. No submissions from the public have been received.

6. Conclusion

Council is required to adopt a new code of meeting practice based on the Model Code within 12 months following a council election. The Code of Meeting Practice attached to this report is recommended for adoption.

7. Attachments

1. Code of Meeting Practice [↓](#) .



Code of Meeting Practice

CODE OF MEETING PRACTICE

Policy owner	Executive Manager, Governance and Risk
Approved by	Council
Date approved	
Commencement date	
TRIM Reference	SF20/873
Next revision date	2025
Relevant legislation/codes	Local Government Act 1993; Model Code of Meeting Practice for Local Councils in NSW 2021; Waverley Code of Conduct for Councillors.
Related policies/procedures/guidelines	Waverley Live Streaming of Council Meetings Policy; Hybrid Meetings Etiquette Guide; Waverley Code of Conduct for Staff.
Related forms	

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PART 1 INTRODUCTION

This code of meeting practice sets out the rules of conduct for meetings of the council and a committee of the council where all members are councillors.

Section 360 of the *Local Government Act 1993* requires a council and a committee of the council of which all the members are councillors to conduct its meetings in accordance with a code of meeting practice adopted by the council.

The Waverley Code of Meeting Practice incorporates the mandatory provisions of the *Model Code of Meeting Practice for Local Councils in NSW* (Model Meeting Code) issued by the Office of Local Government in 2021. The Waverley code also incorporates some of the non-mandatory provisions of the Model Meeting Code and other supplementary provisions that are consistent with the mandatory provisions of the Model Meeting Code.

This code must be read in conjunction with the Waverley Code of Conduct for Councillors, which is based on the Model Code of Conduct issued by the Office of Local Government in 2020. The Model Code of Conduct for Councillors includes provisions relating to binding caucus votes, disclosures of interests, and obligations in relation to meetings (including councillor misconduct). This code references the Waverley Code of Conduct where relevant.

Preparation, public notice and exhibition of draft code

Before adopting a code of meeting practice, Council must prepare a draft code and give notice to the public of the exhibition of the draft code. The period of public exhibition must not be less than 28 days and the public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition for the receipt of submissions.

After considering all submissions received, Council may decide:

- to amend the non-mandatory or supplementary provisions, or
- to adopt the draft code as its code of meeting practice.

If Council decides to amend its draft code, it may publicly exhibit the amended draft or, if Council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.

The code may only be amended by Council through those means provided within the Act.

Clause references

This code uses the following references to identify the source of each provision or section of provisions:

- *Model Meeting Code* – Mandatory provisions from the Model Meeting Code. Where the provision directly reflects the *Local Government Act*, the section of the Act is also shown.
- *Model Meeting Code – non-mandatory provision* – non-mandatory provisions from the Model Meeting Code.
- *Supplementary provision* – Additional provisions specific to Waverley.
- *Note* – Information added for explanatory purposes or to add clarity. A note is not enforceable.

PART 2 MEETING PRINCIPLES

Council and committee meetings should be:

<i>Transparent</i>	Decisions are made in a way that is open and accountable.
<i>Informed</i>	Decisions are made based on relevant, quality information.
<i>Inclusive</i>	Decisions respect the diverse needs and interests of the local community.
<i>Principled</i>	Decisions are informed by the principles prescribed under Chapter 3 of the Act.
<i>Trusted</i>	The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
<i>Respectful</i>	Councillors, staff and meeting attendees treat each other with respect.
<i>Effective</i>	Meetings are well organised, effectively run and skilfully chaired.
<i>Orderly</i>	Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

PART 3 BEFORE THE MEETING

Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will generally be held on the third Tuesday of each month and its committee meetings on the first Tuesday of each month, with the exception of January when no meetings are held. Meetings will normally be held at the council chambers but may be held at or adjourned to other times or venues should that be expedient for the conduct of business.

Model Meeting Code

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Extraordinary meetings

- 3.2 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

*Model Meeting Code
LGA s 366*

Note: Council may resolve to hold extraordinary meetings as and when required. The Local Government Act 1993 and Model Meeting Code do not specify the kind of business extraordinary meetings may deal with. These meetings are usually held to deal with special business or where there is so much business to be dealt with that an additional meeting is required.

Notice to the public of council meetings

- 3.3 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Model Meeting Code
LGA s 9(1)

- 3.4 For the purposes of clause 3.3, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

Model Meeting Code

- 3.6 Should a meeting be adjourned to resume on the same day, it is sufficient notice for the chair to announce to the meeting the time and place of the resumption.

- 3.7 Should a meeting be adjourned to resume on another day, the provisions of clause 3.3 should apply where practicable.

Supplementary provisions

Notice to councillors of ordinary council meetings

- 3.8 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Model Meeting Code
LGA s 367(1)

- 3.9 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities

to access the notice, agenda and business papers in that form.

Model Meeting Code
LGA s 367(3)

Notice to councillors of extraordinary meetings

- 3.10 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Model Meeting Code
LGA s 367(2)

Notice of motions for ordinary meetings

- 3.11 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted to the general manager by 3.00 pm on the second Friday before the meeting is to be held.
- 3.12 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

Model Meeting Code

- 3.13 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a general manager's comment in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.

Model Meeting Code – non-mandatory provision

Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.11, ask a question for response by the general manager about the performance or operations of the council.

Note: The general manager will not accept questions about matters that can be dealt with administratively.

- 3.15 A councillor may submit up to three questions per ordinary council meeting. Questions with notice are not permitted at committee meetings.

Supplementary provision

- 3.16 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.

- 3.17 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Model Meeting Code

- 3.18 The chair must not permit further questions or discussion on any reply to a question with notice.

Supplementary provision

Agenda and business papers for ordinary meetings

- 3.19 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.20 The general manager must ensure that the agenda for an ordinary meeting of the council states:

Code of Meeting Practice

- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chair – any matter or topic that the chair proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.11 and 3.14.
- 3.21 Nothing in clause 3.20 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.7.
- 3.22 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

Model Meeting Code

- 3.23 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Model Meeting Code
LGA s 9(2A)(a)

- 3.24 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

- 3.25 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Model Meeting Code

Availability of the agenda and business papers to the public

- 3.26 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Model Meeting Code
LGA ss 9(2), (4)

- 3.27 Clause 3.25 does not apply to the business papers for items of business that the general manager has identified under clause 3.23 as being likely to be considered when the meeting is closed to the public.

Model Meeting Code
LGA s 9(2A)(b)

- 3.28 For the purposes of clause 3.25, copies of agendas and business papers must be published on the council's

website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Model Meeting Code
LGA s 9(3)

- 3.29 A copy of an agenda, or of an associated business paper made available under clause 3.25, may in addition be given or made available in electronic form.

Model Meeting Code
LGA s 9(5)

Agenda and business papers for extraordinary meetings

- 3.30 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.31 Despite clause 3.29, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- (a) the business to be considered is ruled by the chair to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council, and
 - (b) a motion is passed to have the business considered at the meeting.
- 3.32 A motion moved under clause 3.30(b) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.33 Despite clauses 10.23–10.33, only the mover of a motion moved under clause 3.31(b) can speak to the motion before it is put.
- 3.34 A motion of dissent cannot be moved against a ruling of the chair under clause 3.31(a) on whether a matter is of great urgency.

Model Meeting Code

PART 4 ADDRESSES BY MEMBERS OF THE PUBLIC

- 4.1 Council permits members of the public to make oral submissions at council and committee meetings on items of business to be considered at the meeting.
- 4.2 A person wishing to address a meeting must register by 3.00 pm on the day of the meeting.
- 4.3 Late requests to address council or a committee meeting, and requests received after the commencement of a council or committee meeting, will be determined by the chair.
- 4.4 Each address must be no longer than 3 minutes in duration.
- 4.5 The address must relate to an item of business to be considered at the meeting. The chair will call to order any speaker who fails to comply with this requirement. If the speaker fails to comply with chair's call to order, the chair may withdraw that speaker's right to address the meeting.
- 4.6 Speakers cannot ask questions of the council, councillors or council staff.
- 4.7 When addressing council, speakers must comply with this code.
- 4.8 Speakers may provide hardcopies of their speech to councillors at the meeting. Audio-visual presentations are not permitted.

Supplementary provisions

PART 5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.

Model Meeting Code

Leave of absence

- 5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

Vacancy of civic office

- 5.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Model Meeting Code
LGA s 234(1)(d)

Meeting attendance while on leave of absence

- 5.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

Model Meeting Code

The quorum for a meeting

- 5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Model Meeting Code
LGA s 368(1)

- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Model Meeting Code
LGA s 368(2)

- 5.10 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chair, or
 - (b) in the chair's absence, by the majority of the councillors present, or
 - (c) failing that, by the general manager.
- 5.12 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

Model Meeting Code

- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead

be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.2.

Attendance by councillors at meetings by audio-visual link

- 5.15 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link.
- 5.16 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor attends a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same rights, including voting rights, as if they were attending the meeting in person.
- 5.17 Whilst attending a meeting by audio-visual link a councillor must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Model Meeting Code – non-mandatory provision

Entitlement of the public to attend meetings

- 5.18 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

*Model Meeting Code
LGA s 10(1)*

- 5.19 Clause 5.18 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.20 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

*Model Meeting Code
LGA s 10(2)*

Note: Council does not have a standing resolution giving the chair the power of expulsion referred to in clause 5.20(b).

Live streaming of meetings

- 5.21 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.22 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
 - (a) the meeting is being recorded and made publicly available on the council's website, and
 - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.23 The recording of a meeting is to be made publicly available on the council's website:
 - (a) at the same time as the meeting is taking place, or
 - (b) as soon as practicable after the meeting.
- 5.24 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.
- 5.25 Clauses 5.23 and 5.24 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
- 5.26 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Model Meeting Code

Attendance of the general manager and other staff at meetings

- 5.27 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Model Meeting Code
LGA s 376(1)

- 5.28 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Model Meeting Code
LGA s 376(2)

- 5.29 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Model Meeting Code
LGA s 376(3)

- 5.30 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

Model Meeting Code

- 5.31 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

Meetings held in an emergency

- 5.32 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the

health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.

5.33 Where the mayor determines under clause 5.32 that a meeting is to be held by audio-visual link, the general manager must:

- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
- (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
- (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.

5.34 This code applies to a meeting held by audio-visual link under clause 5.32 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.32, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Model Meeting Code – non-mandatory provision

PART 6 THE CHAIR

The chair at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

*Model Meeting Code
LGA s 369(1)*

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

*Model Meeting Code
LGA s 369(2)*

Election of the chair in the absence of the mayor and deputy mayor

- 6.3 If no chair is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chair to preside at the meeting.
- 6.4 The election of a chair must be conducted:
- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
 - (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chair, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chair is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chair.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Model Meeting Code

Chair to have precedence

- 6.9 When the chair rises or speaks during a meeting of the council:
 - (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every councillor present must be silent to enable the chair to be heard without interruption.

Model Meeting Code

Recognising the authority of the chair

- 6.10 When addressing a meeting of the council, councillors and all other persons present must, unless the chair states otherwise:
 - (a) stand; and
 - (b) direct their address through the chair.
- 6.11 Councillors and all other persons attending a meeting of the council must at all times show respect to, and observe the ruling of, the chair.

- 6.12 Despite clause 6.11 of this code, a councillor may, through a motion of dissent, challenge a ruling made by the chair (see clause 15.8 of this code for motions of dissent).

Supplementary provisions

PART 7 MODES OF ADDRESS

- 7.1 If the chair is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chair is not the mayor, they are to be addressed as either 'Mr Chair' or 'Madam Chair'.
- 7.3 A councillor is to be addressed as 'councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

Model Meeting Code – non-mandatory provisions

PART 8 ORDER OF BUSINESS FOR COUNCIL AND COMMITTEE MEETINGS

- 8.1 The general order of business for council and committee meetings is as fixed by resolution of the council.
- 8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council or committee if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
- 8.3 Despite clauses 10.23–10.33, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

Model Meeting Code

PART 9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.11, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.8 in the case of an ordinary meeting or clause 3.10 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chair to preside at the meeting, or
 - (c) subject to clause 9.10, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.

Model Meeting Code

Dealing with urgent matters without notice

- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) the business to be considered is ruled by the chair to be of great urgency on the grounds that it requires a decision by the council

before the next scheduled ordinary meeting of the council, and

- (b) a motion is passed to have the business considered at the meeting.

- 9.4 A motion moved under clause 9.3(b) can be moved without notice. Despite clauses 10.23–10.33, only the mover of a motion referred to in clause 9.3(b) can speak to the motion before it is put.

Model Meeting Code

- 9.5 The mover of the motion referred to in clause 9.3(b) must, when speaking to the motion, explain why he or she believes it requires a decision by the council before the next scheduled ordinary meeting of the council.

Supplementary provision

- 9.6 A motion of dissent cannot be moved against a ruling by the chair under clause 9.3(a).

Model Meeting Code

Mayoral minutes

- 9.7 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.
- 9.8 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.
- 9.9 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.
- 9.10 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.

Model Meeting Code

- 9.11 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.

Model Meeting Code – non-mandatory provision

Staff reports

- 9.12 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Model Meeting Code

Reports of committees of council

- 9.13 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.14 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Model Meeting Code

Note: Council's committees adopt their own minutes. The provisions in this section apply only to recommendations of the committee of the whole.

Questions to councillors and staff

- 9.15 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.11 and 3.14.
- 9.16 A councillor may, through the chair, put a question to another councillor about a matter on the agenda.
- 9.17 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.18 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.19 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.20 The chair must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

Model Meeting Code

PART 10 RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Model Meeting Code

Note: This Code specifies that mayoral minutes (see clause 9.7) and 'put' motions (see clause 10.28) do not require a seconder.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.11 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.11 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chair, move the motion at the meeting, or
 - (b) the chair may defer consideration of the motion until the next meeting of the council.

Model Meeting Code

Chair's duties with respect to motions

- 10.5 It is the duty of the chair at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.

Model Meeting Code

- 10.6 At the time a motion or amendment is moved, the chair must ensure the motion or amendment is announced to the meeting in its entirety so its intent can be clearly understood. This requirement does not apply when the motion or amendment appears on the agenda.

Supplementary provision

- 10.7 The chair must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.8 Before ruling out of order a motion or an amendment to a motion under clause 10.7, the chair is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.9 Any motion, amendment or other matter that the chair has ruled out of order is taken to have been lost.

Model Meeting Code

Motions requiring the expenditure of funds

- 10.10 A motion or an amendment to a motion which if passed 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 must identify the source of funding for the expenditure that is the subject of the motion. If the motion 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 motion if adopted.

Model Meeting Code – non-mandatory provision

Amendments to motions

- 10.11 An amendment to a motion must be moved and seconded before it can be debated.

Model Meeting Code

- 10.12 The seconder of a motion cannot move an amendment to the motion.

Supplementary provision

- 10.13 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chair.

- 10.14 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.

- 10.15 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.

- 10.16 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.

- 10.17 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.

- 10.18 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Model Meeting Code

Notes: Under clause 10.18, the acceptance of an amendment by the seconder of the original motion is not required.

Despite clause 10.18, a councillor does not have to ask the mover of the original motion if they will accept their amendment. Instead, they may choose to move the amendment formally as per clause 10.11.

Foreshadowed motions and amendments

- 10.19 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.20 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.21 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Model Meeting Code

Motions and amendments to be submitted in writing

- 10.22 All motions and amendments, including those foreshadowed, should be submitted in writing to staff in the governance section prior to the meeting where practical for the purposes of live minuting.

Supplementary provision

Limitations on the number and duration of speeches

- 10.23 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made

during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

- 10.24 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.25 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.26 Despite clause 10.25, the chair may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.27 Despite clause 10.25, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.28 Despite clauses 10.23 and 10.24, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.29 The chair must immediately put to the vote, without debate, a motion moved under clause 10.28. A seconder is not required for such a motion.
- 10.30 If a motion that the original motion or an amendment be now put is passed, the chair must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original

motion has exercised their right of reply under clause 10.23.

- 10.31 If a motion that the original motion or an amendment be now put is lost, the chair must allow the debate on the original motion or the amendment to be resumed.
- 10.32 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.33 Once the debate on a matter has concluded and a matter has been dealt with, the chair must not allow further debate on the matter.

Model Meeting Code

Laying an item on the table

- 10.34 A councillor may move a procedural motion that an agenda item 'lay on the table' to allow further consideration or information to be provided before the matter is decided. If the motion is carried, no further debate can be undertaken until there is a procedural motion for the item to be 'taken from the table.'
- 10.35 A motion to lay an item on the table, or to take an item from the table, is not debateable and there can be no amendments or right of reply.
- 10.36 A matter laid on the table must be taken from the table and dealt with prior to the end of the meeting.
- 10.37 When the item is taken from the table, debate resumes where it left off.

Supplementary provisions

PART 11 VOTING

Voting entitlements of chair and councillors

- 11.1 Each councillor is entitled to one (1) vote.

*Model Meeting Code
LGA s 370(1)*

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

*Model Meeting Code
LGA s 370(2)*

- 11.3 Where the chair declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Model Meeting Code

Voting at council meetings

- 11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.5 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.6 The decision of the chair as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.7 When a division on a motion is called, the chair must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted

against the motion in accordance with clause 11.4 of this code.

- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

Model Meeting Code

Voting on planning decisions

- 11.10 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.11 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.12 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.13 Clauses 11.10–11.12 apply also to meetings that are closed to the public.

Model Meeting Code
LGA s 375A

Note: The requirements of clause 11.10 may be satisfied by maintaining a register of the minutes of each planning decision.

PART 12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

*Model Meeting Code
LGA s 373*

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.23–10.33 limit the number and duration of speeches.

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.

- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

Model Meeting Code

PART 13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together, the chair must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chair that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 A motion to adopt multiple items of business together must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.5 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.6 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

Model Meeting Code – non-mandatory provisions

PART 14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the 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 the person who supplied it, or
 - ii. confer a commercial advantage on a competitor of the council, or
 - iii. reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground 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 the council's code of conduct.

Model Meeting Code
LGA ss 10A(1), (2)

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Model Meeting Code
LGA s 10A(3)

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Model Meeting Code
LGA s 10B(1)

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the council or committee is involved, and

- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Model Meeting Code
LGA s 10B(2)

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Model Meeting Code
LGA s 10B(3)

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - i. cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - ii. cause a loss of confidence in the council or committee.

Model Meeting Code
LGA s 10B(4)

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Model Meeting Code
LGA s 10B(5)

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - i. should not be deferred (because of the urgency of the matter), and
 - ii. should take place in a part of the meeting that is closed to the public.

Model Meeting Code
LGA s 10C

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.
- Model Meeting Code*
LGA s 10A(4)
- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause

- 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by 3.00 pm on the day of the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than three speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed to the public, the chair is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chair is to permit no more than three speakers to make representations in such order as determined by the chair.
- 14.17 Each speaker will be allowed three minutes to make representations, and this time limit is to be strictly enforced by the chair. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chair is to direct the speaker not to do so. If a speaker fails to observe a direction from the chair, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Information to be disclosed in resolutions closing meetings to the public

- 14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open

meeting would be, on balance, contrary to the public interest.

*Model Meeting Code
LGA s 10D*

Resolutions passed at closed meetings to be made public

- 14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chair must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chair under clause 14.21 during a part of the meeting that is webcast.

Model Meeting Code

Obligations of councillors attending closed meetings by audio-visual link

- 14.23 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Model Meeting Code – non-mandatory provisions

PART 15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chair to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in Part 2.
- 15.3 A point of order must be taken immediately it is raised. The chair must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chair must then rule on the point of order – either by upholding it or by overruling it.

Model Meeting Code

Questions of order

- 15.4 The chair, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chair, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chair to the matter.
- 15.6 The chair must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chair's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Model Meeting Code

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chair on a point of order or a question of order. If that happens, the chair must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chair must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chair must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chair can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Model Meeting Code

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act, the Regulation or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or

- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: A councillor also commits an act of disorder if, at a meeting of the council or a committee of the council, the councillor behaves in a manner described under clause 3.22 of the Waverley Code of Conduct for Councillors.

15.12 The chair may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) (b), or (e), or
- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the council, the chair may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Model Meeting Code

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.14 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by

the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code. Before taking this action, the chairperson must state the provision of this code that they believe has been breached.

- 15.15 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Model Meeting Code – non-mandatory provisions

Expulsion from meetings

- 15.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.
- 15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.19 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Use of mobile phones and unauthorised recording of meetings

- 15.20 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.21 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.22 Without limiting clause 15.17, a contravention of clause 15.21 or an attempt to contravene that clause,

constitutes disorderly conduct for the purposes of clause 15.17. Any person who contravenes or attempts to contravene clause 15.21, may be expelled from the meeting as provided for under section 10(2) of the Act.

- 15.23 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Model Meeting Code

PART 16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

Model Meeting Code

- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor must suspend their audio-visual link to the meeting so that the councillor cannot be seen or heard by the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

Model Meeting Code – non-mandatory provisions

Note: See Parts 4 and 5 of the Waverley Code of Conduct for Councillors

PART 17 DECISIONS OF COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Model Meeting Code
LGA s 371

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Model Meeting Code

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.11.

Model Meeting Code
LGA s 372(1)

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Model Meeting Code
LGA s 372(2)

- 17.5 If notice of a rescission motion is not given before the close of the meeting at which the decision was made, the decision may be carried into effect before the rescission motion has been dealt with. However, the general manager will not carry the decisions from a meeting into effect until 10 am on the next working day following the meeting. Notice of a rescission motion received by the general manager before this time will stop the decision being carried into effect until the rescission motion has been dealt with.

Supplementary provision

Code of Meeting Practice

- 17.6 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.11.

Model Meeting Code
LGA s 372(3)

- 17.7 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Model Meeting Code
LGA s 372(4)

- 17.8 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Model Meeting Code
LGA s 372(5)

- 17.9 The provisions of clauses 17.6–17.8 concerning lost motions do not apply to motions of adjournment.

Model Meeting Code
LGA s 372(7)

- 17.10 A notice of motion submitted in accordance with clause 17.7 may only be withdrawn under clause 3.12 with the consent of all signatories to the notice of motion.

Model Meeting Code

- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Model Meeting Code
LGA s 372(6)

- 17.12 In cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
- (a) a notice of motion signed by three councillors is submitted to the chair, and
 - (b) the chair rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council; and
 - (c) a motion to have the motion considered at the meeting is passed.
- 17.13 A motion moved under clause 17.12(c) can be moved without notice. Only the mover of the motion can speak to the motion before it is put.
- 17.14 A motion of dissent cannot be moved against a ruling by the chair under clause 17.12(b).

Model Meeting Code – non-mandatory provisions

Foreshadowing an alternative motion

- 17.15 If a councillor wishes to have an alternative motion considered once a rescission motion is adopted, the alternative motion must be:
- (a) included in the notice of motion to rescind the resolution lodged with the general manager, and be listed on the meeting agenda, or
 - (b) foreshadowed during the debate on the rescission motion.

Who can deal with a rescission motion

- 17.16 A notice of motion to rescind or alter a committee resolution can be dealt with by the committee or by the council.
- 17.17 A notice of motion to rescind or alter a council resolution can only be dealt with by the council.

Supplementary provisions

PART 18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude no later than 11.30 pm.
- 18.2 If the business of the meeting is unfinished at 11.30 pm, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at 11.30 pm, and the council does not resolve to extend the meeting, the chair must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chair.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

Model Meeting Code – non-mandatory provisions

PART 19 AFTER THE MEETING

Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Model Meeting Code
LGA s 375(1)

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Model Meeting Code
LGA s 375(2)

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

Model Meeting Code

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Model Meeting Code
LGA s 375(2)

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Model Meeting Code

Correspondence and reports tabled at a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports tabled at, or submitted to, the meeting.

Model Meeting Code
LGA s 11(1)

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or tabled at, or submitted to, the meeting when the meeting was closed to the public.

Model Meeting Code
LGA s 11(2)

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Model Meeting Code
LGA s 11(3)

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Model Meeting Code

Implementing council decisions

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

*Model Meeting Code
LGA s 335(b)*

*Note: See clause 17.5 of this Code regarding
rescission motions.*

PART 20 COUNCIL COMMITTEES

Application of this part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

Model Meeting Code

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Model Meeting Code

Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Model Meeting Code

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and

- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Model Meeting Code

Attendance at committee meetings

20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Model Meeting Code

Non-members entitled to attend committee meetings

20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Model Meeting Code

Chair and deputy chair of council committees

- 20.11 The chair of each committee of the council must be:
- (a) the mayor, or
 - (b) if the mayor does not wish to be the chair of a committee, a member of the committee elected by the council, or
 - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The council may elect a member of a committee of the council as deputy chair of the committee. If the council does not elect a deputy chair of such a committee, the committee may elect a deputy chair.
- 20.13 If neither the chair nor the deputy chair of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chair of the committee.
- 20.14 The chair is to preside at a meeting of a committee of the council. If the chair is unable or unwilling to preside, the deputy chair (if any) is to preside at the meeting, but if neither the chair nor the deputy chair is able or willing to preside, the acting chair is to preside at the meeting.

Model Meeting Code

Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chair of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.

- 20.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Model Meeting Code

Closure of committee meetings to the public

- 20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chair must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chair under clause 20.19 during a part of the meeting that is webcast.

Model Meeting Code

Disorder in committee meetings

- 20.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Model Meeting Code

Minutes of council committee meetings

- 20.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a committee meeting and whether they are attending the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a council meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.
- 20.23 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.24 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.25 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.26 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.27 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of

Code of Meeting Practice

committees of the council on its website prior to their confirmation.

Model Meeting Code

PART 21 IRREGULARITIES

21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

Model Meeting Code
LGA s 374

PART 22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chair	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code; and, in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the <i>Model Code of Conduct for Local Councils in NSW</i>
day	means calendar day
division	means a request by two councillors under clause 11.6 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under

Code of Meeting Practice

	clause 10.20 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.19 of this code during debate on an original motion
live stream	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June

**REPORT
CM/7.5/22.06**

Subject: Councillors' Fees - Local Government Remuneration Tribunal Determination 2022

TRIM No: A03/1343

Author: Al Johnston, Governance Officer

Director: Richard Sheridan, Interim Director, Finance and Governance

RECOMMENDATION:

That Council, in accordance with the Local Government Remuneration Tribunal's Annual Report and Determination 2022 attached to this report, endorses the annual fees payable to councillors for the year 1 July 2022 to 30 June 2023 as follows:

1. All Councillors (including the Mayor) – \$21,100.
2. Mayor – \$46,010 in addition to the Councillor fee.
3. Deputy Mayor – \$4,072 in addition to the Councillor fee, and that this amount be paid from the fees paid to the Mayor.

1. Executive Summary

The Local Government Remuneration Tribunal reviews the fees to be paid to Mayors and Councillors on an annual basis. The Tribunal has released its determination for the 2022–23 financial year recommending an increase of 2 per cent to commence on 1 July 2022.

This report recommends that Councillors' fees be increased to the amounts shown in Table 4 of the Tribunal's Annual Report and Determination 2022 attached to this report. If adopted, this will result in an increase in cost to Council of \$5,820 per annum.

2. Introduction/Background

In accordance with section 248 of the *Local Government Act*, Council must pay Councillors an annual fee and this fee must be fixed annually taking into consideration the determination of the Local Government Remuneration Tribunal. The annual fees fixed by Council must be the same for each Councillor and be paid by monthly instalments in arrears.

Under section 249 of the Act, Council must pay the mayor an annual fee, which is in addition to the fee paid to the Councillors.

The Tribunal's report outlining the results of the 2022 review is attached to this report. The Tribunal has awarded an annual fee increase of 2 per cent to commence on 1 July 2022.

3. Relevant Council Resolutions

Nil.

4. Discussion

The Tribunal's determination will result in a \$410 per annum increase for each Councillor and a \$900 per annum increase for the Mayor. The total cost to Council of the increase in fees will be \$5,820 per annum.

In September 1998, Council set an annual fee for the Deputy Mayor which is set at 8.85% of the Mayoral Fee and this has been indexed in line with increases in the Mayoral fee determined by the Tribunal. The Deputy Mayor's fees are deducted from the Mayor's annual fees as the Act requires all fees payable to the Deputy Mayor to be deducted from the annual fee set for the Mayor.

5. Financial impact statement/Time frame/Consultation

The increase in Councillors' fees will result in a total increase in cost to Council of \$5,820 per annum.

The increase has been included in Council's 2022–23 operational budget.

The increase will take effect from 1 July 2022.

6. Conclusion

It is recommended that the annual Councillor fees for the year 1 July 2022 to 30 June 2023 be increased in accordance with the Local Government Remuneration Tribunal's determination.

7. Attachments

1. 2022 Annual Determination [↓](#) .

Local Government Remuneration Tribunal

Annual Report and
Determination

*Annual report and determination under sections
239 and 241 of the Local Government Act 1993*

20 April
2022

[NSW Remuneration Tribunals website](#)

Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

Executive Summary

The *Local Government Act 1993* (LG Act) requires the Local Government Remuneration Tribunal (“the Tribunal”) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

The Tribunal found the allocation of councils into the current categories appropriate. Criteria for each category is published in Appendix 1. These categories have not changed further to the extensive review undertaken as part of the 2020 review.

Fees

The Tribunal determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

Local Government Remuneration Tribunal

Section 1 Introduction

1. Section 239 of the LG Act provides that the Tribunal determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act, requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees without breaching the Government's Wages Policy as per section 242A (3) of the LG Act.
5. The Tribunal's determinations take effect from 1 July each year.

Section 2 2021 Determination

6. The Tribunal received 18 submissions which included 9 requests for re-categorisation. At the time of making its determination, the Tribunal had available to it the Australian Bureau of Statistics 25 March 2020 population data for FY2018-19. The Tribunal noted the requirement of section 239 of the LG Act that it must determine categories for councils and mayoral offices at least once every 3 years. It noted that the Tribunal had conducted an extensive review in 2020 and decided that the categories would next be considered in 2023.
7. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's finding had regard to the 2020 review, the current category model and criteria and the evidence put forward in the received submissions.
8. In regard to fees, the Tribunal determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

Section 3 2022 Review

Process

9. In 2020, the categories of general purpose councils were determined as follows:

Metropolitan	Non-Metropolitan
<ul style="list-style-type: none"> • Principal CBD • Major CBD • Metropolitan Large • Metropolitan Medium • Metropolitan Small 	<ul style="list-style-type: none"> • Major Regional City • Major Strategic Area • Regional Strategic Area • Regional Centre • Regional Rural

Local Government Remuneration Tribunal

	<ul style="list-style-type: none"> • Rural
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10. The Tribunal wrote to all mayors or general managers and LGNSW on 14 October 2021 to advise of the commencement of the 2021 review and invited submissions regarding recategorisation, fees and other general matters. The Tribunal's correspondence advised that an extensive review of categories was undertaken in 2020 and, as this was only legislatively required every three years, consideration would be next be given in 2023. The correspondence further advised that submissions requesting to be moved into a different category as part of the 2022 review would require a strong case supported by evidence that substantiates that the criteria for the requested category is met.
11. Seven submissions were received from individual councils and one submission was received from LGNSW. The Tribunal noted that several of the submissions had not been endorsed by their respective councils. The Tribunal also met with the President, Chief Executive and Senior Manager of LGNSW.
12. The Tribunal discussed the submissions at length with the Assessors.
13. The Tribunal acknowledged previous and ongoing difficulties imposed by COVID19 and natural disasters on councils.
14. The Tribunal also acknowledged submissions from councils in regional and remote locations that raised unique challenges, such as travel and connectivity, experienced by mayors and councillors in those areas.
15. A summary of the matters raised in the received submissions and the Tribunal's consideration of those matters is outlined below.

Categorisation

16. Five council submissions requested recategorisation. Three of these requests sought the creation new categories.

Metropolitan Large Councils

17. Penrith City Council acknowledged that categories were not being reviewed until 2023. However, the Council reiterated their previous year's position and contended that their claim for the creation of a new category of "Metropolitan Large – Growth Centre" continues to be enhanced through their leading role in the Western Sydney City Deal. Council's submission further stated that the participation in the Deal demonstrated the exponential growth that will occur in the Penrith Local Government Area.
18. Blacktown City Council requested the creation of a new category "Metropolitan Large – Growth Area". Council stated that the current criteria for "Metropolitan Large" does not reflect the Council's size, rate of growth and economic influence.

Council based its argument for a new category on the following grounds:

- Significant population growth. Current estimated population of 403,000 with an expected population of 640,000 in 2041.
- Blacktown being critical to the success of the Greater Sydney Region Plan while also being part of the fastest growing district for the next 20 years.
- 4th largest economy in NSW – as of 30 June 2020, Gross Regional Product (GRP) was \$21.98 billion, comparatively City of Parramatta was \$31.36 billion.
- Undertaking of several transformational projects to increase economy and services. Examples include the redesign of Riverstone Town Centre, Australian Catholic University establishment of an interim campus for up to 700 undergrads

Local Government Remuneration Tribunal

with a permanent campus to open by 2024, the \$1 billion Blacktown Brain and Spinal Institute proposal and Blacktown International Sports Park Masterplan to provide a first-class multi-sport venue.

- Expansion in provision of services such as childcare, aquatic and leisure centres.
- Diversity of population.

Non-Metropolitan Major Regional City Councils

19. Newcastle Council requested clarification regarding City of Newcastle's status as either Metropolitan or Regional, noting that while City of Newcastle is classified as a "Major Regional City", the Newcastle Local Government Area is often exempt from both regional and metropolitan grant funding due to inconsistencies in classification. Council sought review on the following grounds:

- Size of council area 187km² (in comparison of Parramatta Council 84km²).
- Physical terrain.
- Population and distribution of population.
- Nature and volume of business dealt with by Council.
- Nature and extent of development of City of Newcastle.
- Diversity of communities served.
- Regional, national and international significance of City of Newcastle.
- Transport hubs.
- Regional services including health, education, smart city services and public administration.
- Cultural and sporting facilities.
- Matters that the Tribunal consider relevant

Regional Centre

20. Tweed Shire Council requested to be reclassified as a "Regional Strategic Area" on the following grounds:

- Proximity to the Gold Coast City and Brisbane.
- Proximity to Sydney via the Gold Coast airport.
- Tweed being the major population and city centre for the Northern Rivers Joint Organisation.
- Tweed being the largest employer and strongest growth area in the Northern Rivers.

Non-Metropolitan Rural Councils

21. Murrumbidgee Council requested recategorisation to "Regional Rural" as they are a product of the merger of the former Jerilderie Shire Council and the former Murrumbidgee Shire Council. Council also suggested that the criteria for "Regional Rural" is amended to:

- Councils categorised as Regional Rural will typically have a minimum residential population of 20,000 or can demonstrate one of the following features....
 - the product of the 2016 amalgamation where two or more Rural classified Local Governments Areas merged.

Findings - categorisation

22. The Tribunal assessed each Council's submission and found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's findings had regard to the 2020 review, the current category model and

Local Government Remuneration Tribunal

criteria and the evidence put forward in the received submissions.

23. Having regard to the requirements of sections 239 and 240 of the LG Act, the Tribunal did not find that any council's submission was strong enough for a change in category or for the creation of a new category.
24. The Tribunal did note, however, that some councils may have a better case for recategorisation at the next major review of categories in 2023.
25. The Tribunal was of the view that the 2023 determination and review of categories as required by s239 (1) of the LG Act will see more requests from councils for recategorisation and possible determination of new categories. The Tribunal and Assessors may benefit from visits to meet regional organisations of councils and direct opportunities for input from Mayors and general managers in this regard.

Fees

26. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
27. Pursuant to section 146C(1)(a) of the IR Act, the current government policy on wages is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Reg.). The IR Reg. provides that public sector wages cannot increase by more than 2.5 per cent per annum. The Tribunal therefore has the discretion to determine an increase of up to 2.5 per cent per annum.
28. Submissions that addressed fees sought an increase of a maximum of 2.5 per cent per annum or greater. These submissions raised issues such as comparative remuneration, cost of living and increasing workloads. One submission also suggested that higher fees are required to attract a higher standard of candidates to council roles.
29. The LGNSW submission contained 3 parts. The first part of the submission supported an increase of 2.5 per cent per annum in remuneration, but further argued that the maximum increase is inadequate and does not address the historical undervaluation of work performed by mayors and councillors, and the substantial expansion of their responsibilities and accountability in recent years. LGNSW used the following economic indexes and wage data in support of their argument:
 - Consumer price index (CPI)
 - National and state wages cases
 - Wage increases under the *Local Government (State) Award 2020*.
30. The second part of LGNSW's submission addressed inequity and impacts of low remuneration. It was supported by the research paper "Councillor perspectives on the (in)adequacy of remuneration in NSW local government: Impacts on well-being, diversity and quality of representation" (the "ANU Paper"), written by Associate Professor Jakimow of the Australian National University. A key finding of the ANU Paper was that "current remuneration levels are perceived as inadequately reflecting the extent and nature of council work." The finding was derived from the undertaking of

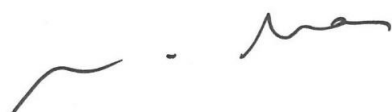
Local Government Remuneration Tribunal

a survey of councillors and mayors. The paper suggests that there is a disconnect between workload and remuneration and this was identified as the most frequent argument for increasing the current rate.

31. The third and final part of LGNSW's submission compared the minimum and maximum rates of NSW mayor and councillor remuneration to the remuneration of directors and chairpersons of comparable government bodies and not-for-profits, mayors and councillors in Queensland and members of the NSW Parliament. The submission contended that NSW mayor and councillor remuneration is below that of their counterparts.
32. Following the most recent review by the Independent Pricing and Regulatory Tribunal (IPART) the amount that councils will be able to increase the revenue they can collect from rates will depend on their level of population growth. IPART has set a 2022-23 rate peg for each council, ranging from 0.7 to 5.0 per cent. IPART's rate peg takes into account the annual change in the Local Government Cost Index, which measures the average costs faced by NSW councils, in addition to a population factor based on each council's population growth.
33. Employees under the *Local Government (State) Award 2020* will receive a 2 per cent per annum increase in rates of pay from the first full pay period to commence on or after 1 July 2022.
34. The Tribunal has determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

Conclusion

35. The Tribunal's determinations have been made with the assistance of Assessors Ms Kylie Yates and Ms Melanie Hawyes.
36. It is the expectation of the Tribunal that in the future all submissions have council endorsement.
37. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
38. Determination 2 outlines the maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils as per section 241 of the LG Act.



Viv May PSM

Local Government Remuneration Tribunal

Dated: 20 April 2022

Local Government Remuneration Tribunal

Section 4 2021 Determinations

Determination No. 1 - Allocation of councils into each of the categories as per section 239 of the LG Act effective from 1 July 2021

Table 1: General Purpose Councils - Metropolitan

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta
Metropolitan Large (12)	Metropolitan Medium (8)
Bayside	Campbelltown
Blacktown	Camden
Canterbury-Bankstown	Georges River
Cumberland	Hornsby
Fairfield	Ku-ring-gai
Inner West	North Sydney
Liverpool	Randwick
Northern Beaches	Willoughby
Penrith	
Ryde	
Sutherland	
The Hills	
Metropolitan Small (8)	
Burwood	
Canada Bay	
Hunters Hill	
Lane Cove	
Mosman	
Strathfield	
Waverley	
Woollahra	

Local Government Remuneration Tribunal

Table 2: General Purpose Councils - Non-Metropolitan

Major Regional City (2)	Major Strategic Area (1)	Regional Strategic Area (1)
Newcastle	Central Coast	Lake Macquarie
Wollongong		

Regional Centre (24)		Regional Rural (13)
Albury	Mid-Coast	Bega
Armidale	Orange	Broken Hill
Ballina	Port Macquarie-Hastings	Byron
Bathurst	Port Stephens	Eurobodalla
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree
Cessnock	Shellharbour	Griffith
Clarence Valley	Shoalhaven	Kempsey
Coffs Harbour	Tamworth	Kiama
Dubbo	Tweed	Lithgow
Hawkesbury	Wagga Wagga	Mid-Western
Lismore	Wingecarribee	Richmond Valley Council
Maitland	Wollondilly	Singleton
		Snowy Monaro

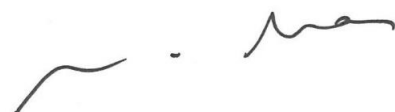
Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth

Local Government Remuneration Tribunal

Rural (57)	
	Yass

Table 3: County Councils

Water (4)	Other (6)
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie



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Local Government Remuneration Tribunal

Dated: 20 April 2022

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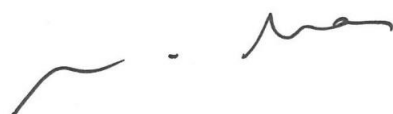
Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2022

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2022 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee (\$) effective 1 July 2022		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2022	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,750	42,170	175,930	231,500
	Major CBD	19,180	35,520	40,740	114,770
	Metropolitan Large	19,180	31,640	40,740	92,180
	Metropolitan Medium	14,380	26,840	30,550	71,300
	Metropolitan Small	9,560	21,100	20,370	46,010
General Purpose Councils - Non-Metropolitan	Major Regional City	19,180	33,330	40,740	103,840
	Major Strategic Area	19,180	33,330	40,740	103,840
	Regional Strategic Area	19,180	31,640	40,740	92,180
	Regional Centre	14,380	25,310	29,920	62,510
	Regional Rural	9,560	21,100	20,370	46,040
	Rural	9,560	12,650	10,180	27,600
County Councils	Water	1,900	10,550	4,080	17,330
	Other	1,900	6,300	4,080	11,510

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



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Local Government Remuneration Tribunal

Dated: 20 April 2021

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Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Local Government Remuneration Tribunal

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

Local Government Remuneration Tribunal

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a

Local Government Remuneration Tribunal

significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 200,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

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Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.

REPORT

CM/7.6/22.06



Subject: Environmental Action Plan 2022-2032

TRIM No: A08/1210

Author: Sam McGuinness, Executive Manager, Environmental Sustainability

Director: Mitchell Reid, Acting Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council adopts the Environmental Action Plan 2022-2032 attached to the report.

1. Executive Summary

This report is seeking Council approval to adopt Environmental Action Plan 2022-2032 (EAP) attached to this report, which has been exhibited for 28 days and updated with a small number of amendments following exhibition.

2. Introduction/Background

The Environment Action Plan 2022-2032 (EAP) and its deliverables are integrated into other key Council Strategies including the Draft Community Strategic Plan, Waverley 2032, the Draft Delivery and Operations Plan. The EAP outlines ambitious environmental targets for both Council and the broader community. The Community Strategic Plan (CSP) includes the two pillars of sustainability and resilience which supports the targets and strategies of the EAP. The EAP has been prepared in coordination with the Draft Waverley Strategic Asset Management Plan 5 to ensure that Council's assets are sustainable and resilient.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 12 April 2022	CM/7.3/22.04	That Council: <ol style="list-style-type: none"> Publicly exhibits the draft Environmental Action Plan (EAP) 2022–2032 attached to the report for 28 days. Officers prepare a report to Council following the exhibition period.
Council 15 March 2022	CM/6.1/22.03	That Council: <ol style="list-style-type: none"> Adopts an ambitious community greenhouse gas emission target of net zero by 2035 and that this be included in the draft Environmental Action Plan and draft Waverley Community Strategic Plan for public exhibition. Requests that a report be prepared outlining:

		<p>(a) Costed actions on how Council can support and enable the community to achieve this target.</p> <p>(b) Other potential activities, such as increasing the penetration of solar on Waverley houses, strata and businesses in combination with the grid decarbonising, i.e. moving away from fossil fuels towards 100% renewable energy.</p> <p>3. Receives this report by August 2022.</p> <p>4. Notes that Council has declared a climate and biodiversity emergency.</p> <p>5. Notes that the General Manager has entered into a contract on behalf of Council with ZEN Energy for 100% renewable energy.</p>
Council 15 February 2022	CM/8.1/22.02	<p>That Council:</p> <p>1. Liaises with industry and local sustainability experts to recommend best practice options for Council to enable the uptake of rooftop solar and battery storage (where feasible) in residential flat buildings and other buildings with residential use (e.g. mixed use development, shop top housing development, dual occupancy, boarding houses) in the Waverley local government area.</p> <p>2. Identifies any eligible grants from bodies such as the Australian Renewable Energy Agency (ARENA) that may be able to support the implementation of the project.</p> <p>3. Officers prepare a report to Council that includes an outline of the feasibility, options, costs, timelines and requirements of this program, including any procurement issues.</p> <p>4. Assuming its feasibility, integrates the program into the next draft Environmental Action Plan.</p>
Council 20 July 2021	CM/7.7/21.07	<p>That Council:</p> <p>1. Updates its greenhouse gas emission target to achieve net zero for scope 1 and 2 emissions based on the 2003–04 baseline by 2030.</p> <p>2. Amends the next Environmental Action Plan to reflect the new target.</p> <p>3. Notes that the 2021–2022 Operational Plan and Long Term Financial Plan 5.3 support the net zero target.</p>

4. Discussion

The Environmental Action Plan 2022-2032 includes chapters on the following key areas:

- Sustainability Leadership.
- Urban Ecology.
- Sustainable Water.
- Managing Waste and Sustainable Materials.
- Climate Resilience.

The EAP continues to have targets for both Council and for the Local Government Area (LGA). A number of targets have been updated in this iteration of the EAP. The Council greenhouse gas (GHG) emission target has been brought forward to be net zero by 2030, Council will purchase 100% renewable energy by 2030 and Council will be carbon neutral moving forward. These targets will be achieved by purchasing all renewable electricity, removing natural gas from our assets and electrifying, decarbonising our transport fleet through electric vehicles and carbon offsets.

The community greenhouse gas target has been brought forward to 2035 reflecting the need for urgent and ambitious greenhouse gas reductions that the latest scientific reports have shown are required to avoid temperature rise of 2 degrees or more into the future. Amongst many actions, this will require the broader electricity grid to quickly transition to 100% renewable and for electric vehicles to be standard in Waverley in 10 years' time.

The waste targets have been updated to align with the NSW Government Waste and Sustainable Materials Strategy target of 80% average recovery rate from all waste streams and a 50% reduction in organic waste sent to landfill by 2030. Key to achieving this will be through increasing the quantity of food organics (FO) that is separated and composted in addition to the garden organics (GO) that Council already collects. Council will prepare an updated Waste Strategy in 2022 to outline the pathway to achieving this and the changes that will be required to Council's waste collection and processing.

Achieving ambitious targets for Council will require significant effort but achieving community targets is more difficult as Council has lower levels of control and influence. This will require Council to actively lead by example and deliver demonstrable results within our own assets. Council will proactively work with key community and government stakeholders while also fostering and enabling community-led environmental action to enable water, canopy, waste, and greenhouse gas emissions targets to be achieved.

The Draft Plan was exhibited for 28 days on Council's website. Community engagement also occurred through in person stalls at the Ocean Lovers Festival and through Council's email bulletin and the environmental news email distribution list.

Four community submissions were received on six different topics, as well as four internal submissions.

Table 1. Submissions.

Number of responses	Topic	Issue	Response
1	Sydney Water ocean outfalls at Diamond Bay and Vacluse	Council should more strongly advocate Sydney Water so that the untreated ocean outfalls are closed	Noted. Text has been changed from Council "supporting", to "ensuring" Sydney water complete this project.

1	Net Zero emission	Further detail on carbon credits that are offset and how this is defined. Council should commit to the Fossil Fuel Treaty.	The definition has been clarified on p. of the EAP. Council has strengthened our greenhouse gas emission targets in line with this treaty so the EAP does not require further amendment.
2	FOGO and State Waste targets	The EAP should provide additional detail on how the FOGO will be implemented and when and outline challenges associated with achieving the 80% diversion target	This level of detail will be completed in the Waste Strategy which will be prepared in 22/23. Wording has been amended in the EAP so that the Strategy incorporates a timeline for this.
2	Strengthen resource recover and recycling	Additional specifics should be included in the EAP on how diversion targets will be achieved and problem waste managed, with a focus on problem wastes.	Additional detail for this will be through the Waste Strategy. Problem wastes is a key waste deliverable currently and in the draft EAP so no amendment is proposed.
1	Shading and cooling	Council should prioritise shade for health and cooling benefits along active transport routes and in Coastal Management Plans	Noted. This will be included as part of the Urban Canopy Strategy and the wording in the EAP will be amended.

As summarised in the above table, the following changes have been made:

- On page 15, the text regarding water quality and the Sydney Water Refresh project has been changed from Council 'supporting', to 'ensuring' so that this project is completed.
- On page 21, in regard to the Waste Strategy that is to be prepared that this includes an 'implementation timeline'.
- On page 13, a reference to natural shading of pedestrian routes is now included.

In addition to this, a number of clarification changes have been made following staff feedback. The following changes have been made to the attached Environmental Action Plan:

- The temperature graph on page 4 has had the source reference added from the Intergovernmental Panel on Climate Change (2021).
- The waste graph on page 20 has had the annual tonnage data added.

- The proportion of problem station materials has had the labelling corrected.
- The target of 0% loss of native vegetation has been corrected to state 0% loss of *remnant* native vegetation.

The updated Environmental Action Plan is a digital document that has been updated to incorporate links to Council project webpages and external references. This will assist it to be used as a digital communication tool. The Environmental Action Plan will be communicated through presentations to Precinct Committees, Council events and workshops.

5. Financial impact statement/Time frame/Consultation

The key deliverables of the Environmental Action Plan 2022-2032 are costed in the Long Term Financial Plan (LTFP) capital expenditure and as part of the Sustainable Waverley operational budget. Council has prepared an enhanced budget layer as part of the LTFP as it is recognised that ambitious environmental targets may require additional resources so that they can be achieved.

6. Conclusion

The Environmental Action Plan 2022-2032 outlines Council's ambitious environmental targets and the actions and deliverables required to achieve them and underpins Council's future activities in the area of environmental sustainability.

7. Attachments

1. Environmental Action Plan 2022-2032 [↓](#) .



Environmental Action Plan

2022 – 2032



second
nature



ENVIRONMENTAL ACTION PLAN

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We pay respect to the Bidjigal and Gadigal people, who traditionally occupied the Sydney coast and the land and sea country of Waverley, and to Elders past and present. We acknowledge the survival and ongoing resilience of indigenous ways of knowing, being and doing, and work to ensure the programs and activities in this Environmental Action Plan help strengthen connection to culture and community. By respecting Aboriginal and Torres Strait Islander peoples' intrinsic relationship with the land and waters, we can value, learn and strengthen protection of our environment.

A Message from our Mayor

Waverley is known for its spectacular coastline, but also for a community that is passionate about the environment and sustainability.

Waverley Council was one of the first local governments to set ambitious environmental targets for its organisation and community through a detailed and funded 10-year plan. Now in its fifth iteration, this Environmental Action Plan includes strengthened long-term targets and actions to realise our goals in:

- Reducing greenhouse gas emissions and preparing for climate change
- Protecting and enhancing biodiversity
- Conserving water and improving water quality
- Improving waste management and recycling

Through award winning programs, progressive education and implementation, and embedding Council wide approaches and actions, Waverley has enjoyed many successes. Our [2021 State of the Environment Report](#) confirms that we have met Council's water, energy and emission reduction goals, we have doubled our remnant vegetation in good condition and reduced kerbside and problems wastes significantly over the last few years.

But environmental challenges remain. Waverley is densely populated and welcomes millions of visitors each year. Plastic pollution and waste on our beaches and streets threaten our marine ecosystems. We must work hard to protect and restore our unique biodiversity and waterways, and we must ensure our residents, many living in apartments, have access to the support and knowledge they need to live a more sustainable life.

As well as eliminating greenhouse gas emissions from Council operations by 2030, we are also committed to reducing community greenhouse gas emissions, to net zero by 2035. This will not be easy, however to avoid the worst effects of climate change, we must urgently act together. This plan details how we will harness the values and motivations of our local residents, businesses and visitors to address our local and global environmental challenges, which will make our organisation and our community stronger, resilient and safer in the future.

Paula Masselos,
Mayor of Waverley





Waverley's Climate Scenario

Human activities are causing atmospheric concentrations of heat-trapping greenhouse gases to rise higher and faster than the past two million years. This is driving changes in the frequency, intensity, and duration of different weather events and patterns in Australia.

Australia's climate has warmed consistently since 1910. Rainfall is declining in the southeast, most notably in winter, extreme fire weather has increased, and oceans are acidifying, warming and expanding. Sea level rise and more frequent extreme weather events are increasing the risk of inundation and damage to coastal infrastructure and communities.

The impact of intensifying natural hazards, under rising global greenhouse gas emissions, increases climate change risks to human health and wellbeing, ecosystems, infrastructure and services, and will significantly impact our economy through damage costs.

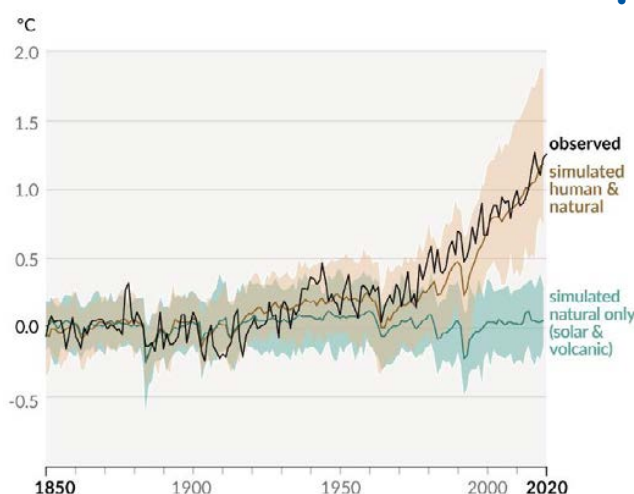


Figure 1- Change in global surface temperatures (Intergovernmental Panel on Climate Change 2021)

But while climate change is a global phenomenon, the impacts of climate change are experienced locally. So local responses are fundamental to planning, preparing and managing to local climate change impacts.

Historically, Waverley has warm to hot summers and mild to cool winters. Seasonal variation is minimal due to our coastal location. Annual rainfall is ~1200mm with significant variability year on year (between 809mm-2165mm over the last 50 years).

Going forward Waverley can expect:

- Average temperatures to increase yearly
- More frequent extreme heat (days above of 35°C)
- Extended drought periods
- Changing seasonality of rainfall
- Increased intense rainfall events
- Increased air quality risks associated with regional bushfire
- Longer summers and shorter winters, with a likelihood of increased storm activity in Summer and Autumn
- Increasing coastal risks. Under current emission rates, Sydney's mean sea levels are projected to rise 15cm by 2030 and 50cm by 2070, but storms and wave setup can also increase local water levels (BMT 2021).

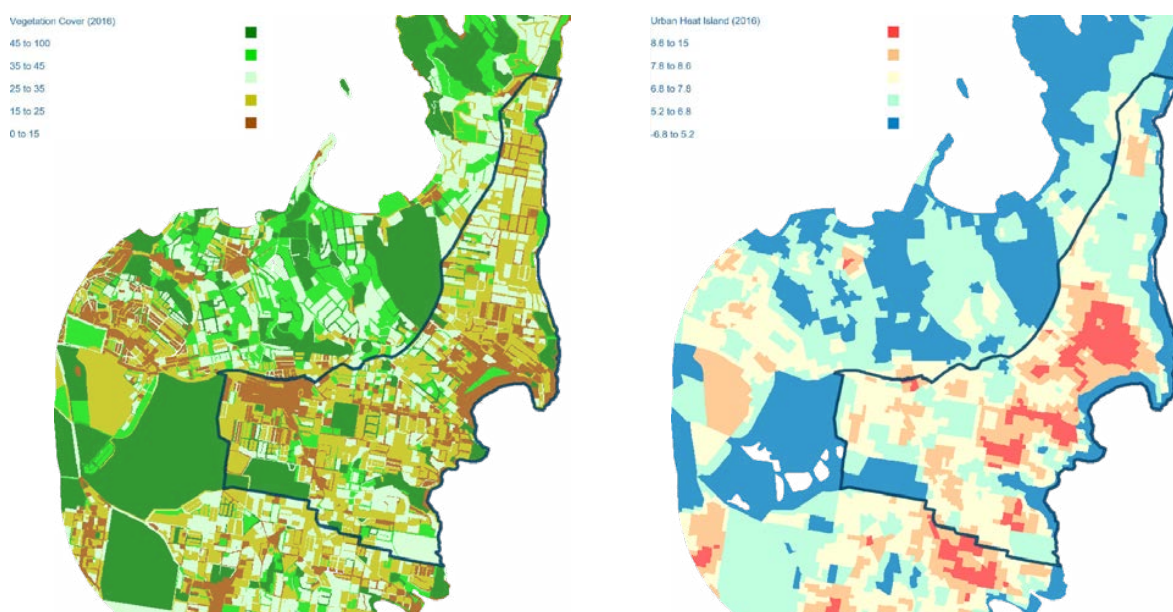


How can we Plan and Respond?

It's important we plan to reduce climate related vulnerabilities in Waverley now, as risks are likely to increase in the future. Planning and responding to changes in climate can involve adaptation to practices, policies, designs and materials. There is no single solution, but by working together with community, business and government we can increase our climate resilience.

We can:

- Increase and protect urban vegetation to provide cooling and health and wellbeing benefits
- Engage with communities to prepare for emergencies resulting from extreme weather
- Ensure appropriate design of buildings (e.g. shaded windows, insulation and effective ventilation).
- Protect essential services at risk from climate hazards (e.g. transport, telecommunications and water infrastructure).
- Identify thresholds for unacceptable change in natural areas.
- Incorporate future sea level rise risk into coastal infrastructure planning.
- Develop community led responses to build neighbourhood resilience to climate change.



Maps of Waverley Council showing the correlation between Vegetation Coverage and Urban Heat Island Effect, where colour represents degrees of temperature difference to a natural surface (vegetation) on a hot day. (NSW DPIE 2019)



01 Sustainability Leadership

Circular, Resilient and Sustainable Council

Council leading by example and delivering results

Positive impact of operations, policies and processes

Fostering advocacy and community-led environmental action



This Environmental Action Plan outlines how Council will continue to be a leader in environmental sustainability by implementing targeted measures and emission reductions covering transport, climate resilience, urban ecology, water management and waste and sustainable materials. To meet community expectation, we hold Council to the highest standards of environmental performance and stewardship of our local area.

Waverley’s ambitious environmental goals are informed by our commitments to address the [Climate and Biodiversity Emergency](#), adopt [circular economy principles](#) and a long-standing commitment to embed environmental sustainability across Council’s operations and outcomes.

Our targets are informed by science, best practice and developed collaboratively to ensure ongoing positive impact on our local environment, people and the planet. This includes supporting all staff with the right tools and knowledge, championing leadership by council decisions makers, and reflecting our environmental values in key strategies including investments, planning and asset management.

Actions by Council alone won’t be enough to tackle environmental issues and create a vibrant and resilient community, that takes care of each other, our natural environment and our local places. We will continue to partner with the community and advocate for positive change, so as to influence action by other levels of government and stakeholders to achieve better environmental results.





Our targets

Net Zero

council emissions
by 2030 (scope
1, 2 and 3)

100%

Renewable
Energy

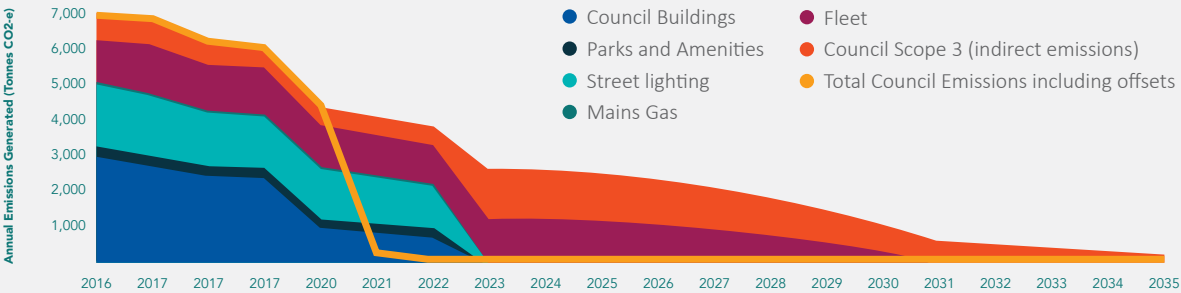
0%

increase in
Council
Water use

Improve

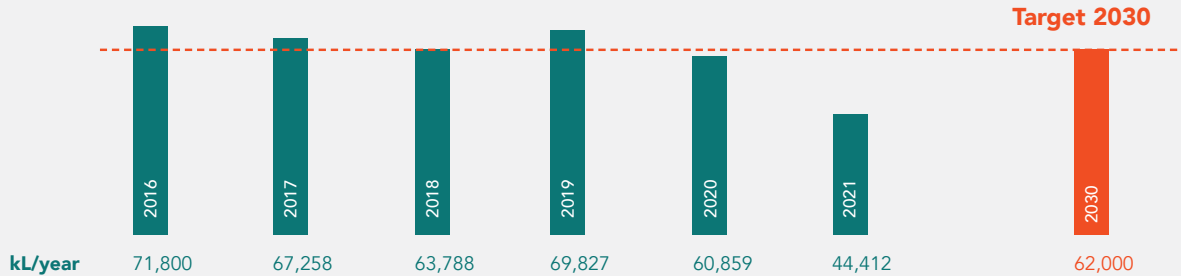
Council's sustainability
performance

Waverley Council Net Zero Emissions 2030



Source: Waverley Council

Annual Council water consumption



Source: Waverley Council (NB Temporary decreases in 20/21 were due to major projects under development)



Key Deliverables

Net Zero emissions for Council operations

Waverley Council will achieve Net Zero emissions by 2030 by pursuing ongoing energy efficiency, purchasing 100% renewable energy, and ending fossil fuel use for Council operations, buildings and facilities. Since 2020, Council has offset our fuel and energy emissions to be carbon neutral. Forward actions will include identifying solar and battery opportunities, fleet transition to electric vehicles and quantification of waste, transport, procurement and embodied carbon impacts. Accredited offsets will be obtained where required to maintain our climate neutrality, supported by rigorous monitoring and reporting.

Second Nature engagement and education

Delivering community education, engagement and behaviour change programs that create positive impact and enable the achievement of Council goals and program outcomes. This includes working with schools on sustainability challenges, delivering coordinated engagement with residents in houses and multi-unit dwellings on energy, water and waste as well as delivering knowledge and workshops that build community capacity to be sustainable and resilient.

Improve Council sustainability performance

Shifting from compliance-led sustainability performance to systemic achievement of goals and targets. This will be achieved by providing leadership, strengthening accountability, and providing staff training and resources to achieve no increase in water use, more procurement of recycled and recyclable materials, sustainability embedded in the design and operation of Major Projects, and moving towards zero waste, low impact events.

Support Community-led Environmental action

Continuing to support community and business led initiatives and advocacy to tackle environmental issues by enabling collective impact programs and activities such as [Power to the Future](#). This includes working with government stakeholders to enable effective delivery of programs and activities such as community gardening and composting, and building the capacity of local community group, and offering [Environmental Small Grants](#) to support local on-ground sustainability initiatives.





02 Climate resilience

Reduce Community emissions and prepare for climate risks

Increase uptake of renewable energy and electric vehicles

Energy efficient buildings and infrastructure

Identify and manage climate risks

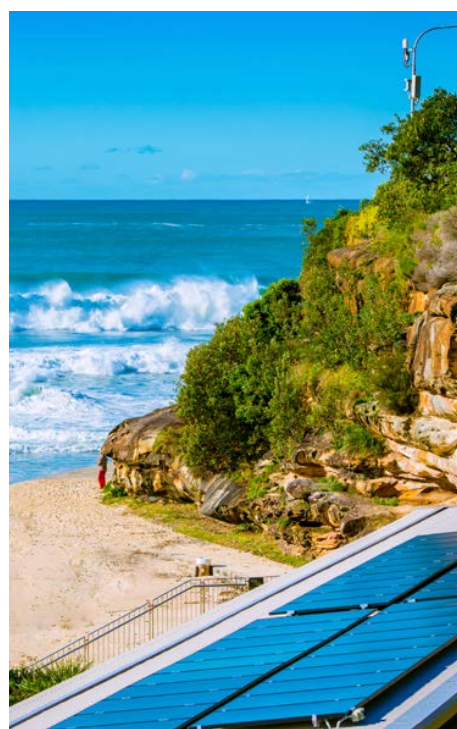


Urgent greenhouse gas emissions reductions are required across all sectors of society, and the sooner achieved, the sooner the impacts of climate change will be reduced, not only in Waverley but globally. Therefore, action on climate change is the responsibility of every level of government, each organisation and individuals.

Historically, achieving Waverley's community emissions targets has been extremely challenging. However, over the next decade significant emissions reductions will be realised through the "greening of the grid", which is being

driven by renewable energy and net zero policies and targets.

Waverley is striving for Net Zero greenhouse gas emissions in the community by 2035 by ensuring our homes, workplaces, schools and transport choices support this exciting transition. Council will provide infrastructure, education, financing support and leadership that reflects our community's ambition for a safe climate; and respond with the urgency of action required to avoid the worst social, economic and environmental impacts of climate change, honouring our [Climate and Biodiversity Emergency Declaration of 2019](#).





Our targets

Net Zero

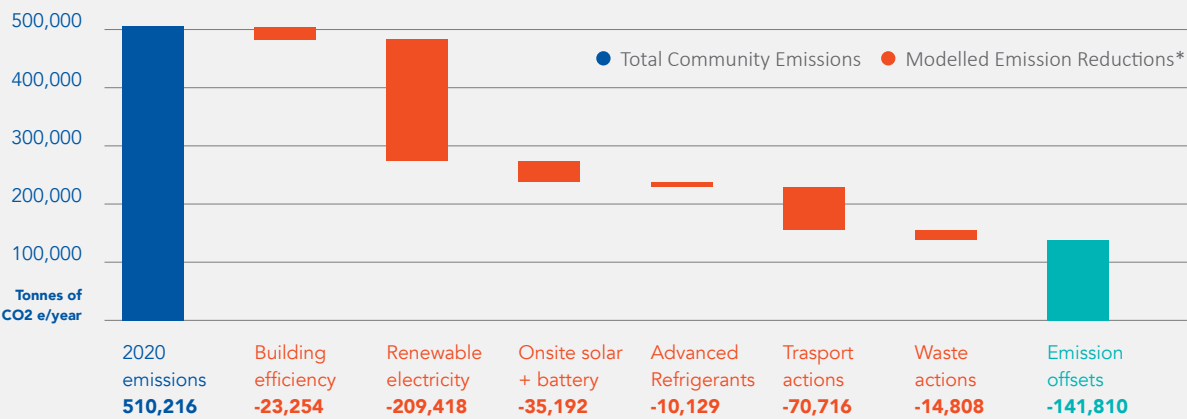
Community emissions by 2035

Waverley's

climate resilience is enhanced

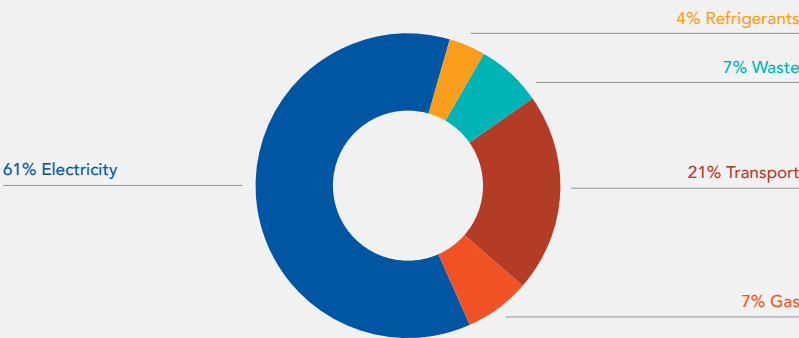
Net Zero means greenhouse gas emissions are reduced in line with the latest climate science and trajectory to 1.5°C, and any hard to abate residual emissions are offset.

Net Zero Community Target 2035



*Community 2020 greenhouse emissions do not include food, freight, flights or construction emissions

Waverley greenhouse gas emissions by source 2019/20



Source: Resilient Sydney and Waverley Council



Key Deliverables

Strive for Net Zero community emissions

Waverley has committed to an ambitious Net Zero target for community emissions by 2035, to support the [NSW Future Energy Action Plan 2020-2025](#). This will involve ongoing community education and engagement, the phase out of fossil fuels, advocacy for 100% renewable energy in the grid, support for installing solar and batteries locally and renewable energy purchasing.

Improve efficiency of buildings

Targeted support to increase renewables, optimize energy efficiency and capture opportunities for efficient technologies will be offered across residential and commercial sectors, through programs including [Building Futures](#), [Energy Smart Cafes](#) and [Solar my Suburb](#). We will promote incentives for the electrification of buildings and the removal of potent greenhouse gases. Council will advocate for high sustainability standards and the consideration of future climate in building controls.

Support Environmental Upgrades and incentives

Council will leverage incentives and broker advice to support affordable emissions reductions for homes and businesses, including through [Environmental Upgrade Finance](#) and capturing cost effective opportunities from the [NSW Energy Savings Scheme](#) and other available rebates.

Encourage low emissions mobility

Council will encourage the uptake of Electric Vehicles and active transport, supporting the deployment of charging stations and aligning with the [NSW Electric Vehicles Strategy 2022](#). We will support shared vehicles as well as separated bike paths and optimised walking options including through natural shading of pedestrian routes.

Assess and address climate risks

While reducing emissions is vital, we must also plan and respond for the climate impacts we cannot avoid. Climate change is already contributing to changing seasonality and intensity of extreme weather. Council will prepare to manage risks including increasing temperatures, storms and coastal hazards, and apply an integrated Resilience framework to reduce vulnerabilities across Planning, Environmental, Community, Emergency and Infrastructure programs. Collaboratively, we will develop projects, investments and policies to strengthen Waverley's capacity to survive, adapt and thrive in the face of increasing uncertainty and disruptions from climate change.



Image Credit - Sandra Paino



03 Sustainable Water

Conserving water and improving water quality

Water harvesting
and Recycled Water
infrastructure

Stormwater Quality
Improvement and Water
Sensitive Urban Design

Water conservation and
quality initiatives, through
controls and engagement



Managing Waverley's water resources will be increasingly challenged by population growth and unpredictable impacts of climate change, such as extended droughts and floods. Securing clean and sustainable water sources will help conserve water, protect our waterways and support recreation, cooling and greening in Waverley.

Waverley's beaches consistently achieve good ratings through the NSW Government's [Beachwatch](#) program, which measures and reports water quality at Bondi, Bronte and Tamarama. However, water quality issues at our beaches do occur, particularly after rain due to stormwater run-off and also in our receiving catchments of Sydney Harbour and Centennial Parklands. Council manages Gross Pollutant Traps at our beaches and integrates Stormwater Quality Improvement Devices to remove pollutants from runoff and protect our waterways from the impacts of urban

development and visitation. Council has been actively working to ensure [Sydney Water](#) connect the remaining areas in Watson's Bay, Vaucluse and Rose Bay that aren't connected to the sewerage treatment system, so that untreated effluent no longer enters the coast at Diamond Bay and near to Eastern Reserve.

While achieving community water savings is challenging, Council will maintain its community water target at no net increase based on 2006 levels. We will continue to support the community to manage and conserve water through education, planning controls and programs such as [Waterwise Apartments](#) and supporting Commercial water users to manage water use. While water demand can be influenced by annual temperature and rainfall fluctuations, last year's 10% reduction in community water use was most likely influenced through the impacts of COVID restrictions on commercial properties, and will be difficult to maintain into the future.





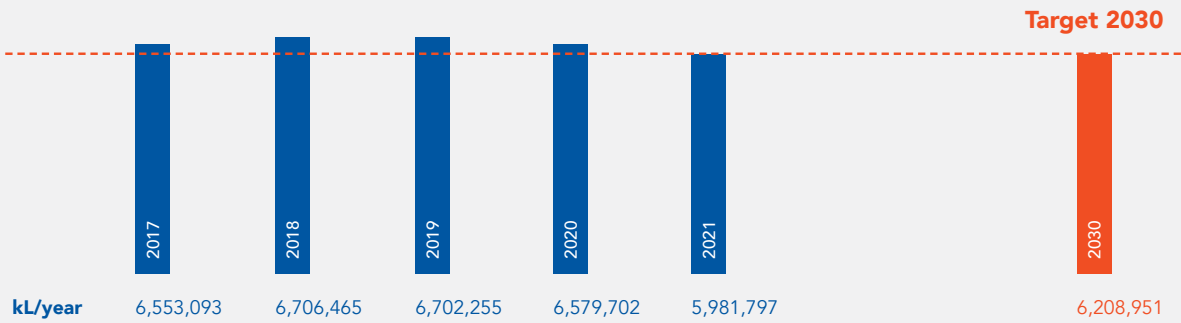
Our targets

0%
increase in community water use by 2030 (based on 2005/06 level of 6,208,915KL)

Pollution
in waterways is minimised by 2030

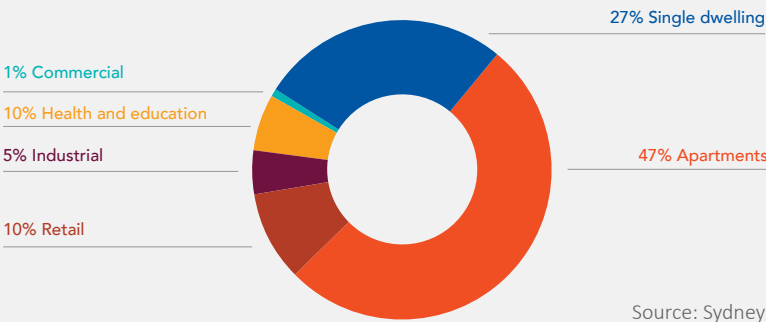
Good
or better Beachwatch ratings for all beaches

Annual community water consumption



Source: Sydney Water.

Community Water Use by Sector 2019-20



Source: Sydney Water and analysed by Resilient Sydney, 2022



Key Deliverables

Maintain and optimise recycled water use to manage and minimise water use.

The ongoing use of [recycled water and stormwater harvesting](#) at Bondi, Tamarama and Bronte Beaches and Barracluff and Waverley Park is key to minimising Council's potable water use. This will be done in conjunction with smart irrigation systems and ongoing digital leak detection.

Improve and maintain stormwater management by removing remove sediment and pollutants.

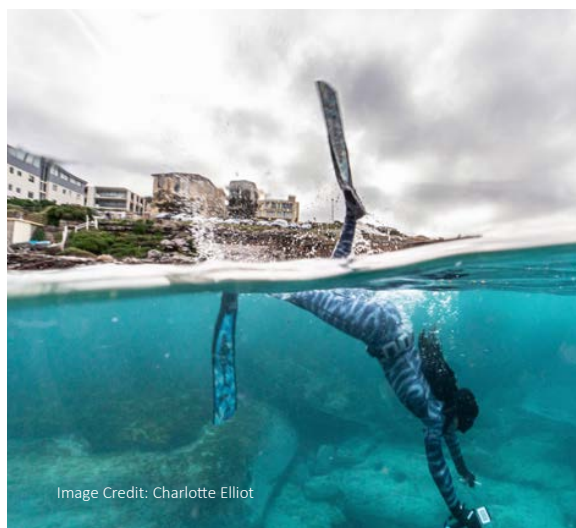
Council will continue to remove multiple tonnes of waste and sediment to protect water quality at our beaches and support the marine environment and recreation. Future works will be focused on North Bondi and in the Sydney Harbour, Open Coast and Centennial Park catchments.

Water Sensitive Urban Design embedded in design of major projects and council assets.

Council streetscapes, cycleways, parks and stormwater assets, will maximise permeable surfaces and include raingardens, trees and other interventions to improve water quality and support urban greening and canopy on Council streets.

Work with neighbouring councils and Centennial Parklands, residents and businesses.

Council will collaboratively develop [Eastern Beaches](#) and [Sydney Harbour](#) Coastal Management Programs. We will promote and leverage water efficiency opportunities including Sydney Water's [WaterFix](#) programs for local commercial, strata and small business customers and work to prevent and promptly respond to local pollution incidents.





04 Managing Waste and Sustainable Materials

Moving towards a Zero Waste Community and a Circular Economy

Recycling right
and problem
wastes disposal

Organics
separation
opportunities

Education and
enforcement to reduce
litter and illegal dumping



Traditional linear waste processing is no longer sustainable. Going forward, Council waste management approaches will focus on circular economy principles to eliminate waste and reduce the continual use of new resources. This will ensure we can safely manage our waste, and minimise impacts on our environment and community.

Since 2016, Council has increased waste recovery from 32% to 58%, by diverting waste from landfill. Our kerbside red-lid bin waste, including food waste, is processed through a Mechanical and Biological Treatment facility at Woodlawn where metals and contaminants are separated out, and remaining organic material is directed to the rehabilitation of a mine tailings dam.

Transitioning toward a circular economy reflects Waverley targets for waste minimisation and increased resource recovery. It enshrines Waverley's commitment to managing waste

generated in our community from households, businesses as well as the public domain. By designing out waste, using resources more effectively to keep them in the system for longer, and ensuring a sustainable end of life of all materials, we can generate jobs, create a more robust economy, increase the accessibility of local suppliers, maximise the value of resources and reduce waste.

The [NSW Waste and Sustainable Materials Strategy 2041 Stage 1 plan: 2021–2027](#)

outlines actions required to meet legislated targets in waste reduction and greenhouse emissions, reducing harm to our environment, and boosting innovation to help drive the economy. Council is aligning its domestic waste service and targets with this strategy, which mandates halving organic waste sent to landfill by 2030. To meet this target, Council is working closely with its waste processing contractor to scope food and organics waste separation and recovery opportunities so that organic waste is used at its highest potential.





Our targets

80%

recovery rate from all waste streams by 2030 from 2017/18 levels

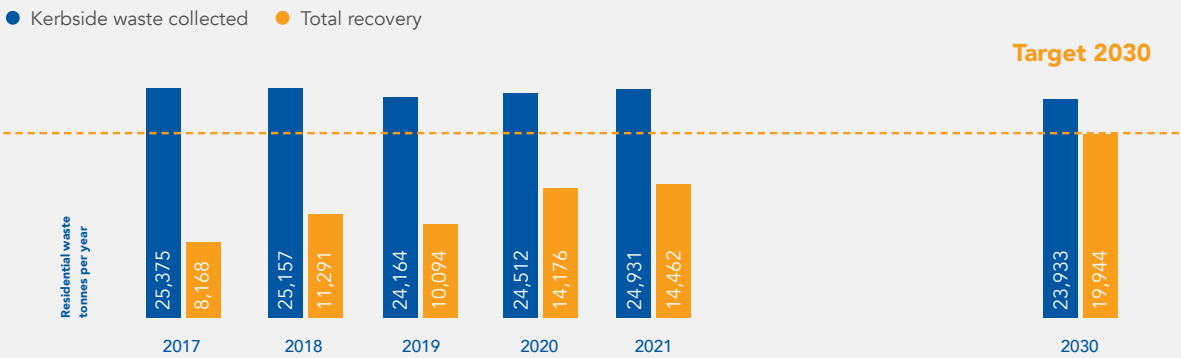
50%

reduction in organic waste sent to landfill by 2030 from 2017/18 levels

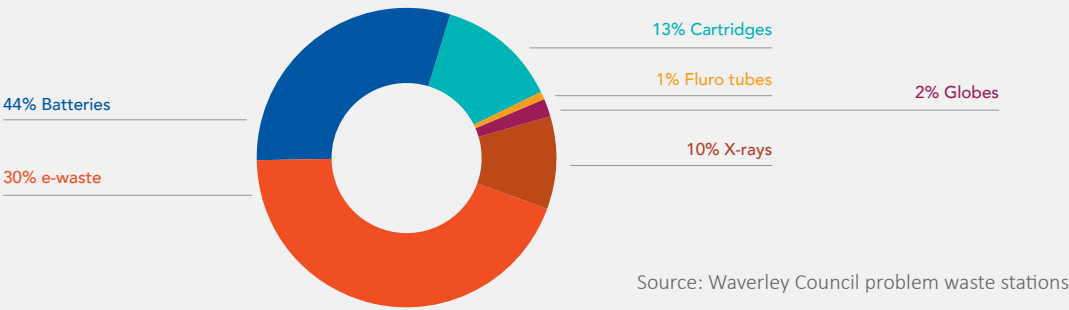
60%

reduction in litter by 2030 from 2009 levels

Residential Waste and Recovery



Problem Waste collected in 2020-21





Key Deliverables

Meet the NSW Waste and Sustainable Materials Targets

Council will prepare an updated Waste Strategy, to detail the implementation timeline for an enhanced waste and recycling collection service for the Waverley Community. This is to meet the State Government targets, including diverting organics from landfill by 2030. Council will continue to phase out single use plastics, design out waste through planning controls and increase the [recycled content in our assets](#) and procurement.

Deliver Community education and advocacy for waste avoidance and reuse

Community-focused Circular Economy programs will raise awareness about the importance of waste avoidance, reuse, recycling and repurposing before sending materials to landfill. Education and engagement focussed on recycling, problem waste recovery, food and organics management and recovery opportunities will target residents, businesses, and school communities. Waste education, clean-ups and knowledge sharing through webinars, community led actions and face to face activities will build capacity and support behaviour change that aligns with circular economy principles.

Prevent litter and illegal dumping

Education, infrastructure and enforcement will target local hotspots to ensure neighbourhood amenity is protected and our streets are clean for everyone to enjoy. Council will continue to provide enviropoles along our streets for cigarette butt waste, which can be recycled and repurposed into park benches and building materials.

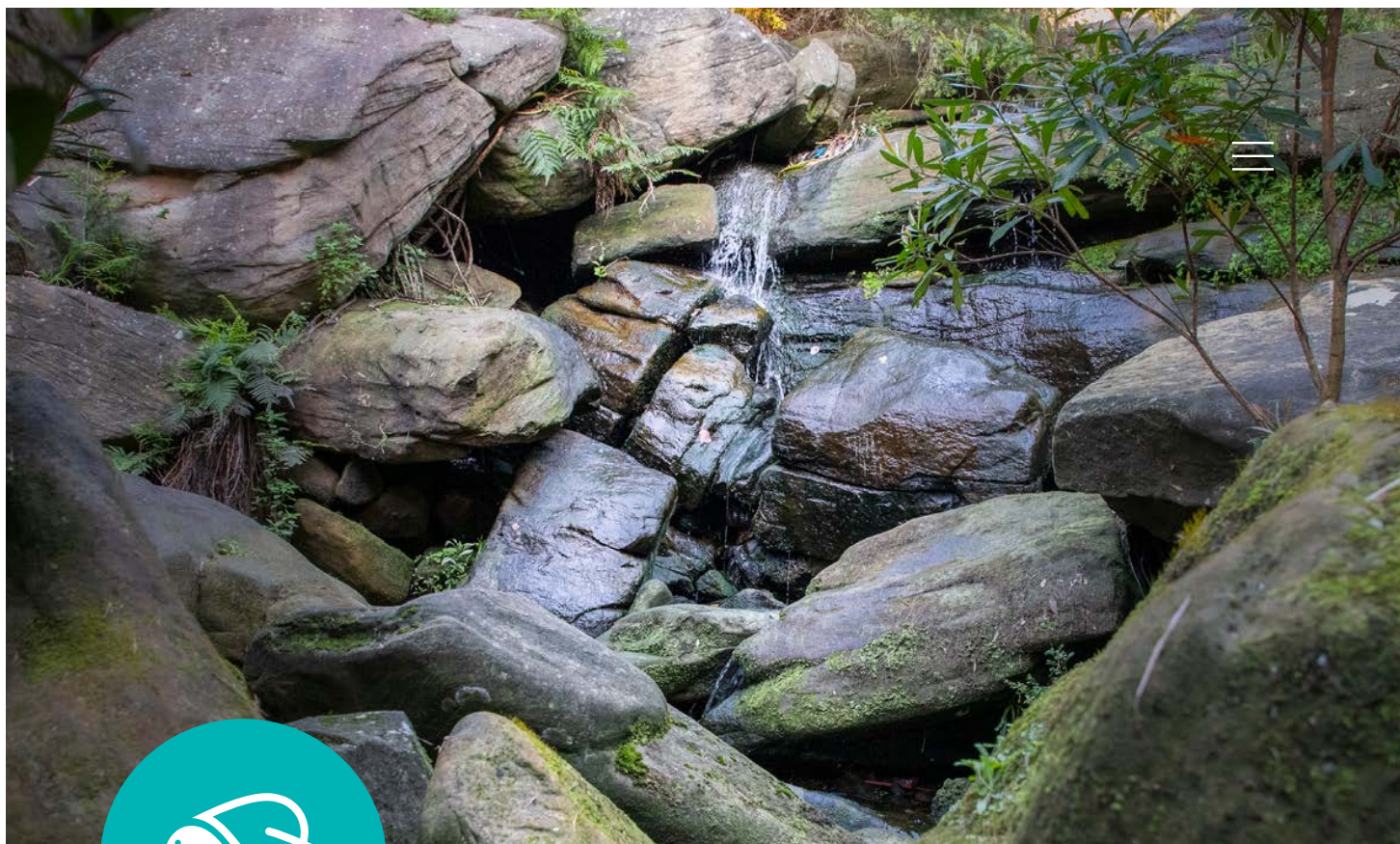


Strengthen resource recovery and recycling

[Problem wastes](#) such as electronics, batteries and globes can be toxic if they end up in landfill, which also prevents their valuable components from being recovered and reused. Council will enhance services to ensure dangerous wastes stay out of the red bin and support textile and other material recycling, reducing the need to source new materials.

Equally important is improving residential and commercial recycling rates. Our [Recycling Improvement Program](#) will support the community with the education and infrastructure they need to reduce contamination and ensure clean recycling streams.





05 Urban Ecology

Protect and increase local bushland, parks trees and habitat

Ecological regeneration and restoration

Habitat protection through development and invasive species controls

Supporting community capacity to support habitat connectivity



Waverley Council currently manages approximately 6 hectares of remnant native vegetation across 12 main sites (40 properties in total).

We are successfully managing the critically endangered ecological community Eastern Suburbs Banksia Scrub, protected under Commonwealth and State legislation on private and public land adjoining York Road and within Queens Park, and have supported the natural regeneration of a population of the threatened species *Acacia terminalis* subsp. Eastern Sydney (Waverley's only population of this species) back from the brink of extinction.

Through the implementation of the [Biodiversity Action Plan: Remnant Sites](#) 2015–2020, the area of remnant native vegetation in good condition in 2020 (9%) was more than double recorded in 2015 (4%). Our [ecological restoration projects](#) in Bronte Gully, Tamarama Gully and Thomas Hogan Reserve are actively progressing. Restoring these areas makes up for the

lack of greenspace in Waverley; providing valuable habitat to local animals and precious biodiversity to the community.

Our [Bushcare](#) volunteers continue to support our active management of remnant and restoration programs and the [Living Connections](#) program has improved habitat and connectivity in 165 private gardens. Key to the urban ecology of Waverley is the marine ecosystem of the coastline which is rich in biodiversity such as in the Bronte to Coogee Aquatic Reserve. Waverley will continue to promote, protect and work with government agencies and other stakeholders to ensure that this vital asset is improved.

Council is actively planting over 300 street trees each year and since 2012 the number of street trees has increased from approximately 10,000 to 14,000. Council is updating the [Tree Management](#) Framework, which will be incorporated into a new Greening Strategy, to protect and increase canopy, greening and habitat in Streets, parks and private property.





Our targets

0%

Loss of remnant vegetation from 2022 onwards

20%

of remnant vegetation is in good condition by 2030

25%

of remnant vegetation is in fair condition by 2030

29%

Green Cover (canopy and shrub) by 2030

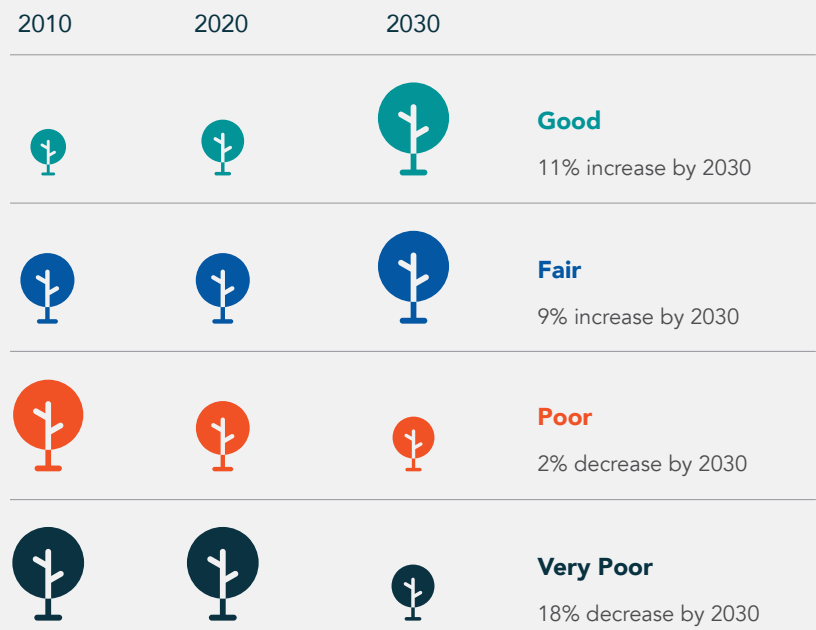
1000

habitat gardens are established by 2030 (500 by 2024)

Improve

Marine diversity of the Waverley coastline

Remnant vegetation condition





Key Deliverables

Actively manage our remnant bushland and restoration sites

The Biodiversity Action Plan – Remnant Sites 2022-2031 will ensure ongoing bush regeneration of key remnants and adjacent buffer plantings along the coastal habitat corridor and near Queens Park to protect and enhance the 117 locally indigenous plant species in the area that have existed since before European settlement.

The Bronte Gully Ecological Restoration Action Plan, Tamarama Ecological Restoration Framework and Action Plan and Thomas Hogan Reserve Ecological Restoration Action Plan will continue to reinstate indigenous vegetation characteristics of natural coastal landscapes that will also be resilient to the impacts of climate change, increase habitat, cooling potential and the aesthetic beauty of our local area.

Engage the community to support and enhance Urban Ecology

The Waverley Bushcare Volunteer program, which harnesses community volunteers to support remnant and restoration programs will continue. We will expand the Living Connections program to support biodiversity corridors through enhanced habitat on private properties and help to monitor key local species. Council will also be exploring ways to engage with the community on coastal management and marine protection and restoration.

Manage our urban canopy and vegetation

Council will prepare and deliver a Canopy and Greening Strategy to achieve our Canopy and Greening targets across public and private property in Waverley, to secure cooling and improve habitat connectivity and climate resilience.



Many of our local species are able to coexist with development in the urban environment. Microbat species such as Gould’s Wattled Bat *Chalinolobus gouldii* are found in areas of Waverley such as clifftop overhangs where they roost. Council will work to support our local native species through habitat creation on public and private property, reducing light pollution and reducing pest species where possible.



Waverley's Resilience Framework



Community aware & Safe

Local Emergency
Management officers

Access & opportunity

Strategic Planning

Reduce climate risks

Environmental
Sustainability

Resilient Systems

Asset Management

Improve social cohesion

Community Programs

References for Waverley's Climate Scenario on pages 4 and 5

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2. Commonwealth of Australia (2021) Climate Data Online http://www.bom.gov.au/climate/averages/tables/cw_066037.shtml
3. Commonwealth of Australia (2020) State of the Climate 2020. www.csiro.au/en/research/environmental-impacts/climate-change/state-of-the-climate
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<https://climatechange.environment.nsw.gov.au/Climate-projections-for-NSW/Climate-projections-for-your-region/Metro-Sydney-Climate-Change-Downloads>
5. NSW Department of Planning, Industry and Environment (2021) NARCIIM1.0 Climate Change Projections for Waverley, Environment, accessed May 2021.
6. BMT Commercial Australia (2021) Eastern Beaches: Regional Sea Level Rise Hazard Assessment (Ref: R.A11159.02.01)
7. NSW Department of Planning, Industry and Environment (2019) NSW Urban Heat Island to Modified Mesh Block 2016 and NSW Urban Vegetation Cover to modified Mesh Block 2016
<https://www.planningportal.nsw.gov.au/opendata/dataset/nsw-urban-heat-island-to-modified-mesh-block-2016>

REPORT
CM/7.7/22.06

Subject: 87-99 Oxford Street and 16-22 Spring Street, Bondi Junction - Classification of Land - Post-exhibition

TRIM No: SF18/2505

Author: Jaime Hogan, Senior Strategic Planner

Director: Mitchell Reid, Acting Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Classifies Lots 128, 129, 131, 132 and 133 in SP 104421, also known as Suites 1,2,4,5 and 6 of 87-99 Oxford Street and 16-22 Spring Street, Bondi Junction, as operational land.
2. Executes the order attached to the report to impose a restrictive covenant on the subject land, in accordance with section 88D of the *Conveyancing Act 1919*.

1. Executive Summary

This report relates to the ongoing management of a voluntary planning agreement (VPA) associated with the approved development application (DA-498/2017) at 87–99 Oxford Street and 16–22 Spring Street, Bondi Junction. The planning agreement is for the dedication of 505 sqm of commercial floor space and associated common space to Council for the purpose of leasing the premises and 100% of the resultant funds being dedicated to Council’s affordable housing fund.

This report reports on the results of a recent public exhibition of the notification of the intention to classify the land and seeks the endorsement of Council for the classification of the land. In addition, this report seeks the endorsement of Council as an ‘order’ for the instigation of a covenant on the land under s 88D(3) of the *Conveyancing Act 1919*.

2. Introduction/Background

The development application DA-498/2017 was approved by the Sydney Eastern City Planning Panel on 13 December 2018 for the demolition of existing buildings and construction of 14 storey mixed use building with four levels of basement car parking and offer to enter into a VPA to the value of \$5,164,236.85.

Council officers initiated negotiations for an in-kind dedication of commercial floor space on level one of the approved development in lieu of the monetary contribution. The contribution enabled the acquisition of 505sqm of commercial floor space and associated common space. The net revenue from the leasing of commercial tenancies would fund a public purpose, in this instance the funds going directly to Council’s affordable housing fund.

Regarding the future use of these lots, under section 31(2) of the *Local Government Act 1993* there is a requirement for Council to classify land before it acquires it, or within three months after it acquires it. In order for Council to endorse the classification of the land, a notice of intention to classify the land must be exhibited for community feedback, prior to the endorsement. The notice of intention to classify the land

was placed on public exhibition between 10 May and 10 June. The purpose of this report is to outline the feedback received, and to provide a recommendation to Council regarding the classification of the land.

Council's Planning Agreement Policy allows for in-kind contributions, as well as monetary contributions. The main in-kind contributions that it allows for are affordable housing and commercial floor space.

Commercial floor space dedication has been encouraged, particularly in Bondi Junction, given that it is important for Council to offset the loss of commercial floor space, achieve the aims of the following strategic documents: Bondi Junction Commercial Centre Review, Economic Development Strategy, Community Strategic Plan, draft Local Strategic Planning Statement as well as the commercial floor space focus and jobs targets for Bondi Junction as outlined in the Greater Sydney Commission's Eastern City District Plan.

Land and floor space in Waverley local government area is very expensive. The dedication of commercial floor space provides an opportunity to create a revenue generating asset that will provide a sustainable long-term source of revenue towards a public purpose (affordable housing).

The VPA for the Whitton Lane office suites requires that the market rent received from leasing the suites be paid into the Affordable Housing Contributions Reserve to be used to expand Council's affordable housing portfolio.

The use of the land for the purpose as outlined in the Planning Agreement may only occur if the premises are classified operational land, as provided for under the *Local Government Act 1993*.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Strategic Planning and Development Committee 3 May 2022	PD/5.3/22.05	That Council: <ol style="list-style-type: none"> 1. In accordance with section 34 of the Local Government Act 1993, publicly exhibits for 28 days its intent to classify as operational land the commercial office Suites 2, 4, 5 and 6 of 87–99 Oxford Street, Bondi Junction, and Suite 1 of 16–22 Spring Street, Bondi Junction (Lots 128, 129, 131, 132 and 133 of DP 1274466). 2. Creates a covenant under section 88D of the Conveyancing Act for transparency regarding the use of the premises.
Council 18 February 2020	CM/7.12/20.02	That Council: <ol style="list-style-type: none"> 1. Notes that Council authorised the Mayor and General Manager to sign and execute the planning agreement and affix the Council seal to the documentation at the December Council 2019 meeting. 2. Notes that the VPA contribution is for the in-kind dedication of commercial floor space in perpetuity and that, in part, some of the floor space must be used for community purposes. 3. Requires that all commercial units, with the exception of the multi-purpose community facility, be rented at market rates, and ensures that 100% of the total

		revenue generated by the properties is allocated to Waverley's Affordable Housing Program.
Council 10 December 2019	CM/7.9/19.12	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the draft Planning Agreement attached to this report applying to land at 87–99 Oxford Street and 16– 22 Spring Street, Bondi Junction. 2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation. 3. Notes that the VPA is for the provision of floor space, and that, generally, Council's policy is that monetary VPA contributions are spent in the immediate vicinity of the development to which they relate. 4. Investigates allocating 15–25% of any monies generated by the VPA to affordable housing, and that a report comes back to Council.

4. Discussion

Classification of land

Section 31 of the *Local Government Act 1993* requires that land acquired by a council should be classified as either community land or operational land. The purpose of classification of land is to identify clearly what type of use is allowed on that land.

How public land is classified determines the ease or difficulty with which a council can have dealings in public land, including its sale and leasing or licensing. It also provides for transparency in councils strategic asset management or disposal of public land.

Under section 31(2), before a council acquires land, or within three months after it acquires land, a council may resolve that the land be classified as community land or operational land. If the land is not classified under subsection (2), it is at the end of the three-month period taken to have been classified under a local environmental plan as community land.

While the land remains unclassified, the land may not be used for any purpose other than that for which it was being used immediately before it was acquired. In this instance, being a newly built development, there are no alternative uses available to Council, hence classification is required.

Accordingly, it is recommended that Council resolve to classify the land as operational as soon as reasonably possible, and at the latest within three months of acquiring the land. The land was acquired by Council on 12 April 2022. In addition, the provisions of the VPA provide the commercial suites are leased with 100% of the revenue to go towards social and affordable housing within Waverley.

Exhibition

Under section 34 of the *Local Government Act 1993*, Council must provide public notice of the intent to classify the land and allow for 28 days for the public to make a submission. The intent to classify the land was placed on public exhibition between 10 May and 10 June. Six submissions were received, and the feedback from the submissions is summarised in Table 1 below.

Table 1. Submissions received to the question: What do you think about the proposed classification of the office suites as 'operational' land?

Submission Received	Response
Disagree. Council has no business being a landlord. Classify this as a public asset, and sell it. Funds from VPAs are meant to fund amenities for local residents. Instead, we have a sunless wind tunnel with shrubbery replacing our trees, that lets people from outside the area careen through on pedal & electric bicycles.	Council is a landlord for many properties that seek to provide a public purpose, such as libraries, community halls, and so on. In addition, Council is currently in possession of a range of commercial suites throughout the LGA that are leased out to the market, which provide income to Council to provide capital works.
I think its a good idea provided the funds are used to fund more nature spots being placed in Bondi Junction	The funds of this ongoing arrangement are proposed to be utilised wholly in the Waverley Affordable Housing Fund, however in many instances other Planning Agreements result in funds being allocated to upgrades to parks and additional plantings around Bondi Junction.
An excellent idea if the money is going to affordable housing in perpetuity, as proposed.	Noted.
I agree, this seems like a good use for the land.	Noted.
Should be community	Whilst the land is proposed to be operational, and not community, the ongoing benefits of the land are proposed to be utilised for community purposes, that is towards the Waverley Affordable Housing Fund.
Should be classed as operational	Noted.

Restrictive covenant

In addition to the classification of land as operational, the imposition of a restrictive covenant to provide the public with abundant clarity and certainty over the use of the land is proposed. The covenant is proposed to explicitly state that the use of the land be restricted for the purposes of a 'public purpose'. In this instance, a 'public purpose' means use of the subject land as follows:

'In part, a multi-purpose community hub and in part for the funding recurrent expenditure relating to the provision of affordable housing under Waverley's Affordable Housing Program (or such program or plan of action for the purposes of providing affordable housing, or if none a similar community purpose, in perpetuity.'

A draft covenant (Attachment 1) has been prepared by Council's consulting lawyers Wilshire Web Staunton Beattie. Upon endorsement by Council, the order will be executed.

5. Financial impact statement/Time frame/Consultation

In the instance of the classification of land not being achieved within the time frame, a planning proposal would need to be prepared, which would significantly delay the ability for Council to utilise the land for the intended purposes.

The classification of the land is required within three months of Council acquiring the land, and a public exhibition period of 28 days has been carried out in accordance with the *Local Government Act 1993*. Council acquired the lots on 12 April 2022, meaning that the land needs to be classified by 12 July 2022. Council will therefore need to endorse the classification of the land at its meeting on 21 June 2022.

Should the Council resolve to not classify the land as operational, there will be significant financial implications. Firstly, for the additional legal and staff resources needed to renegotiate the terms of the Planning Agreement if the land is not to be utilised for the stated purpose. Secondly, for the loss of the foregone revenue able to be put towards the Affordable Housing Program in perpetuity. Accordingly, it is recommended that the classification of the land be endorsed as operational, and that the covenant be executed.

6. Conclusion

At its meeting on 18 February 2020, Council endorsed the VPA for the premises of 87–99 Oxford Street, which has now been executed. For the premises to comply with the VPA that has been executed, the classification of the land as operational is required. Whilst submissions were received in favour and against the classification of the land as operational, the classification of the land as operational is important to ensure that the land can deliver the purpose of the VPA as agreed. In addition, a draft covenant has been prepared to provide transparency to the general public of the use of the land by Council for the stated public purpose in perpetuity.

It is recommended that the land be classified as operational, and that the draft order attached to the report be endorsed for execution.

7. Attachments

1. Section 88D covenant [↓](#) .

Form: 13PVP
Release: 4.2

**POSITIVE COVENANT
AFFECTING LAND VESTED IN
A PRESCRIBED AUTHORITY**

Leave this space clear. Affix additional pages to the top left-hand corner.

New South Wales

Section 88D(3) Conveyancing Act 1919

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) **TORRENS TITLE**

Lots 128 - 129 and Lots 131 - 133 in SP 104421

(B) **LODGED BY**

Document
Collection
Box

844S

Name, Address or DX, Telephone, and Customer Account Number if any

Wilshire Webb Staunton Beattie

DX 777 Sydney

Tel: (02) 9299 3311 Acc. No.: 123608T

Email:

Reference: **LM:AM:9901521**

CODE

PR

(C) **PRESCRIBED
AUTHORITY**

WAVERLEY COUNCIL (ABN 12 502 583 608)

- (D) The prescribed authority, being the registered proprietor of the abovementioned land, applies to have a recording made in the Register of a positive covenant affecting the above land the terms of which are set out in a true copy of the relevant order dated _____ annexed hereto and marked **A** and certifies that no person or corporation has acquired an interest in the above land.

DATE

- (E) I certify that I am an eligible witness and that an authorised officer of the prescribed authority signed this dealing in my presence.
[See note* below].

Certified correct for the purposes of the Real Property Act 1900 by an authorised officer of the prescribed authority.

Signature of witness:

Signature:

Name of witness:

Name:

Address of witness:

Position:

* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.
ALL HANDWRITING MUST BE IN BLOCK CAPITALS **Page 1 of** 2009

This is the Annexure marked 'A', attached to the Form 13PVP setting out a true copy of the order dated _____ imposing a restrictive covenant over Lots 128 – 129 and Lots 131 – 133 in Strata Plan 104421

ORDER imposing covenant on prescribed land

Pursuant to section 88D(3) of the Conveyancing Act 1919 (the **Act**), **WAVERLEY COUNCIL**:

(A) being a prescribed authority under the Act; and

(B) being the prescribed authority in which Lots 128 – 129 and Lots 131 – 133 in Strata Plan 104421 (the **Prescribed Land**) is vested,

ORDERS THE FOLLOWING RESTRICTION ON THE USE OF THE LAND:

Restriction on the Use of the Land

1. The registered proprietor shall not use the Prescribed Land or permit the Prescribed Land to be used for purposes other than a Public Purpose.
2. In this case, the expression “**Public Purpose**” means use of the Prescribed Land as follows:

In part, a multi-purpose community hub and in part for the funding of recurrent expenditure relating to the provision of affordable housing under Waverley's Affordable Housing Program (or such program or plan of action for the purposes of providing affordable housing, or if none a similar community purpose, in perpetuity.
3. The Person or Authority Empowered to Release, Vary or Modify this Restriction is Waverley Council.

Signed, sealed and delivered by
an Authorised Officer of
WAVERLEY COUNCIL (ABN 12
502 583 608):

.....
Signature of Witness

.....
Signature of Authorised Officer

.....
Print name of Witness

REPORT
CM/7.8/22.06

Subject: Disability Inclusion Action Plan - Adoption

TRIM No: A21/0205

Author: Annette Trubenbach, Executive Manager, Community Programs
Chris Bath, Manager, Older People and Disability Services

Director: Sharon Cassidy, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Adopts the Disability Action Plan 2022–26 (DIAP) attached to the report (Attachment 2) subject to the amendments in Attachment 1 of the report.
2. Notes that an Easy Read version of the DIAP will be made available.

1. Executive Summary

On 3 May 2022, Council endorsed the draft 2022-26 DIAP, Council's second plan for public exhibition. Local councils submit a new Disability Inclusion Action (DIAP) every four years detailing Council's commitment to improving physical access and social inclusion for people of all abilities. DIAPs are mandatory and cover every aspect of Council business, including services, facilities, capital works, communications, events, consultation, and access to and within the public domain.

Consultation on the draft DIAP closed on 6 June and this report provides an overview of the comments received as part of the online survey and through consultations held with Council's Inclusion and Access Panel. Broadly speaking, the feedback confirms the direction and focus of the DIAP with minor additions and specific actions that can be accommodated in the annual implementation plan. Council officers are seeking Council's endorsement of minor changes detailed in Attachment 1 and for adoption of the plan.

2. Introduction/Background

Council's second DIAP continues to include localised priorities for people with disability who live, visit and work in the Eastern suburbs as well as regional strategies around four key outcome areas. During initial consultations, we heard from younger and older people with disability, families, carers and services with diverse experience of disability including physical, sensory, neuro diverse, cognitive, mental health, and chronic illness. Developing the draft DIAP involved more than 130 people and took place between October 2021 and February 2022.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Finance, Operations and Community Services Committee 3 May 2022	FC/5.3/22.05	That Council: 1. Publicly exhibits the draft Disability Inclusion Action Plan 2022–26 (DIAP) attached to the report (Attachment 1)

		for 28 days.
		2. Officers prepare a report to Council following the exhibition period.
Council 23 November 2021	CM/8.2/21.11	<p>That Council officers, as part of the draft Disability Inclusion Action Plan (DIAP) currently on exhibition until 20 December 2021, identify what needs to be done to optimise accessibility and inclusion for Waverley to become the most accessible place in NSW, including consideration of the following:</p> <ol style="list-style-type: none"> 1. Conducting access audits of commercial and villages centres to plan and prioritise continuous paths of travel and installation of kerb ramps, accessible toilets, seating, lighting, safe crossings and pick-up/drop-off parking spaces. 2. Updating 'Discover Waverley' with the information from the audits to help people plan their journey. 3. Progressively upgrading play spaces as outlined in the Inclusive Play Space Study and Open Space Strategy. 4. Developing an Inclusive Tourism strategy and link information into the NSW Destination website. 5. Establishing a walking and mobility working group to progress pedestrian access under the DIAP and People, Movement and Places Strategy. The working group could have representatives from the Access and Inclusion Advisory Panel and Cycling Advisory Committee, and staff from Community Services and Transport Planning.

4. Discussion

The proposed actions presented in the draft 2022-26 DIAP were based on extensive engagement and targeted feedback, resulting in continuation of existing commitments, further development of projects and initiatives, as well as opportunities for innovation, partnerships and strengthened community connections.

Highlights and achievements of Council's first 2017-21 DIAP have been documented in the earlier report. This second DIAP will continue to demonstrate ongoing commitment in key focus areas of access and inclusion:

- Developing positive community attitudes and behaviours.
- Creating liveable communities.
- Supporting access to meaningful employment.
- Improving access to mainstream services through better systems and processes.

Council will achieve the outcomes by working in partnership with neighbouring councils, disability services, government agencies, businesses, and the community. KPIs to track progress are being developed with internal partners to guide annual implementation plans.

Summary of consultation feedback on the draft

Seven submissions were received through the Have Your Say Page and one via email. One submission was on behalf of five people with disability. The Access and Inclusion Advisory Panel provided comments at the 12 May 2022 Advisory Panel meeting. The following overarching issues were highlighted during public exhibition:

- The plan needs to be able to be read and understood by the whole community (an Easy Read version will be produced following adoption by Council).
- Inclusive design is essential when designing and upgrading all community facilities and streetscapes.
- Clarification around how the plan is implemented, and progress measured.

Responsibilities and measurements have been added to the plan and proposed changes to text in the governance section have been proposed in Attachment 1. An implementation plan will detail specific annual tasks which are regularly reviewed with teams across Council.

5. Financial impact statement/Time frame/Consultation

The draft DIAP 2022 - 2026 was on public exhibition from 9 May – 6 June 2022. It was distributed widely for comment through the mainstream community and specialist networks including ageing and disability, young people and children's services, multicultural networks and precinct committees. A briefing was also held for Council staff on 11 May and one-on-one meetings were held with key areas across council to discuss the implementation of the plan.

This second DIAP will again be implemented over the next four years. Some DIAP implementation costs can be absorbed through Council's annual planning and resource allocation processes as part of core plans or regular functions and may not require additional funding.

However, the community is keenly interested in tracking progress of priority actions, and not all of those are relating to infrastructure improvements. Some actions include research, audits, resource development, use of assistive technology and supports to facilitate better communication and visibility for people with disability. Others may include multi-year improvement works or improved design option and the purchase of specialist equipment to improve accessibility. Where this is the case and project proposals are outside endorsed LTFP or operational budgets, Council officers will need to seek endorsement of resourcing strategies/schedule of works. There may also be opportunities for Council to seek funding from external sources to help with the cost of identified improvement works.

6. Conclusion

This report provides a summary of consultation findings following public exhibition of the draft DIAP 2022-26 from 9 May to 6 June. The feedback indicates broad consensus with the key directions under the four key focus areas of access and inclusion. Some minor changes to text in the draft DIAP are proposed in Attachment 1. An Easy Read version will be produced once the DIAP is approved for adoption by Council to ensure the plan can be read and understood by the whole community.

7. Attachments

1. Summary of feedback and recommended amendments to draft DIAP [↗](#)
2. Disability Action Plan 2022-26 [↗](#) .

Attachment 1**Disability Inclusion Action Plan (DIAP) 2022-2026 - Summary of feedback received during public exhibition May-June '22**

The following table summarises the issues raised and Council officers' response.

Focus Area identified	Feedback received	Officer comment	Proposed change
Focus Area 1 Inclusive Attitudes and Behaviours	Strong support for: A welcoming community and more positive profile for people with disability when they are out and about in the community.	Addressed in DIAP Action 1.1.1.	N/A
Focus Area 2 Liveable Communities	Action 2.1.5 (p14) Continue to support a mixed and balanced service network to cater for the diversity of need	This action was reviewed, noting challenges of influencing the mix of NDIS supports which are now market driven and to better reflect feedback for mainstream inclusion in arts, culture and recreation activities.	Remove action 2.1.5. Relevant actions that support a mixed service network are 2.1.2, 2.1.3, 2.1.4. An action to support mainstream activities is included in the implementation plan under 2.2.2 and 2.2.4 which aims to increase the number, mix and balance of accessible and inclusive events, cultural programs, and recreational activities.

Focus Area identified	Feedback received	Officer comment	Proposed change
	Support expressed for: More inclusive mainstream sports and cultural activities available for people with disability.	Addressed in DIAP Actions 2.2.2, 2.2.4	N/A
	Support expressed for: Access audits of streetscapes in commercial and village centres to identify continuous paths of travel, kerb ramp placement and social infrastructure and prioritisation of damaged footpaths when access to wheelchair users and less mobile people are blocked. Provide clear lines of travel along property lines.	Addressed in DIAP Actions 3.1.4, 3.1.5, 3.1.6.	N/A
	Support expressed for: Accessible recreation facilities and open spaces for people with disability and older people including ocean pools, coastal walks, wharves and jetties. Information about walks that are accessible should be made available.	Addressed in DIAP Action 3.1.7	N/A
	Support expressed for: An all abilities play space in the LGA. Several comments mentioned a lack of accessible	While an all abilities play space is not identified in the plan, Council is committed to implementing the	N/A

Focus Area identified	Feedback received	Officer comment	Proposed change
	equipment in play spaces, particularly at Bondi Park.	Inclusive Play Strategy addressed in DIAP Action 3.1.9.	
Focus Area 3- Meaningful Employment	Support expressed for:	Addressed in DIAP Action 5.2.2	N/A
	Experiences and opportunities to develop work skills with Waverley Council.		
	Support expressed for:	Addressed in DIAP Action 5.2.1	N/A
	Employment targets as it shows Council is being proactive and serious about employing people with disability.		
Focus Area 4 - Engagement and Accessible Systems	6.2.2. (p18) Clarification of the role of the Access and Inclusion Panel in the implementation of the plan.	This has been redrafted in the plan.	Changes to the Governance section in the body of the report (see section below).
	Information on the Waverley Council website needs to be clearer and in plain English.	Addressed in DIAP Action 6.1.2	N/A
	Strong support expressed for:	Addressed in DIAP Actions 1.1.1, 6.2.1	N/A
	codesign and more engagement with people with disability in decisions about programs, services, and infrastructure projects.		

Proposed changes to the draft DIAP 2022-26

Focus Area identified	Actions/Wording in draft DIAP	Feedback received	Proposed wording in final DIAP
Focus Area 2 Liveable Communities	Action 3.1.1 (p15) Continue to design all new council venues to accessible universal design principles and identify and install accessible signage, facilities and fixtures such as hearing loops, recharge points and calm spaces	Include 'safe' and/or 'secure' with 'calm spaces'	3.1.1 add the word 'secure' to this action
Focus Area 4 Engagement and Accessible Systems	Action 6.2.2 (p18) Council's Access and Inclusion Panel is supported and actively engaged in monitoring DIAP outcomes	The role of the Access and Inclusion Advisory Panel is to have input on key projects and to monitor the progress through progress reports. Implementation is the responsibility of Council Officers.	Changes made to the Governance section in the body of the report below.
Governance section (p21)	<ul style="list-style-type: none"> Responsibility for DIAP actions is shared across Council directorates with executive officers leading the integration of access and inclusion priorities into their team's work plans and reporting on progress. 		<ul style="list-style-type: none"> Responsibility for DIAP actions is shared across Council directorates with executive officers leading the integration of access and inclusion priorities into their team's work plans and reporting on progress. Project groups are established as required to work on key focus areas

- Council's advisory Access and Inclusion Panel has been reconstituted to provide feedback and input into the process with regular progress reports and briefings scheduled at its meetings.
 - A cross Council working group will develop opportunities for collaboration and strategic partnerships that will help support DIAP implementation.
- where collaboration and strategic advice is required from cross-Council teams.
- The Waverley Access and Inclusion Advisory Panel assists with monitoring implementation of the plan by providing feedback and input on progress reports and key projects.
 - Once endorsed by Council, the 2022-26 DIAP will be lodged with the NSW Disability Council which will receive and monitor Council's annual progress reports.

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Waverley Disability Inclusion Action Plan

2022 – 26



WAVERLEY
COUNCIL

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Waverley Disability Inclusion Action Plan

An Inclusive Community For Everyone

We support our community members to participate positively in community life – whatever their age, gender, physical ability, socio-economic status, sexuality or cultural background – to feel that they can be active, healthy, valued and connected.

We plan and design for our diverse community, by providing safe, healthy and inclusive services and spaces.

Waverley Council acknowledges the Bidjigal and Gadigal people, who traditionally occupied the Sydney Coast and we acknowledge all Aboriginal and Torres Strait Islander Elders both past and present.

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Message from the Mayor

Disability does not discriminate. People with a disability are represented in every age, social or cultural group. Council recognises that people with a disability have many strengths and attributes but can also face barriers and stereotypes preventing them from fully enjoying life.

The Disability Inclusion Action Plan (DIAP) recognises the underlying social responsibility of Local Government and others to protect the rights of people with disability, improve their access and participation in community life, and promote the value of diversity and inclusion.

This is Council's second draft plan. It reflects our learnings while rolling out the first DIAP as well as feedback from diverse groups, services and individuals we have received through various engagement channels.

The plan addresses important focus areas that will help improve the lives of people with disability, their friends, family and carers. Waverley and Randwick Councils will continue to work together as part of a regional framework to achieve a more coordinated approach to making our communities accessible and welcoming.

We've already achieved a lot over the last five years but there is still much to do.

This plan offers practical ideas for collaborating with our partner agencies, local business, services and networks to make a difference in people's lives and create a more welcoming and inclusive Waverley: a community where:

- people can move around easily and can access services, facilities and participate in community life;
- genuine opportunities to engage in meaningful employment exist for everyone;
- people of all abilities can live independent lives and connect, engage and make choices about the services they want to access.

An inclusive community is a community where everyone belongs. I'm proud of the many successful projects and initiatives already completed or under way and excited about the prospect of working with everyone on innovative and emerging opportunities.

Paula Masselos,
Mayor of Waverley

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01 / Introduction

01 INTRODUCTION

This is Council's second DIAP since the introduction of the NSW Disability Inclusion Act in 2014 and builds on actions taken by Council over many years to improve accessibility in Waverley.

In 2017, Randwick and Waverley Councils committed to developing a joint regional framework to support a consistent approach to disability planning across the Eastern suburbs. The DIAP commits to shared strategies while identifying local issues and priority recommendations in relation to barriers to access, good practice examples and opportunities for improvement. It identifies achievable strategies that improve physical access, participation, engagement, and inclusion of people of all abilities.

The DIAP sets out actions Council will take in partnership with others and builds on the success of our previous achievements. It is based around four key outcome areas and regional strategies identified by people who live, visit and work in the Eastern suburbs. This joint regional framework establishes various regional strategies under four outcome areas:

- 1. INCLUSIVE ATTITUDES AND BEHAVIOURS**
- 2. LIVEABLE COMMUNITY**
- 3. MEANINGFUL EMPLOYMENT**
- 4. ENGAGEMENT AND ACCESSIBLE SYSTEMS**

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02 / Developing the Plan

02 DEVELOPING THE PLAN

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The plan was developed by reviewing the outcomes from the 2017-2021 plan. Council engaged with the community to identify gaps and emerging needs. We do this to ensure the DIAP continues to respond to changing community expectations, issues and trends. Some actions are ongoing and these have been included in this plan as well. Feedback from participants together with an overview of engagement strategies is summarised in a separate report and attached to this plan. Importantly, consultation feedback confirmed that the regional framework and strategies continue to be relevant focus areas for action.

More than 130 people participated in engagement activities between 25 October to 20 February 2022. We heard from younger and older people with disability, families, carers and services with diverse experience of disability including physical, sensory, neuro diverse, cognitive, mental health, and chronic illness.

Council held two regional workshops, resident focus groups, and met with individuals, disability service providers and local networks. We also received survey responses and submissions.

What people told us

Participants told us about their **priorities**

- Accessibility of streetscapes, open spaces, and beaches
- Access to meaningful employment
- Genuine engagement and opportunities for codesign
- Engagement and connection with local business and community networks.

They also told us about **what works well**

- New and upgraded accessible venues and streets
- Transport network and light rail
- Information and community education sessions on interesting topics
- Inclusive skill development opportunities eg: Learn to surf classes, Tactile Tours and Our Vision for Inclusion

02 DEVELOPING THE PLAN

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Areas identified for further improvement

- Make it easier to access commercial centres and shops, places to exercise, socialise and play
- Make it easier to participate in recreation, events and cultural activities
- Improve community perception about people's abilities and needs to support greater connection and opportunity to access employment
- Treat inclusive design as an essential component when designing streetscapes, programs, communications, and activities



02 DEVELOPING THE PLAN

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Key achievements**Access Bondi**

Access Bondi was launched in 2019 to celebrate and promote improved access to the beach. The improvements include a new ramp to the north end of the beach, storage lockers to enable independent access to beach wheelchairs, accessible outdoor shower, new accessible amenities, including an accessible shower and beach matting which is currently rolled out three days a week pending weather. A grant from NSW Surf Life Saving helped to fund elements of the initial project. Council continues to work in partnership with Bondi Beach Surf Life Saving and other partners on initiatives to improve inclusion at Bondi.

Inclusive Play Space Study

The Waverley Inclusive Play Space Study provides strategic direction on how Council's existing play spaces can be improved to provide equitable and inclusive play opportunities for everyone. The study was recognised by industry experts and peers from around Australia and awarded the Strategic Planning Award at the Parks and Leisure Australia NSW/ACT Awards 2021.

Our Vision for Inclusion

'Our Vision for Inclusion' is an awareness raising video addressing topics such as bullying, employment, relationships, and social stigma faced by people with disability. The video was produced by the Waverley Community Living Program participants as part of an advocacy project.

The video was launched on International Day of People with Disability 2020.

Bondi Pavilion

Bondi Pavilion restoration project incorporates inclusive design elements throughout the building and surrounding area. Temporary accessible amenities and changing places were installed whilst the building was restored. Access Advisory Committee members provided input into the concept design through participation in a stakeholder consultation group.

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03 / Actions we will take

03 ACTIONS WE WILL TAKE

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Top 4 priorities

Employment	<ul style="list-style-type: none">• Skills development, partnerships and placements in Council
Accessible streetscapes/ open space	<ul style="list-style-type: none">• Infrastructure upgrades• Beach & coastal walk strategy
Co-design	<ul style="list-style-type: none">• Identify co-design opportunities – programming & events
Improved Connections	<ul style="list-style-type: none">• Grant for Inclusion• Partner with business/ networks



03 ACTIONS WE WILL TAKE

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Focus Area 1. Inclusive Attitudes and Behaviours

Outcome Statement: Council values and supports inclusive attitudes and behaviours across Council and the community.

What some people have told us...

'Sometimes I feel when I go to my local area, some of the shops don't understand how to treat people with disabilities ... they treat other people like normal but not me and that's discriminating. They should just have proper training of how to talk to people with disabilities, like everybody else.'

Regional Strategy

1.1 Provide community awareness raising activities to support inclusive attitudes and behaviours.

Actions

- 1.1.1 Continue to deliver a community awareness program to promote inclusive attitudes and increase understanding of hidden disability and codesign some initiatives with people with disability.
- 1.1.2 Continue to increase the visibility of people with disability in Council publications and communications.

Regional Strategy

1.2 Increase organisational understanding, knowledge and skills to apply access and inclusion principles and practices in their key job responsibilities.

Actions

- 1.2.1 Continue to deliver Disability Awareness training for all Council workers, including training on dignity of risk.
- 1.2.2 Continue to provide learning and development opportunities to support staff to apply access and inclusion principles and practices into their job responsibilities, including use of inclusive communications.

Regional Strategy

1.3 Engage with local business to promote the benefit of providing accessible services, environments and inclusive communications.

Actions

- 1.3.1 Continue to award good practice in access and inclusion through Council's Local Business Awards.
- 1.3.2 Continue to promote the benefits to local business of inclusive and accessible services and employment practices.
- 1.3.3 Develop an Inclusive Tourism strategy and link key information to NSW Destination website.

03 ACTIONS WE WILL TAKE

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Focus Area 2. Liveable Communities

Outcome Statement 2. People of all abilities have opportunities to live independent lives in their community and to connect, engage and make choices about the services they access.

What some people have told us...

'I lived in Waverley for 30 years. It was a rental. We were given a no grounds eviction. We spent six months looking for a house and I've moved out of Waverley now. We found a house outside the area and we've had to adapt the ramps ourselves with no help from NDIS. We basically took this place because we had no choice. I'm not happy, it is not accessible, it's too expensive, it's in bad condition, but we are forced into these places with no choice because the rent is too expensive and the houses are not accessible. We need to stay in the area to be close to our community, hospitals, and doctors. '

Regional Strategy

2.1 Work with partner agencies to increase access to services and information that support people to live independently.

Actions

- 2.1.1 Continue to deliver quality services that promote independence and wellbeing and support people with disability to make community connections.
- 2.1.2 Deliver an information program that helps people navigate the service system, including targeted information for people from diverse backgrounds.
- 2.1.3 Implement an Access and Inclusion Grant to increase opportunity for people to participate in mainstream activities.
- 2.1.4 Identify and promote digital inclusion initiatives to help upskill people and create more opportunities to access supports and connections.
- 2.1.5 Continue to support a mixed and balanced service network to cater for the diversity of need.
- 2.1.6 Investigate how to minimise the impacts of construction and residential redevelopment on residents with disability.

03 ACTIONS WE WILL TAKE

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Regional Strategy**2.2 Recreational and cultural activities and events are inclusive and are actively promoted.****Actions**

- 2.2.1 Implement and promote accessible event guidelines to improve the accessibility and inclusiveness of all events held in Waverley.
- 2.2.2 Increase the number of accessible and inclusive events and cultural programs.
- 2.2.3 Carer's companion card promoted and accepted at all paid events.
- 2.2.4 Identify sporting and recreational opportunities and gaps within the region and work with neighbouring Councils and organisations to increase the number of recreational activities .

Regional Strategy**2.3 Advocate for increased diversity of housing stock that is affordable and accessible.****Actions**

- 2.3.1 Maintain Waverley's social housing program and upgrade units to be accessible where possible.
- 2.3.2 Research housing needs of older people and people with disability to better understand future demand for housing that is affordable and accessible.
- 2.3.3 Continue support for housing and homelessness partnerships and initiatives to deliver housing outcomes.

Outcome Statement 3. All new council assets, buildings and open spaces are designed to be fully accessible, and Council proactively manages the built environment to meet our diverse community needs now and, in the future

Regional Strategies**3.1 Increase access to Council facilities, venues, parks and beaches.****Actions**

- 3.1.1 Continue to design all new council venues to accessible universal design principles and identify and install accessible signage, facilities and fixtures such as hearing loops, recharge points and calm spaces.
- 3.1.2 Continue to deliver a program to upgrade and install accessible public toilets and accessible adult change facilities and maintain information in the National Toilet Map.
- 3.1.3 Incorporate accessibility and universal design as a key component of the annual capital works program to upgrade streetscapes.
- 3.1.4 Conduct access audits of streetscapes in commercial and village centres to identify continuous paths of travel, kerb ramp placement and key social infrastructure, including street furniture and calming spaces.

03 ACTIONS WE WILL TAKE

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- 3.1.5 Prioritise repair of damaged footpaths when access for wheelchair users or people who are less mobile are blocked and there is no alternate path of travel.
- 3.1.6 Provide clear paths of travel along property lines where possible.
- 3.1.7 Develop an accessible beach and coastal walk strategy to identify opportunities for inclusive recreation and play.
- 3.1.8 Maintain opportunities for beach access and extend the days beach matting is rolled out at Bondi.
- 3.1.9 Implement the inclusive play strategy and ensure opportunity for co-design and selection of accessible equipment.

Outcome Statement 4: The community is a place where people can move around easily and can access services, facilities and participate in community life.

Regional Strategies

- 4.1 Work with transport providers for increased accessibility of the public, private and community transport systems and to support whole of journey planning.

Actions

- 4.1.1 Increase the number of accessible drop off and pick up zones at key destinations.
- 4.1.2 Develop and implement an accessible parking strategy to prioritise accessible parking at key locations and outside venues.
- 4.1.3 Implement a sensor scheme to provide real time information on the availability of mobility parking.
- 4.1.4 Continue to monitor and enforce the appropriate use of mobility parking.
- 4.1.5 Upgrade priority bus stops and shelters, including lighting, and link to a continuous accessible path of travel where possible.
- 4.1.6 Ensure clear signage and information Identifying alternative paths of travel is made widely available and when construction on footpaths impedes accessibility.
- 4.1.7 Online maps are updated to provide information to support whole of journey planning.

03 ACTIONS WE WILL TAKE

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Focus Area 3. Meaningful Employment**Outcome Statement 5: People of all abilities have access to meaningful employment.**

What some people have told us ...

'Mainstream employers are still hesitant to employ people with disabilities. There needs to be more education promoting the value of employing people with disability'

Regional Strategies**5.1 Support and advocate for local employment opportunities.****Actions**

- 5.1.1 Support disability employment initiatives and facilitate connection with local business, encouraging skill development and employment opportunities.

5.2 Ensure that Council's workforce, recruitment policies and purchasing procedures support diversity and inclusion principles.**Actions**

- 5.2.1 Set a disability employment target and monitor strategies to increase and support employment of people with disability.

- 5.2.2 Identify skill development opportunities within Council and establish identified Council placements and traineeships.

- 5.2.3 Drive a culture of inclusive leadership by maintaining a staff award for inclusion and identifying and supporting staff ambassadors.



03 ACTIONS WE WILL TAKE

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Focus Area 4. Engagement and Accessible Systems

Outcome Statement 6. Council is an organisation that is aware of and responsive to the needs of people of all abilities.

What some people have told us ...

‘Much more engagement and consultation is needed than currently exists.’

Regional Strategies

6.1 Increase access to and awareness of council information, feedback systems and services for people with disability.

Actions

- 6.1.1 Key publications and documents are made available in a diverse range of formats.
- 6.1.2 Continue to ensure Council’s website is compliant with WCAG 2.0 and accessibility upgrades are progressively implemented based on an access audit by a specialist disability service, specialising in vision impairment.
- 6.1.3 Ensure information about accessibility is included in promotional material and signage.

6.2 Council community consultation and engagement processes are inclusive and support participation and the views of a diverse range of users.

Actions

- 6.2.1 Ensure Council’s engagement and feedback systems are promoted and easy to use, and feedback is accurate and timely.
- 6.2.2 Council’s Access and Inclusion Panel is supported and actively engaged in monitoring DIAP outcomes.



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04 / Delivering the plan

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Implementation

The Waverley DIAP forms part of Council’s Integrated Planning Framework and priority actions are cascading down from the high level Community Strategic Plan via the 4-year delivery program into the annual Operational Plan.

Council officers prepare an implementation plan to set out priorities, timeframes, resources, key indicators, and staff responsibilities to drive implementation, monitor progress, and enable Council and community to measure the success of the plan.

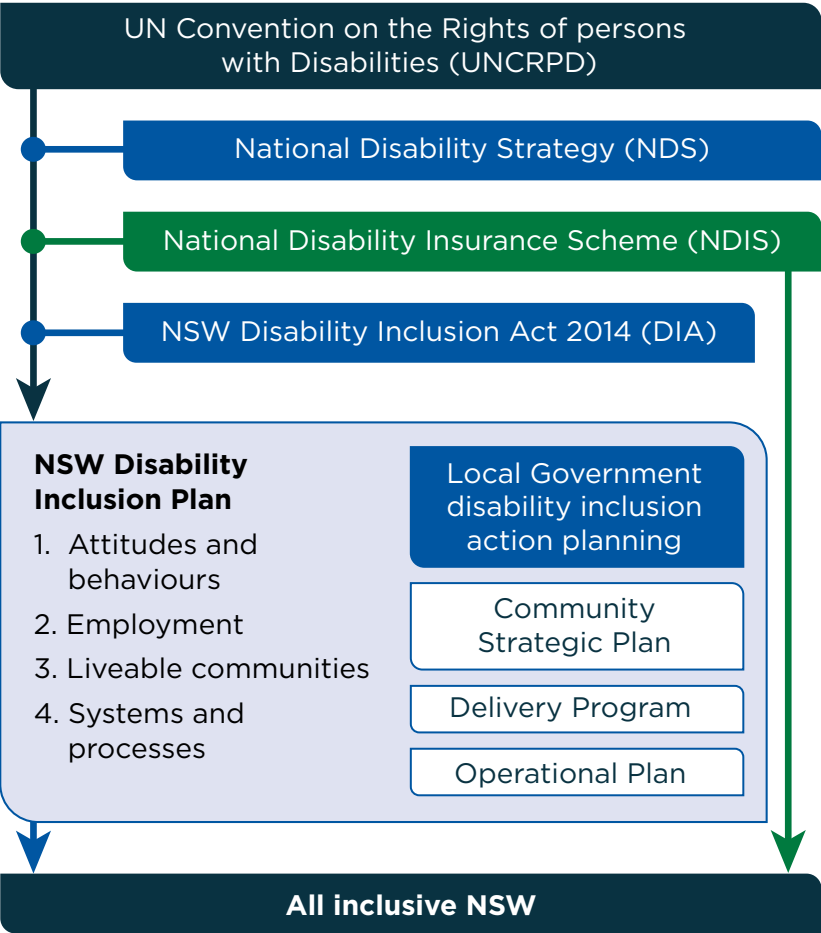
Monitoring and review

The DIAP is a dynamic document that will be updated annually to reflect the current needs and issues of the community. Strategies and actions may be modified to reflect changes caused by factors such as demographic trends, policy and legislative changes, social planning activities, input from Council departments and feedback from the community.

Reporting

A report detailing progress against annual actions will be made through Waverley Council’s Annual Report, posted on the website and submitted to the NSW Disability Council.

Figure 1 illustrates the DIAP planning process.



04 DELIVERING THE PLAN

DRAFT

Governance

Responsibility for DIAP actions is shared across Council directorates with executive officers leading the integration of access and inclusion priorities into their team's work plans and reporting on progress.

Council's advisory Access and Inclusion Panel has been reconstituted to provide feedback and input into the process with regular progress reports and briefings scheduled at its meetings. A cross Council working group will develop opportunities for collaboration and strategic partnerships that will help support DIAP implementation.

Waverley Access and Inclusion Advisory Panel monitor implementation through the provision of progress reports on key projects. Once endorsed by Council, the 2022-26 DIAP will be lodged with the NSW Disability Council which will receive and monitor Council's annual progress reports.

Resourcing the plan

Some actions in this plan are a continuation of work Council has already planned and is implementing. Some actions may not require funding and can be implemented through improved collaboration, staff training, prioritisation or modifying approaches.

We will continue to identify and develop partnerships with the community and business to achieve DIAP outcomes. Actions that require funding will be allocated through the annual budget. Grant or funding opportunities may also become available to help Council deliver some actions within this plan.



REPORT
CM/7.9/22.06

Subject: Council Chambers Refurbishment - Consultation Outcomes

TRIM No: SF21/3221

Author: Ava Acharya, Project Manager

Director: Sharon Cassidy, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Approves the following changes to the concept design for the Council Chambers Refurbishment Project:
 - (a) The following customer service options should be accounted for in the next stage of the design:
 - (i) Justice of the Peace.
 - (ii) Key customer service functions.
 - (iii) A duty planner with a booking system.
 - (b) The level 3 function space should be made available to book on evenings and weekends at reasonable rates. The bookable meeting rooms should include kitchenettes to make tea and coffee.
 - (c) All the meeting rooms should have audio-visual capabilities.
 - (d) Specialist traffic advice is to be obtained to consider the adequacy of proposed access arrangements from Bondi Road to the entrance of the building in terms of safe pedestrian access. Any recommendations from this advice should, where feasible and practicable, be incorporated into the detailed design of the works.
 - (e) The feasibility of rainwater reuse, as indicated in the draft Review of Environmental Factors (REF), is to be further explored and, where feasible and practicable, incorporated into the detailed design of the works.
 - (f) The feasibility and practicality of opportunities to incorporate additional sustainability elements into the design is to be assessed, including the increased capacity of a solar photovoltaic system, a Green Travel Plan and a Site Waste Recycling Management Plan.
2. Proceeds to detailed design for the Council Chambers Refurbishment Project.
3. Notes that the General Manager, as the delegated authority, will assess the final REF report, Peer Review and Submissions Review to determine that Council Chambers Refurbishment can proceed.

1. Executive Summary

The purpose of this report is to present the recent staff and community feedback on the Review of Environmental Factors (REF) for the Council Chambers Refurbishment Project, and to provide recommended updates to the concept design for endorsement and seek approval to allow the project to progress to detailed design.

2. Introduction/Background

The refurbishment of the Council Chambers building seeks to enable:

- Replacement of near end of life building services.
- Compliance with building codes and standards including an accessible building for staff and visitors.
- Safe removal of asbestos.
- Cost savings and income generation from rationalising Council office spaces including avoiding expenditure on leasing office space to accommodate Council staff.
- Provision of a flexible, adaptable, smart and efficient building that meets current and future office accommodation needs.

An asset condition assessment undertaken in 2018 identified the need to undertake approximately \$4 million work of capital works to meet current fire compliance requirements, perform major roof repairs as well as to replace end of useable life building services such as chillers, electricals and lift equipment.

Subsequent investigations identified building materials containing asbestos that would also need to be safely removed (at significant additional cost) as part of any upgrade works. Council considered options for accommodating Council staff and resolved (CM/7.5/19.04) in 2019 to focus on the current Council Chambers building. Given the impending need to replace end of life building services, progress on this project is required as a priority to try to avoid services failure and/or costly works to temporarily extend their serviceable life.

Council endorsed the Property Strategy 2020-2024 in September 2020, which included an action to investigate agile working opportunities within Council's property portfolio. This project provides an opportunity to rationalise staff administration offices to potentially increase value from Council's property portfolio as well as to address the many additions to the Chambers building, which have resulted in inefficiencies in floor layout, community access to the third floor Chambers, secure work areas, number of meeting rooms, ventilation and access to natural light.

A workplace strategy was completed in 2020 by workplace planning consultant Era-Co Pty Ltd. This informed the requirement for Council Chambers Refurbishment. As a result, Architect and Head Consultant Lahznimmo were engaged in early 2021 and completed the options analysis which was reported to Council in August 2021.

The options analysis considered five options for the Council Chambers building including three options for building refurbishment and two options for a full knock-down and rebuild. In August 2021, Council endorsed Option 3, a major refurbishment of the existing Council Chambers building, including the complete removal of pre-1960s structure, as the most feasible and value for money option, delivering a compliant, adaptable and efficient building able to support agile working and avoid financial risks during construction.

Given project inter-relationships and dependencies, a Workplace Connections Steering Committee was formed in August 2021 chaired by the General Manager with Director and Executive Manager

representatives across directorates. The Committee will ensure a co-ordinated and integrated approach projects to optimise the working environment for staff within the Council Chambers building.

A Councillor briefing was held in October 2021 and February 2022 presenting the concept design.

At its meeting in March 2022, Council approved the public exhibition of the REF. Community consultation took place from 6 April 2022 to 4 May 2022.

The tables below present the communication methods used and response information during the consultation period.

Table 1. Communication methods for community.

Method	Overview	Date	Response
Have Your Say website	Council dedicated a 'Have Your Say' page to the project.	6 April – 4 May 2022	319 visits
Posters	Placed in bus stops on Bondi Road, at the library, and in seven different locations around Waverley.	WC 11 May 2022	23 scans
Media release	Promoting the consultation – hosted on the website	WC 6 April 2022	
Social media posts (Instagram)	Launch of the consultation process	7 April 2022	1306 Reach 36 Likes
	Promoting the online panel discussion	26 April 2022	806 Reach 19 Likes
Social media posts (Facebook)	Council chambers video showing the work that needs to be done	8 April 2022	1842 Reach 393 Engagements
	Promoting the online panel discussion	26 April 2022	1343 Reach 127 Engagements
Combined precinct meeting	The invite was sent by Council's Community Liaison Officer to 50 precinct stakeholders including all convenors and committees.	13 April 2022	Three attendees
Have Your Say days	Four days spread across April throughout Waverley (more details below).	Multiple dates	60 surveys collected
Online survey	The online survey was hosted on Have Your Say.	6 April – 4 May 2022	15 participants
Waverley Weekly e-newsletter	Lead story in Waverley Weekly E-News	7 April 2022	7170 received 3809 (53%) opened 101 Clicks
Engagement newsletter	Lead story in the Have Your Say E-News	8 April 2022	7371 received 4451 (59%) opened
Online workshop	An online workshop panel planned to explain the project. Promoted through social media and E-News.	Cancelled	0 registrations
Advertising	In the May edition of the Beast		

Table 2. Communication methods for staff.

Method	Overview	Date	Response
Staff briefings	Phase 1 Briefings conducted for ELT, SLT and all staff. Phase 1 briefings provided: <ul style="list-style-type: none"> - awareness of the project, - 2-way communication channels, share roadmap and timeline, - Questions & Answers. There will be three phase staff briefings to coincide with certain stages of the project.	1 x ELT - 4 April 2022	ELT and SLT – all attended
		2 x SLT - 5 & 6 April 2022	
		2 x All Staff - 7 & 8 April 2022	All Staff - 136 attendees 7 April – 81 attendees 8 April – 55 attendees
Staff newsletters	Announcements including: <ul style="list-style-type: none"> - Staff Briefings, - Community Consultation, - Message from General Manager 	30 March 2022	Issued to 800 staff Open rate 312 = 39% 108 clicked the link
		6 April 2022	
		14 April 2022	Issued to 768 staff Open rate 268 = 35%
Emails from General Manager	Emails sent from General Manager to all staff as updates or announcements.	1 Nov 2021	Issued to 761 staff
		28 March 2022	Unique open rate of 372 = 49% 15% = 135 clicked a link
Intranet	Dedicated page for staff to find information, updates and also Question or Comment button.	Created in 2021 and updated regularly.	339 unique views with an average of 1 min 13sec spent on the page per user

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 15 March 2022	CM/7.12/22.03	That Council: <ol style="list-style-type: none"> Publicly exhibits the Review of Environmental Factors (REF) for the Council Chambers Refurbishment Project attached to the report for 28 days. Notes the planning detailed design for Option 3 for the Council Chambers Refurbishment Project, as set out in Attachments 2 and 3 of the REF. Officers prepare a report to Council following the exhibition period summarising the consultation process, key feedback and recommending revision to concept design, as necessary.
Council 17 August 2021	CM/7.5/21.08	That Council: <ol style="list-style-type: none"> Endorses option three—major refurbishment including complete removal of pre-1960s structure—for the Council Chambers building refurbishment project, as set out in the attachment to the report.

		<ol style="list-style-type: none"> 2. Officers prepare a report to Council with the Review of Environmental Factors (REF), including planning detailed design for option three and consideration of car parking. 3. Includes an increase of \$5.8 million to the project budget for the refurbishment of the Council Chambers building in the Long-Term Financial Plan 6.0.
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4. Discussion

External planner review of submissions

Although it was not required to do so under the *Environmental Planning and Assessment Act 1979* (EP&A Act) Council placed the REF Report, prepared by MG Planning, on public exhibition from 6 April 2022 to 4 May 2022.

As Council is also the proponent of the project, and to ensure that Council's assessment under division 5.1 of the EP&A Act was based on the information that was accurate as possible, Council engaged Gyde Consulting to review submissions from the public exhibition. Refer to Attachment 2 for the full summary.

Gyde Consulting's Review of Submissions concluded as follows:

'Based on our assessment of submissions received during the consultation period, GYDE considers that the draft REF has adequately addressed the matters raised and does not require any further assessment in order to satisfy the requirements of Section 5.5 of the Environmental Planning and Assessment Act 1979.

Notwithstanding that, we consider that valid concerns and issues have been raised in submissions, primarily relating to matters of design and the ongoing use of facilities within the redeveloped Council Chambers. We believe that many of them merit consideration by Council during the more detailed design development phase and, subject to an assessment of their feasibility and practicality, could provide beneficial improvements to the redeveloped Council Chambers.

Following is a summary of our key recommendations as identified in this report.

Pedestrian Access

Specialist traffic advice is obtained to consider the adequacy of proposed access arrangements from Bondi Road to the entrance of the building in terms of safe pedestrian access. Any recommendations from this advice should, where feasible and practicable, be incorporated into the detailed design of the works.

Sustainability

The feasibility of rainwater re-use, as indicated in the draft REF, is further explored and where feasible and practicable, is incorporated into the detailed design of the works.

The feasibility and practicality of opportunities to incorporate additional sustainability elements into the design is assessed, including the increased capacity of Solar PV, a Green Travel Plan, and a Site Waste Recycling Management Plan.

Detailed Design and Use

Consideration is given to the feasibility and practicality of incorporating other suggestions described in this report during the detailed design phase.'

Council review of external submissions

Council officers publicly exhibited the REF, including the concept design.

The objectives of the consultation were to:

- Clearly explain to the Waverley community the refurbishment rationale and timeline.
- Gain an understanding of how to make the building community focused and suited to their needs.
- Build excitement and interest in using the building in the future.

Overall, there were just under 1100 community interactions with consultation process. The table below presents the data overview of the community consultation period.

Table 3: Data overview

Online Survey	<ul style="list-style-type: none"> • 75 participants provided feedback through the online survey • 75% had visited Chambers building • 31% had attended Council Meeting • 29% visited to use Customer Service when it was previously located in the foyer of the building • 84% of participants provided their feedback at the Have Your Say Days • 92% of people identified as living locally • Type of community services and spaces that would be most beneficial in the refurbishment was the most discussed topic • Sustainability was the important theme discussed by the community
Online precinct meeting	<ul style="list-style-type: none"> • 4 Attendees, one from each precinct • Generally supportive that something needed to be done about the building
Long-form submissions	<ul style="list-style-type: none"> • 2 x submissions received via email • Submission 1 preferred to see the frontage remain • Submission 2 covered various issues as budget, parking and change in scope to include rebuild.

The goal of the consultation was to determine what kind of community services and spaces would be most beneficial in the refurbishment. The consultation response received demonstrated general support to upgrade the building. Sustainability was the most important theme discussed by the community. A more comprehensive summary of the feedback is set out in Attachment 1.

Council review of internal submissions Received

There will be three phases staff briefings to coincide with certain stages of the project.

Communication and engagement of Phase 1 of the project within the organisation has been well received. In total, 17 submissions from 10 staff were received via email to the Council Officer or via the intranet. Six staff provided feedback on the REF.

Additional staff feedback received related to Agile Working and this feedback is currently being considered by the Connected Workplace Steering Group and also as part of the Change Management Process which has commenced. The Connected Workplaces Change Management Strategy incorporates a Communication and Engagement plan to facilitate successful change for individuals.

Attendance and questions/commentary throughout the briefings have reflected staff support. The communication approach to date has also provided two-way channels and staff are able to share their feedback and ask questions. This will continue through the lifecycle of the project.

Table 4 below presents officers' responses to the feedback and their recommended changes to the project.

Table 4. Recommended changes to the project.

No.	Description	Recommendation
1	The below three top supported customer services should be accounted for in the next stage of the design: <ul style="list-style-type: none"> Justice of the Peace, Key Customer Service Functions A duty planner with a booking system 	It is recommended that this is addressed as part of the detail design.
2	The level 3 function space should be made available to book on evenings and weekends at reasonable rate. The bookable meeting rooms should include kitchenettes to make tea and coffee	It is recommended that this is addressed as part of the building operation. The current concept design for level 3 includes the commercial kitchen with server area, with provision for tea and coffee.
3	All the meeting rooms should have audio-visual capabilities	It is recommended that this is addressed as part of the detail design.
4	Pedestrian and vehicle access	Specialist traffic advice is obtained to consider the adequacy of proposed access arrangements from Bondi Road to the entrance of the building in terms of safe pedestrian access. Any recommendations from this advice should, where feasible and practicable, be incorporated into the detailed design of the works.
5	Stormwater reuse	The feasibility of rainwater reuse, as indicated in the draft REF, is further explored and where feasible and practicable, is incorporated into the detailed design of the works.
6	Additional considerations	The feasibility and practicality of opportunities to incorporate additional sustainability elements into the design is assessed, including the increased capacity of solar photovoltaic system, a Green Travel Plan and a Site Waste Recycling Management Plan.

5. Financial impact statement/Time frame/Consultation

Consultation

The community and staff will be informed of the outcome of the consultation period in July 2022.

The Connected Workplaces Change Management Strategy is currently at the initial phase of building awareness and answering the human need of why the change is necessary as well as the risks of not changing. The next phase will include a strategy to build staff engagement, support, and participation in the change. As part of the change strategy for the next phase, staff briefings, staff surveys (lessons learnt, envisioning), and impact assessment workshops will be conducted.

Time frame

Activity	Timeframe
Close loop on consultation	July 2022
Detailed Design	July 2022 – October 2022
Procurement	November 2022
Report to Council on Engagement of Preferred Contractor	December 2022
Construction	January 2023 onwards

Financial impact

Current Long Term Financial Plan includes the total project budget of \$17.8 million for the refurbishment of the Council Chambers building.

6. Conclusion

It is recommended that Council approves the changes to the project and proceeds to the detailed design phase.

7. Attachments

1. Consultation Report [↓](#)
2. Submissions Report [↓](#) .



WAVERLEY COUNCIL CHAMBERS REFURBISHMENT

CONSULTATION REPORT - MAY 2022

Waverley Council acknowledges the Bidjigal and Gadigal people, who traditionally occupied the Sydney Coast and we acknowledge all Aboriginal and Torres Strait Islander Elders both past and present.

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Executive summary

Waverley Council Chambers building is at the end of its life. Council's plan is to revitalise the building to better serve our community. The internal refurbishment will create a welcoming civic hub with community meeting spaces and a customer service function.

Between 6 April to 4 May 2022, Waverley Council asked the community to provide feedback on the Review of Environmental Factors (REF) and the services and publicly accessible space in the new building.

1098 people engaged with the consultation period and overall, 75 provided feedback through the survey and 1 through email.

Council's goal for the consultation phase was to understand if the community had used or visited the building in the past, if yes, what for and what customer services and publicly accessible spaces would be of most use moving forward.

The recommendations include:

Customer service:

- The three top supported customer services should be accounted for in the next stage of the design.

Publicly available spaces:

- The level three function space should be made available to book on evenings and weekends and for a reasonable rate
- The bookable meeting rooms should include kitchenettes to make tea and coffee
- All the meeting rooms should have AV capabilities

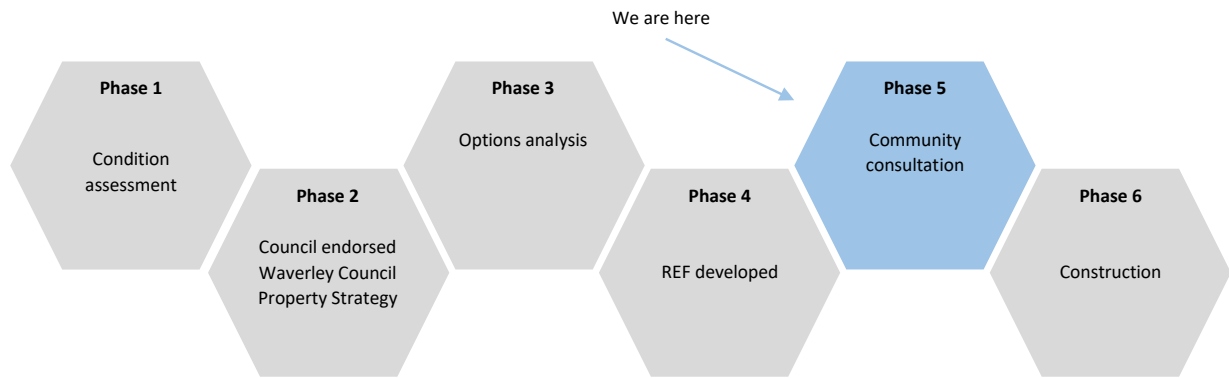
Background

In 2018 a condition assessment identified the Chambers building was nearing the end of its serviceable life. Since then, there have been numerous issues including an asbestos risk resulting in the evacuation of all employees for six weeks and water leaks which caused the shutdown of level 3. In 2020, Council endorsed the Waverley Council Property Strategy and began an options analysis. The refurbishment presented to the community was chosen through this process.

In 2021 a Review of Environmental Factors (REF) report was created in response to the design by Architect Lahznimmo.

Between 6 April to 4 May 2022, Waverley Council asked the community to provide feedback on the REF and the proposed services and accessible public spaces in the proposed building.

The REF responses will be reviewed by an external planner. This report covers the community feedback provided on the services provided within the building.



Consultation approach and objectives

Council's goal for the consultation phase was to understand if the community had used or visited the building in the past, if yes, what for and what customer services and publicly accessible spaces would be of most benefit use moving forward. The objectives were to:

1. Clearly explain to the Waverley community the refurbishment rationale and timeline
2. Gain an understanding of how to make the building community focused and suited to their needs
3. Build excitement and interest in using the building in the future

Engagement activities

A range of engagement activities were used to maximise the opportunity for community participation. Of note were the four Have Your Say Days spread around the Local Government Area (LGA). These provided opportunities for the community to ask questions and provide feedback to Council Officers.

The engagement process aligned with 'consult and involve' on Waverley Council's adapted IAP2 model for community engagement. There were just under 1100 community interactions with the consultation process.

Method	Overview	Date	Response
Have Your Say website	Council dedicated a Have Your Say page to the project.	6 April – 4 May	319 visits
Posters	Placed in bus stops on Bondi Road, at the library, and in seven different locations around Waverley.	WC 11 May	23 scans
Media release	Promoting the consultation – hosted on the website	WC 6 April	
Social media posts (Instagram)	Launch of the consultation process	7 April 22	1306 Reach 36 Likes
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Combined precinct meeting	The invite was sent by Council's Community Liaison Officer to 50 precinct stakeholders including all convenors and committees.	13 April	Three attendees
Have your say days	Four days spread across April throughout Waverley (more details below).	Multiple dates	60 surveys collected
Online survey	The online survey was hosted on Have Your Say.	6 April – 4 May	15 participants
Waverley Weekly e-newsletter	Lead story in Waverley Weekly enews	7 April	7170 received 3809 (53%) opened 101 Clicks
Engagement newsletter	Lead story in the Have Your Say enews	8 April	7371 received 4451 (59%) opened

Online workshop	An online workshop panel planned to explain the project. Promoted through social media and enews'.	Cancelled	0 registrations
Advertising	In the May edition of the Beast		

Detailed results – Have your say days

Over four days, Council Officers spoke with 60 people. The four locations were spread throughout Waverley and the feedback provided was included in the survey results.

Date	Locations of HYS DAY	# of participants
Saturday 9 April	Bondi Beach (Markets)	22
Sunday 10 April	Old South Head Road, Dover Heights	13
Thursday 28 April	Bronte Beach	20
Friday 29 April	Bondi Road outside Council Chambers	5

Detailed results – Survey

Overall, there were 75 people who participated in the survey. 75% of the participants had been to the Chambers building before, 31% had been to a Council meeting and 29% had been there to use Customer Service when that was previously located in the foyer of the building.

Customer service function:

The participants had the option to choose as many services as they thought would be useful in the building. The three most popular were:

1. Justice of the Peace (76%)
2. Key customer service functions (68%)
3. A duty planner with a booking system (63%)

Some other ideas people included:

- installing e-waste bins
- reduce the size of the Bondi Junction customer service centre

Community spaces:

The participants were asked to pick the types of community spaces they would like to use in the building. The most popular were:

1. A venue available for functions, evenings and weekends (75%)
2. Seminar space for sustainability, planning and waste education (68%)
3. Bookable meeting rooms during the week, evenings and weekends (53%)

Community spaces somewhat supported were:

- Spaces to meet with Councillors (40%)
- Spaces to meet with Council Officers (39%)

Other Community space ideas participants mentioned were:

- Several participants wanted to make sure the hiring costs were affordable compared to private entities.
- Exhibition space
- A library
- Areas that would facilitate school age children learning about local government.

Is there anything else we should consider for this project?

35 people provided a response. The main points (14%) focused on sustainability.

- One person believed Waverley Council, as a leader in sustainability, should aim to become a B-Corp
- Two people suggested to include an edible garden and to use it as a teaching opportunity for the community
- One person thought Council should take the opportunity to show other organisations how it's done by including top range solar and water reuse.
- One said the gardens outside should be used as seating spaces for the community and council employees
- Other comments included running sustainability talks, being a leader, add a green façade or roof and one person said to knock it down and create a real sustainable building not one built around an old one
 - "The building should be knocked down and rebuilt as a fully sustainable building. The current proposal is a false economy - better to spend more money now on a new and sustainable building than waste money building around and over the top of existing (non-sustainable) buildings.

Involving younger generations

- There was a suggestion to have Waverley's younger generation involved in the workings of Council, maybe including a childcare, or creating a space for kids to tour through the building and understand how local government works.

Parking

- Two people asked for electric vehicle charging stations
- Three people said there should be more parking
- One asked for more motorbike and scooter parking
- One asked for a two-hour parking limit everywhere around the building

Pedestrians and accessibility

- Four people talked about improved pedestrian accessibility in and around the building.

Demographics

84% of participants provided their feedback at the Have Your Say Days and 92% of people identified as living locally.

Precinct meeting

The invite for the online precinct meeting was sent to over 50 precinct committee members and convenors. There were four attendees one each from Bronte Precinct, Bondi Heights Precinct, Charing Cross Precinct, North Bondi Precinct.

Council officers gave a 10 min presentation on how the project timeline had developed and the key aspects of the proposed building.

Customer services

- Asked about keeping customer service in BJ. Council officers explained we'd have a new neighbourhood approach to Customer Service

Publicly accessible spaces

- Kitchenettes for tea and coffee
- Hybrid AV ability
- One person said they weren't sure the lift needed to move

General comments

- Supportive something needed to be done about the building
 - One participant thought they should knock it down and build in Bondi Junction
 - One was happy the building was staying, making it more sustainable
 - One didn't believe Council's monetary figures around how much each option would cost
- Western external staircase is an eye sore
- Connection from rear carpark to the front of the building, widening Paul St footpath
- Provide seating along Paul St (landscaped area)
- A new entrance from Paul St

Longform submissions

Council received two longform submissions via email, both available in appendix B.

Submission 1: would like to see the frontage remain and is concerned that Council keeps taking out a whole period of architecture. However, acknowledges Council is in the hands of a good architect.

Submission 2 was received by Bondi Heights Precinct, and it focused on several topics listed below.

- Budget concerns, wonders whether it should just be a knockdown and rebuild
- Considers the parking forecast is negligible and believes the parking will be made much worse for residents
- Staff should not be leaving the office to move their cars every two hours.
- Demolish the building and start again

Conclusion

The goal of the consultation was to determine what kind of community services and spaces would be most beneficial in the refurbishment. The community sentiment, particularly through the Have Your Say Days, demonstrated general support to upgrade the building.

Recommendations

Customer service:

- The three top supported customer services should be accounted for in the next stage of the design.

Publicly available spaces:

- The level three function space should be made available to book on evenings and weekends and for a reasonable rate
- The bookable meeting rooms should include kitchenettes to make tea and coffee
- All the meeting rooms should have hybrid AV capabilities

General:

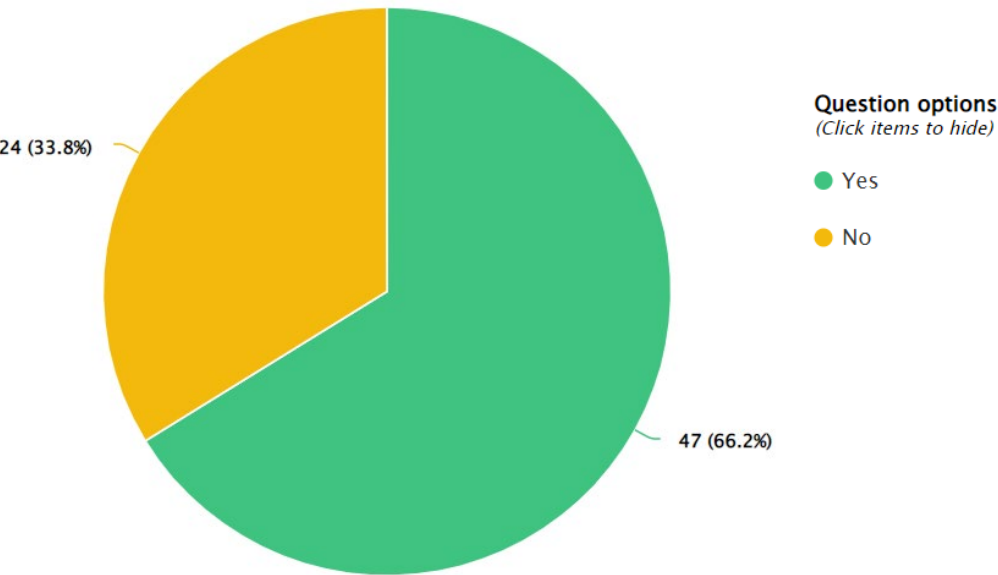
- Electric vehicle charging stations in the parking
- Motorbike and scooter parking
- Landscaping ideas should be considered – edible garden, outdoor seating areas for the community and council officers, potentially on Paul St side.

Sustainability:

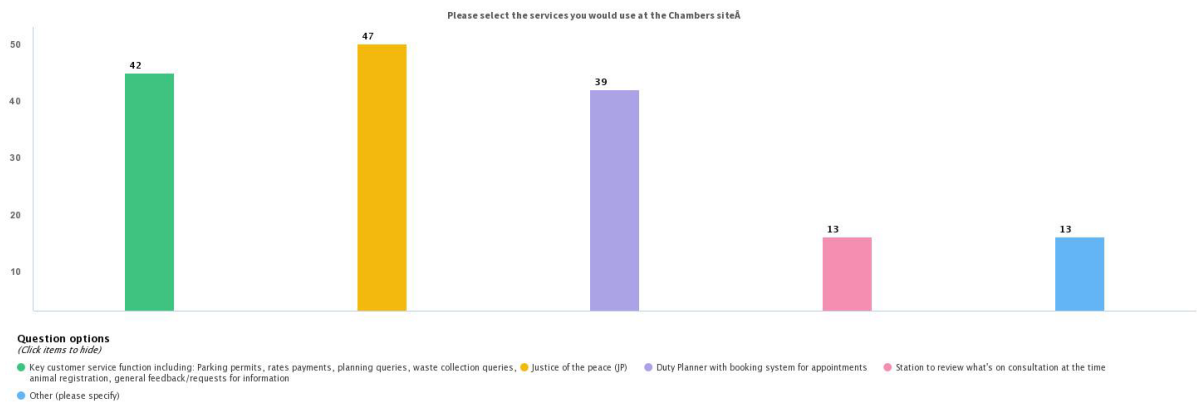
- Investigate increasing sustainability (environmental and longevity) of the building. “Sustainability” was the most important theme discussed by the community.

Appendix A – survey results

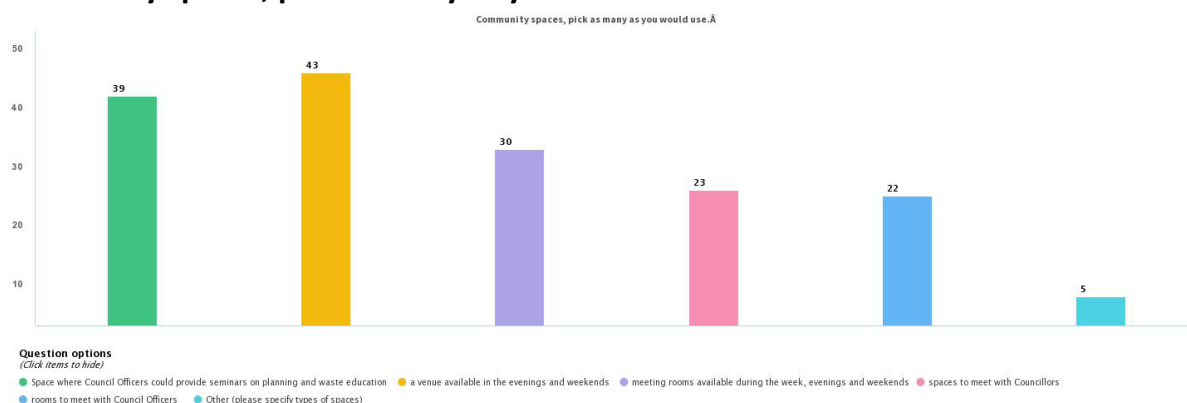
Have you ever visited chambers?



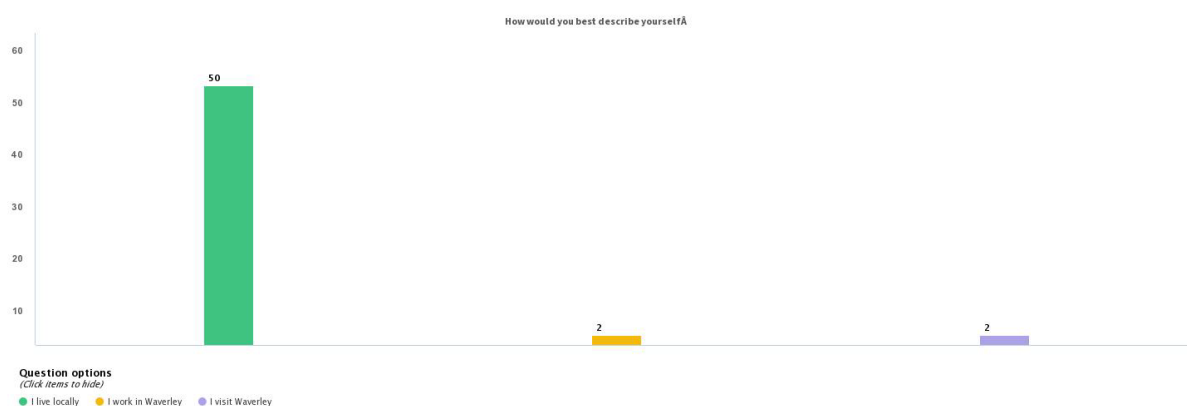
Please select the services you would like to use at Chambers site



Community spaces, pick as many as you would like



How would you describe yourself?



Appendix B – Long form submissions

Submission 1: received 8 March 2022

“It is **pity that the existing Bondi Road facade will be altered beyond recognition**. I understand the facade was designed by local architect Henry Kurzer. Council seems obsessed with saving buildings from pre 1945 but anything after that appears to have no relevance. It would be a pity if the future there was a whole period of architecture where there were no examples left in the municipality.

I see you are in the hands of very good architects and I am sure the rest of the alterations will be very good.

I fully support the use as a community hub.”

Submission 2: Bondi Heights Precinct Submission - received 2 May 2022

This submission on behalf of Bondi Heights Precinct has been prepared by the Convenor, Bill Mouroukas and is for consideration by Waverley Council, Officers and Councillors in relation to the proposed refurbishment of Waverley Council Chambers.

I was one of only a few precinct representatives who participated in a Zoom event conducted by officers on 13 April 2022. Following this event I informed my precinct eMail group that Council was planning to upgrade the chambers. The response I received can be described as not supportive. I quote the following comments to me from from one Bondi Heights Precinct resident:

"I can't believe it, but most will not remember how that building evolved. It is a real hotchpotch..... Don't tell me it has any heritage value.

In reality it [a demolition and new build]] will not cost more because a new building would be more space efficient. The new design looks as dated as the existing building. What a wasted opportunity, they should move it back into the hill, integrate it with the landscape with all the ergonomic advantages that that presents, and then put something more pleasant and more sympathetic in the front.

I am not going to waste my time making a submission to "Have Your Say" after the last [Bondi Heights Precinct] meeting. The council staff were not there to listen, they were there to tell and were not going to budge regardless of what we said."

The sentiment of the above quoted resident is indicative of views held by others with whom I've spoken, particularly in the belief that Council is not really interested in the community's views. The massive blowout of the budget for the Bondi Pavilion refurbishment has confirmed to many that Council is not a good manager of the public purse. I understand the Council has budgeted \$17.8 million for the project of which an estimated \$12million is needed just to make the building compliant.

If Council is going to spend an estimated \$18m, which will probably extend to at least another 25% on top of that, then why not go for the new build option at not much more, and the community can get a totally new product, rather than be constrained by what is there now.

The proposal maintains the existing Council staff and visitors' on-site parking at the rear (17 spaces), yet the increased staff numbers are forecast to generate a net increase of ONLY six vehicles during the morning peak hour and four vehicles in the afternoon peak hour. The proposal considers this to be negligible in the context of the surrounding road network and would not impact its operation. This is very much a debatable point. It is more likely to make matters much worse for local residents, who already have limited on-street parking through high levels of parking occupancy.

Although the alts and adds approach MAY still provide an opportunity for more staff than now, it does NOT permit 'everyone' to be 'housed' in the same building (thereby improving both efficiency and effectiveness for a 'whole of Council' approach to getting things done). Even the increase in staff provided by the proposed design will surely require more staff car parking to cope. Where would these additional cars park? Not on site and not in the surrounding streets, where Residential Parking Schemes exist. We don't want staff to leave their office to move their car every two hours to avoid getting a fine. If this does occur, they may find that there are few parking spaces available, and they spend some time

driving around (certainly not environmental) until they eventually find a space some distance from the office. This would be a totally unacceptable outcome.

Last time refurbishment of the Chambers came up, asbestos removal was given as a cause. Once again, asbestos is being declared as an important justification to carry out another expensive patch up of the building. The patience of the community is being tested when repeated expensive refurbishments are undertaken on the same buildings such as this. This proposal is for alts and adds on top of previous alts and adds to a building that was designed and built in the 1920's for the circumstances of the day. Times have changed, and so it is appropriate for the current building to be demolished and we start again with a new build that can provide a design of the times which will future proof the building for years and years to come.

This submission reflects the views of the Bondi Heights Precinct community as made known to me.

--

To cease receiving my eMail Precinct Updates, please reply with the word UNSUBSCRIBE in the message.

Bill Mouroukas

Convenor Bondi Heights Precinct

Reply to: convenorbill@gmail.com


Submission 1: received 8 March 2022

One received "It is **pity that the existing Bondi Road facade will be altered beyond recognition**. I understand the facade was designed by local architect Henry Kurzer. Council seems obsessed with saving buildings from pre 1945 but anything after that appears to have no relevance. It would be a pity if the future there was a whole period of architecture where there were no examples left in the municipality.

I see you are in the hands of very good architects and I am sure the rest of the alterations will be very good.

I fully support the use as a community hub."

Appendix C – Facebook posts




Waverley Council

Published by Sprout Social · 8 April · 🌐


Waverley Council Chambers is at the end of its life. Urgent repairs are needed to address asbestos, significant water leaks causing major internal damage, lack of accessibility, failed air-conditioning, poor insulation, and sustainability.

Instead of just repairing it, Council will refurbish the building to avoid wasting money on any further temporary fixes and to make the building better suited for community use. The goal is to create a welcoming civic hub with community me... See more



See insights

Boost post

 21

29 comments 2 shares



Waverley Council

Published by Sprout Social · 26 April at 10:45 · 🌐

Want to learn more about the Chambers Refurbishment? Join us for a panel discussion 6pm to 7pm, Thursday 28 April via zoom - registration essential <https://bit.ly/3kc49jS>



EVENTBRITE.COM.AU

Information panel - Waverley Council Chambers Refurbishment

Appendix D – Instagram post



Appendix E – Waverley Weekly



Appendix F – Engagement e-newsletter

Have Your Say Waverley — April 2022

[Council live streams all Council meetings](#) and meetings of the Operations and Community Services Committee and the Strategic Planning and Development Committee. The next Council Meeting is 7pm, 12 April 2022. [Check out the agenda](#) to see if you want to tune in.

PROJECTS OPEN FOR COMMUNITY INPUT

[Waverley Council Chambers Refurbishment](#) - Urgent repairs are needed to address asbestos, significant water leaks causing major internal damage, lack of accessibility, failed air-conditioning and poor insulation and sustainability. The building will be transformed into a welcoming civic hub with community meeting spaces and a customer service function. It will house more Council employees, reducing the cost of renting extra office space and will help us be more effective as an organisation. Public exhibition open 6 April - 4 May 2022.

- We are seeking community feedback about the [Waverley Park Fitness Station Upgrade](#). Consultation open 21 March - 18 April
- Waverley Council is [seeking expressions of interest \(EOI\) from community-based pottery studio](#) operators to activate and promote the upgraded pottery studio developed as part of the Bondi Pavilion restoration project. Accepting submissions until 19 April 2022.
- [The Voluntary Planning Agreement Policy](#) is updated regularly to ensure it is operating efficiently and correctly and in line with the most current industry benchmarks. There are amendments on exhibition until 11 April 2022.
- We are hosting an [art competition to promote United to End Racism](#). We will be offering two panels on the Bondi Beach Sea Wall to artists from culturally and linguistically diverse backgrounds. Applications close 25 April 2022.
- [Tamarama Marine Drive Safety Upgrades](#) - We are seeking feedback on proposed safety improvement works along Tamarama Marine Drive. Works will include replacing the existing pedestrian island with a raised pedestrian crossing, upgrading existing bus shelters and more. Feedback closes 13 April.
- Waverley Council has received a draft Planning Agreement for [154 Ramsgate Avenue, North Bondi](#). Submissions open until 4 May 2022.

PROJECT UPDATES

Appendix G - Print advertising in the Wentworth Courier

and mayoral column and the Beast

Waverley Council Update



Mayor's Message

Community net zero 2030

I am delighted that my Mayoral Minute to set a community greenhouse gas emission target of net zero by 2035 was adopted at the March Council meeting. Our previous target for the community was 2050, which is too far in the future and doesn't align with the latest scientific research which shows that global temperatures are rising and there's an urgent need to rapidly reduce greenhouse gas emissions. Net zero emissions means that emissions that cannot be avoided must be countered by purchasing equivalent greenhouse gas removals such as carbon credits. In a community setting, net zero emissions can also be achieved in several ways including by reducing emissions from electricity by using 100% renewable energy; increasing the levels of active transport such as walking and cycling, and, diverting waste from landfill by increased recycling and composting. For more, check out the news section of our website.

Chambers refurbishment

Waverley Council is undertaking a major refurbishment of the Council chambers building in Bondi Road and is inviting the community to provide feedback about how they



Artist impression of Chambers refurbishment

Storm damage works

Waverley Council has been progressing repairs to infrastructure at our beaches following damage caused by big swells and high tides in the last week of March. At Bronte Beach, the brick fencing on the promenade was damaged and there was damage around the pool. At North Bondi, there was damage to the promenade and fence above the Wally Weekes pool. As always, the quickest way to report a problem to Council including damage, graffiti, potholes or fallen trees is via the free Snap Send Solve app. You can also lodge a request through our website or by calling Customer Service on 9083 8000.

Charing Cross to Bronte Beach heritage walk

Our much-loved heritage walk from Charing Cross to Bronte Beach is now even better with a new digital offering developed by our Urban Design and Heritage team! You can link to our audio-visual tour of the 2.5 km walk and a PDF map on the hellobondi.com.au tourism website or through our website. The Charing Cross to Bronte Beach heritage walk celebrates the people and heritage of these two villages through 22 mapped stories about our notable residents and historical buildings.

Paula Masselos,
Mayor of Waverley

Waverley Council Update



Community net zero 2030

I am delighted that my Mayoral Minute to set a community greenhouse gas emission target of net zero by 2035 was adopted at our March council meeting. Our previous target for the community was 2050, which is way too far off in the future and doesn't align with the latest scientific research which shows that global temperatures are rising and there's an urgent need to rapidly reduce greenhouse gas emissions. Net zero emissions means that emissions that cannot be avoided must be eliminated by purchasing equivalent greenhouse gas removals such as carbon credits. To read how net zero can be achieved, visit our Second Nature website.

Chambers refurbishment

Waverley Council is undertaking a major refurbishment of the Council chambers building in Bondi Road and is inviting the community to provide feedback about how they would like to use the improved facilities. The circa 1913 building is on its last legs and has major and costly layout, design, accessibility and compliance issues including a leaking roof, asbestos issues and poor insulation. Over the years, the building has been subject to several ad-hoc alterations and additions that have resulted in ongoing problems and we simply cannot keep pouring money into temporary fixes and repairs. We also recognise that the way we interact with our community has changed, we are more engaged with our community now than we have ever been, and our goal is to create a sustainable civic asset where we can gather with the community and share ideas. Our refurbishment plans have been in the works for a long time and delivering this building will be an important step in realising Council's goal of net zero for the organisation by 2030. For more, and to see our Review of Environmental Factors, visit haveyoursay.waverley.nsw.gov.au

Paula Masselos,
Mayor of Waverley

Mayor's Message

Holiday greetings

On behalf of everyone at Waverley Council, I would like to wish our residents observing Easter this week and Orthodox Easter and Pesach this month, a safe and enjoyable time with family and friends. Our thoughts are also with our returned servicemen and women and their families as we observe Anzac Day on Monday 25 April 2022 marks the first time in two years that Australians can attend Anzac Day commemorations in Australia and overseas. On behalf of everyone at Waverley, Let Us Forget.

Storm damage works

Waverley Council has been progressing repairs to infrastructure at our beaches following damage caused by last month's big swells and high tides. At Bronte Beach, the brick fencing on the promenade was damaged and there was damage around the pool. At North Bondi, there was damage to the promenade and fence above the Wally Weekes pool. As always, the quickest way to report a problem to Council including damage, graffiti, potholes or fallen trees is via the free Snap Send Solve app. You can also lodge a request through our website or by calling Customer Service on 9083 8000.


Ph: 9083 8000 | waverley.nsw.gov.au | Stay in touch: waverley.nsw.gov.au/subscribe
Updates for Communities CCND-10 | waverley.nsw.gov.au/communities

Ph: 9083 8000 | waverley.nsw.gov.au
Stay in touch: waverley.nsw.gov.au/subscribe





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Friday 29 April 6-8 pm

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Sat 30 April & Sun 1 May
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Waverley Council Chambers Refurbishment

HAVE YOUR SAY
Consultation open
6 April – 4 May

Urgent repairs are needed to address asbestos, significant water leaks causing major internal damage, lack of accessibility, failed air-conditioning systems and poor insulation and sustainability.

The building will be transformed into a welcoming civic hub with community meeting spaces and a customer service function. It will house more Council employees, reducing the cost of renting extra office space and will help us be more effective as an organisation.



Check out the plans, the Review of Environmental Factors and fill in the survey at: haveyoursay.waverley.nsw.gov.au/chambers-refurbishment



Issue 208 May 2022 The Beast 47

Appendix C – Article in Architecture AU

ARCHITECTUREAU

Magazines Newsletter


ARCHITECTUREAU

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NEWSPRODUCT SELECTORPROJECTSAWARDSDISCUSSIONPEOPLE

Sydney council to refurbish its ageing chambers

INDUSTRY NEWS | ArchitectureAU Editorial | 26 Apr 2022



The proposed refurbishment of Waverley council chambers by Lahznimmo, Antelope and Black Beetle.




Sydney's Waverley Council has proposed a multi-million dollar refurbishment of its Bondi chambers building, designed by Lahznimmo, with Antelope and landscape architects Black Beetle.

The original council chambers was built in 1913 and throughout the past century has had a series of ad hoc alterations and additions.

The council says the building is "at the end of its life" and a number of urgent repairs are needed, as well as asbestos removal and addressing water leaks, poor insulation and lack of accessibility.

In 2019, the council decided that instead of doing sporadic repairs to the building, it would instead refurbish the entire facility "to make it more efficient."



The proposed refurbishment of Waverley council chambers by Lahznimmo, Antelope and Black Beetle.

The design includes a double height foyer that will provide space for informal meetings and displays, a new roof with solar panels that will generate energy for the facility, and an internal refurbishment that would remove asbestos, improve accessibility and replace inefficient building services.

The refurbishment will also see the forecourt expanded with improved amenities for the public, and the street frontage revamped with a design that references colours and textures of nearby coastal cliffs.

The design aims for high level of sustainability to reduce the council's carbon footprint, in line with council's goal of becoming net zero by 2030.

The council is seeking community feedback on the design until 4 May.



30 May 2022

Ava Acharya
Project Manager, Major Projects
 Waverley Council
 Level 6, 55 Grafton Street
 BONDI JUNCTION NSW 2022
ava.acharya@waverley.nsw.gov.au

Dear Ava,

WAVERLEY COUNCIL CHAMBERS REDEVELOPMENT SUMMARY OF COMMUNITY CONSULTATION RESPONSE TO DRAFT REF

GYDE Consulting has been engaged by Waverley Council to undertake a review of the public submissions received during the community consultation period for the draft Review of Environmental Factors (REF) for proposed Council Chambers redevelopment, to inform Council's determine process.

1. INTRODUCTION

This report describes the consultation undertaken and the profile and summary of key issues raised in submissions received during the notification period. We have provided commentary and recommendations on responses to submissions.

2. SUMMARY OF ENGAGEMENT

Consultation on the draft REF was held between 06 April 2022 and 04 May 2022 and included consultation with the following stakeholders:

- The Community
- Council staff
- Sydney Water

During the exhibition period, Council used a number of engagement mechanisms to promote the exhibition and the opportunity to provide feedback on the draft REF. The engagement mechanisms used are identified in Table 1 below.

Table 1: Engagement Mechanisms

Tool	Who	Where/When	Why	Reach/Engagement
Frequently Asked Questions (FAQs) sheet	Available to all community	Available on Council's website	Provide answers to commonly asked questions	12 participants visited the FAQ list page
Survey (SurveyTools)	Available to all community	Available on Council's website	To understand the community sentiment towards the proposed works and additional considerations the community believe the REF	70 participants submitted a survey response. However, only 10 participants answered Question 9 which relates directly to the works

Level 6, 120 Sussex St, Sydney NSW 2000
 GYDE.COM.AU
 ABN 58 133 501 774

21-261



Tool	Who	Where/When	Why	Reach/Engagement
			should include.	included in the REF.
Project Documents	Available to all community	Available on Council's website for download	To provide key information to inform the works proposed as part of the REF.	39 documents were downloaded.
Q & A	Available to all community	Available on Council's website	To provide answers to questions the community may have which are additional to the FAQs sheet.	No responses were received.
Photos	Available to all community	Available on Council's website	To provide key information to inform of the works proposed as part of the REF.	54 participants viewed a photo.
Video	Available to all community	Available on Council's website	To provide key information to inform the works proposed as part of the REF.	Zero (0) participants viewed the video.
Key Dates	Available to all community	Available on Council's website	To provide key information to inform the key dates for works proposed as part of the REF.	14 participants viewed the key dates.
Private Consultation Letter	Sydney Water	Via email correspondence	To provide details of the works proposed as part of the REF.	Sydney Water provided a response via email on the 03 May 2022.
Email Notification	Waverley Council Staff	Via email correspondence	To provide details of the works proposed as part of the REF to staff of Waverley Council.	A total of nine (9) responses were received, seven (7) within the notification period and two (2) late responses.

In total, 70 responses were received from the community and nine (9) responses were received from Council staff. Sydney Water advised that it had no objections to the works the subject of the draft REF.

3. KEY ISSUES RAISED BY RESPONDENTS

Following is a summary of the key issues raised in the submissions and GYDE's response.

3.1. Traffic and Car Parking

Six (6) community submissions and two (2) staff submissions raised concerns about the lack of parking and encouraged consideration of additional parking provision, facilities or mechanisms, including EV charging stations, timed street parking within the vicinity of the site, and opportunity for scooter or motor bike parking. Further, one staff submission identified the opportunity for implementing a Green Travel Plan (GTP) to encourage alternative modes of active transport.

GYDE Response: The proposed works include a re-design of the forecourt, with the retention of seven (7) off-street parking spaces (one accessible). The proposed works do not alter the existing number of car parking spaces available onsite, which remain consistent with Council's DCP parking rates. Additional bicycle parking is provided within the forecourt. Other matters raised, such as timed street parking and EV charging stations, are matters that Council may wish to consider, but are not necessary to address or mitigate any impacts associated with the proposed works.

3.2. Vegetation Removal

Two (2) community submissions and two (2) staff submissions referred to the impact of vegetation removal to facilitate the proposed works. While the submissions were varied, the key message reflected concern for loss of



vegetation, coupled with concerns for a lack of plantings within the proposed landscaping treatment, which is further discussed in section 3.3 below.

GYDE response: While the proposed work does include removal of two (2) trees, it has been designed to retain vegetation where possible. In particular, three (3) trees are proposed to be transplanted to the northwest of the site. We consider that the concerns have been adequately addressed in the draft REF and appropriate mitigation measures proposed. As such, whilst Council may wish to consider additional tree planting in association with the works, it is not considered essential in order to mitigate environmental impacts.

3.3. Landscaping Treatment

Three (3) community submissions commented on the proposed landscaping treatment, with particular mention of the amount of pavement in the proposed forecourt and lack of vegetation proposed to provide opportunities for shade and relief from the urban heat island effect. The concept of a 'green wall', 'green façade', and 'green roof' were mentioned.

GYDE response: The proposed works involve removing the existing shrub arrangement which creates the Portecochere within the forecourt and proposes an on-grade garden arrangement to improve accessibility within the forecourt. The sentiment from the community reinforces the importance of providing appropriate plantings within the proposed landscaping strategy. We consider that these concerns have been adequately addressed in the draft REF. Again, whilst Council may wish to review the landscape scheme to address issues raised, it is not considered essential in order to mitigate environmental impacts.

3.4. Pedestrian and Vehicle Access

Two (2) community submissions and one (1) staff submission identified concerns with pedestrian and vehicle access. Specifically, the submissions raised concerns in relation to the 'shared pathway' not allowing appropriate separation between vehicle and pedestrian access and identify safe pedestrian access as a priority within design refinement.

GYDE Response: The proposed works provide pedestrian access opportunities with the implementation of stairs and an access ramp designed in accordance with AS/NZS 1428. The forecourt area will be converted into a low-speed shared zone which proposes altered pavement material that emphasises the movement of pedestrians through the zone.

Whilst addressed in the draft REF, we recommend that further specialist traffic advice is obtained to consider the adequacy of proposed access arrangements from Bondi Road to the entrance of the building in terms of safe pedestrian access. Any recommendations from this advice should, where feasible and practicable, be incorporated into the detailed design of the works.

3.5. Stormwater Re-use

One (1) community submission and two (2) staff submissions sought further consideration of water re-use and rainwater capture in the proposed stormwater strategy. The Draft REF identifies overflow from the rainwater tank and flow from stormwater drainage in landscaped areas as being collected and directed into an underground detention tank.

GYDE response: The proposed works including water efficiency and conservation techniques and indicates that ongoing rainwater capture and storage will be explored. Where feasible, rainwater re-use will be considered for landscape irrigation to all green areas and landscaping surrounding the development and within the site boundary.

The draft REF addresses these issues, and we recommend that the feasibility of rainwater re-use, as indicated in the draft REF, is further explored and where feasible and practicable, is incorporated into the detailed design of the works.

3.6. Additional uses as suggested by the community

Council's community engagement survey provided the community with the opportunity to suggest additional uses



they would like to see available within the Council Chambers or within the proposed works.

Responses received from the community are listed below:

- Space where Council Officers could provide seminars on planning and waste education (2 submissions).
- Approach universities to provide them with opportunities to use the building as a research project and use their latest technologies and products in the building to assist with their research.
- Meeting rooms available during the week, evenings, and weekdays (2 submissions).
- Opportunity for community education.
- Opportunity for community garden.
- Affordable community spaces.
- Children's play area.
- Community connection opportunities.
- E-waste bins.
- Scooter / motor bike parking.

GYDE response: These submissions are largely outside the requirements of the draft REF to examine and rather, relate to matters of the nature and use of future facilities within the Council Chambers redevelopment. We consider that they are generally meritorious, and we recommend that the suggestions are subject to assessment of their feasibility and practicality for inclusion in the further detailed design and operation of the upgraded Council Chambers.

3.7. Additional considerations as suggested by staff

The list below identifies matters raised additional to that identified throughout section 2.

- Car parking concerns were raised for staff who use vehicles for business purposes throughout the day.
- Built form considerations were raised in term of the forecourt. Consideration was given to roofing the port cochere within the forecourt to provide a green roof.
- The location of a 'plant room' for the cable or hydraulic lift was raised as a concern and has been recommended to be incorporated into the detailed design.
- Further consideration for the size and location of the staff kitchen was raised. It was requested that opportunity to relocate the kitchen to the ground floor be explored to provide access onto the park and encourage staff to go outside during their lunch break.
- Consideration for limited staff kitchen facilities on each floor was requested.
- A concern was raised in relation to the location of the flagpoles.
- Further consideration of sustainability has been recommended within the detailed design. The follow items were specifically raised:
 - Increased capacity of Solar PV capacity,
 - Green Travel Plan, and
 - Site Waste Recycling Management Plan.

GYDE response: These submissions are outside the requirements of the draft REF to examine and rather,



relate to matters of the nature and use of future facilities within the Council Chambers redevelopment. We consider that they are generally meritorious, and we recommend that the suggestions are subject to assessment of their feasibility and practicality for inclusion in the further detailed design and operation of the upgraded Council Chambers.

4. SUMMARY AND RECOMMENDATIONS

Based on our assessment of submissions received during the consultation period, GYDE considers that the draft REF has adequately addressed the matters raised and does not require any further assessment in order to satisfy the requirements of Section 5.5 of the *Environmental Planning and Assessment Act 1979*.

Notwithstanding that, we consider that valid concerns and issues have been raised in submissions, primarily relating to matters of design and the ongoing use of facilities within the redeveloped Council Chambers. We believe that many of them merit consideration by Council during the more detailed design development phase and, subject to an assessment of their feasibility and practicality, could provide beneficial improvements to the redeveloped Council Chambers.

Following is a summary of our key recommendations as identified in this report.

Pedestrian Access

Specialist traffic advice is obtained to consider the adequacy of proposed access arrangements from Bondi Road to the entrance of the building in terms of safe pedestrian access. Any recommendations from this advice should, where feasible and practicable, be incorporated into the detailed design of the works.

Sustainability

The feasibility of rainwater re-use, as indicated in the draft REF, is further explored and where feasible and practicable, is incorporated into the detailed design of the works.

The feasibility and practicality of opportunities to incorporate additional sustainability elements into the design is assessed, including the increased capacity of Solar PV, a Green Travel Plan, and a Site Waste Recycling Management Plan.

Detailed Design and Use

Consideration is given to the feasibility and practicality of incorporating other suggestions described in this report during the detailed design phase.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'David Ryan', written over a thin vertical line.

David Ryan
Executive Director

REPORT CM/7.10/22.06



Subject: Bus Driver Amenity Facilities - Licence to Transdev John Holland Buses (Aust) Pty Ltd - Exhibition

TRIM No: A22/0152

Author: John Andrews, Property Manager

Director: Sharon Cassidy, Acting Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. In accordance with section 47 of the *Local Government Act 1993*, publicly notifies and exhibits for a minimum of 28 days the proposal to grant three licences to Transdev John Holland Buses (Aust) Pty Ltd of up to eight years each for the use of bus driver amenities at the following locations (one licence for each location):
 - (a) South Head Cemetery, Old South Head Road, Vaucluse.
 - (b) North Bondi Terminus, Campbell Parade, North Bondi.
 - (c) Bronte Tram Shed, Bronte Road, Bronte.
2. Officers prepare a report to Council following the exhibition period should any submissions be received.
3. Subject to no submissions being received by the end of the exhibition period:
 - (a) Grants the three licences to Transdev John Holland Buses (Aust) Pty Ltd on the terms and conditions set out in the report.
 - (b) Authorises the General Manager, or delegated representative, to complete negotiations and execute the licences.

1. Executive Summary

Transport for NSW (TfNSW) has been responsible for bus services in the Waverley local government area for many years but went to tender to find a private operator in 2021. The successful tenderer was Transdev John Holland Buses (NSW) Pty Ltd, which now operates bus, ferry and light rail services in partnership with TfNSW.

To assist bus drivers during their workday, Council has over many years permitted the exclusive use of toilet facilities at three sites being:

- South Head Cemetery, Old South Head Road, Vaucluse.
- North Bondi Terminus, Campbell Parade, North Bondi.
- Bronte Tram Shed, Bronte Road, Bronte.

The tenure of these sites with TfNSW and Council has been operating on historical arrangements that now need to be formalised with the introduction of the new operator.

2. Introduction/Background

Transdev John Holland Buses (NSW) Pty Ltd contacted Council in May 2022 to advise that it had been appointed as the Eastern Suburbs bus operator by TfNSW and that it wished to enter into formal licences to secure three toilet facilities for use by its staff previously used by TfNSW.

3. Relevant Council Resolutions

Nil.

4. Discussion

A draft licence was provided by Transdev John Holland, which has been reviewed by Council's solicitor and is now in a form that can be considered appropriate for the permitted use and protects Council's interests.

At each site there are male and female toilets. Diagrams of the sites and their locations attached to this report.

The licences will make Transdev John Holland responsible for all repairs, maintenance, cleaning and refurbishment, with Council to cover any external capital costs to the buildings such as roof replacement or structural repairs if any. The licensee will also be liable for the costs associated with electricity and water consumption either by a direct meter reading or an estimate if no separate meter exists.

Previously, no rent was levied on TfNSW; however, to ensure Council has funding to cover future capital expenditure or outgoings, rentals have been placed on each location as indicated in Table 1 below.

Table 1. Rent per annum for each location

Location	Rent per annum	Term	Commencement (Estimated date)	Reviews	Special conditions
South Head Cemetery Vacluse	\$5,200+GST	8 years	1 August 2022	CPI Annually	Nil
North Bondi Terminus	\$6,000+GST	8 years	1 August 2022	CPI Annually	Refurbishment and demolition clause in case of a major street scape upgrade occurs in this location
Bronte Tram Shed Bronte	\$5,200+GST	8 years	1 August 2022	CPI Annually	Nil

The rental figures were determined by estimating the cost of future capital costs for the small buildings and in consultation with adjoining councils who have similar new arrangements under way. The advice from Council's external valuer was that finding comparable premises apart from other local deals under way with Transdev John would be very difficult.

The term of the licence is based around the length of the contract Transdev John Holland has with Transport for NSW.

Council has permitted Transport for NSW staff to use the toilet amenities for many years and the awarding of these three new licences to Transdev John Holland only seeks to formalise the same or very similar arrangements apart from now charging some rental.

If Council did not provide access to these sites, the bus drivers would not have any local toilets to use, which would impact where the set down locations for buses would occur, causing potential negative impacts to the service.

5. Financial impact statement/Time frame/Consultation

If the licences are awarded, Council will receive approximately \$16,400 (excluding GST) per annum in rental from the three sites. Should no submissions on the proposal be received, the licences will be executed following the public exhibition period, which is estimated to commence in July 2022.

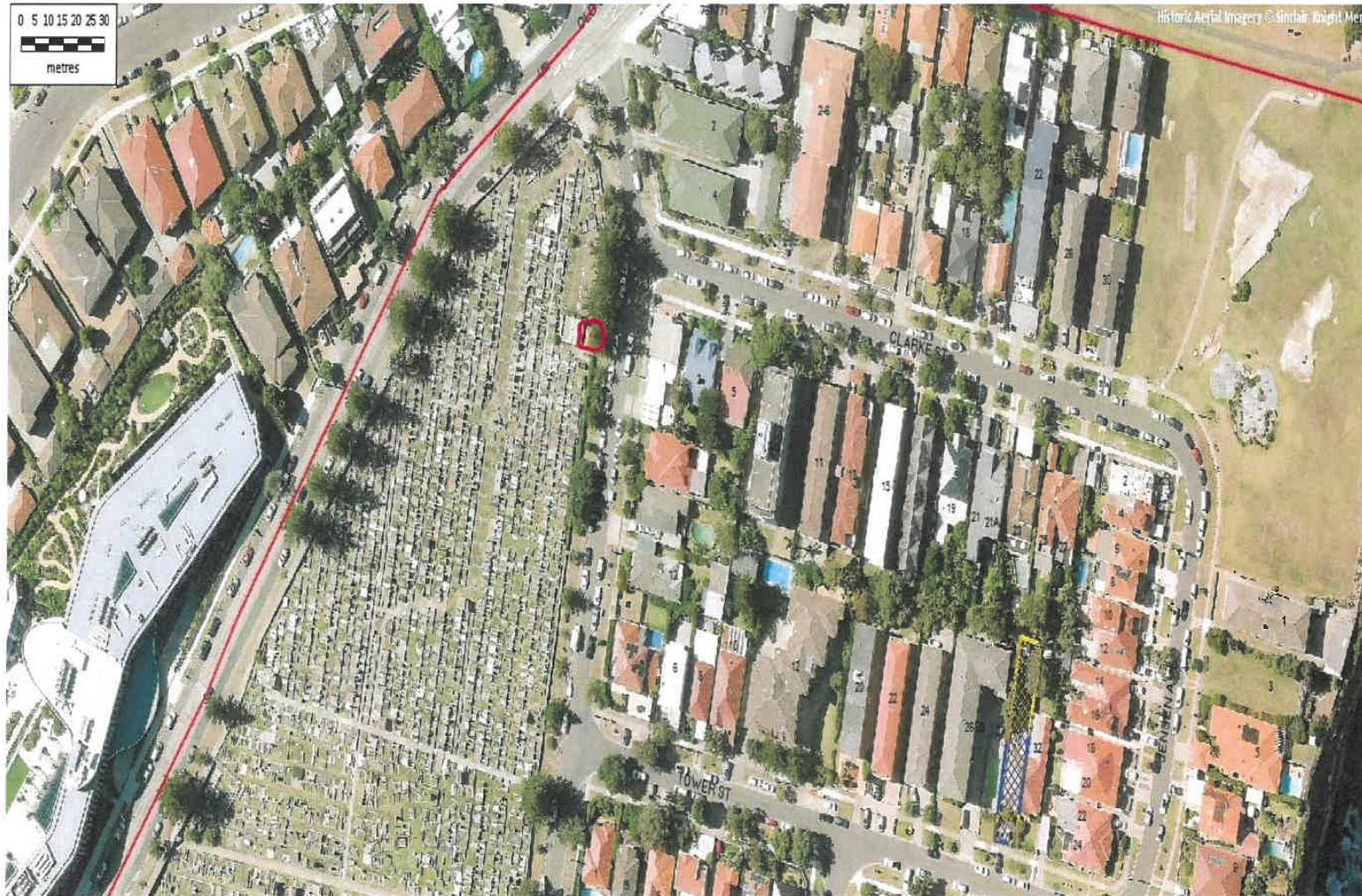
6. Conclusion

It is recommended to award three licences to Transdev John Holland Buses (NSW) Pty Ltd for the sites detailed within this report and place the licences on public exhibition.

7. Attachments

1. Site plans - Vaucluse, North Bondi and Bronte [↓](#) .

Annexure A Bus Facility Vacluse cemetery



Vaucluse



Annexure A

Bus facility building Campbell Parade North Bondi



North Bondi



Annexure A Bus facilities Bronte Rd Bronte



Bronte



NOTICE OF MOTION CM/8.1/22.06



Subject: Flying Aboriginal and Torres Strait Islander Flags at Half-mast

TRIM No: A03/0416

Submitted by: Councillor Wy Kanak

MOTION:

That Council, in discussion with the First Nations community (Reconciliation Action Plan Advisory Committee and the broader community) and other councils (especially those involved in the NSW Local Government Aboriginal Network), and being mindful of the sensitivities and protocols related to flags, adopts an annual practice of lowering the Aboriginal Torres Strait flags to half-mast on Sorry Day (26 May) and days marking Deaths in Custody (28 September, 14 February) in addition to other occasions on which half-masting would be appropriate.

Background

Recent discussions involving councils involved in the NSW Local Government Aboriginal Network resulted in Council's Aboriginal Torres Strait flags being lowered for Sorry Day 26 May 2022. Previous resolutions of Council have discussed half-masting the First Nations flags on Council buildings in remembrance on days marking deaths in custody such as 28 September and 14 February.

On the 26 May 1997, the landmark *Bringing them Home* report was tabled in Federal Parliament. *Bringing them Home* is the final report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families and was conducted by the Human Rights and Equal Opportunity Commission (now called the Australian Human Rights Commission) between 1995 and 1997.

The National Inquiry was called by the Attorney General in 1995. Over two years, it took oral and written testimony from over five hundred Aboriginal and Torres Strait Islander people across Australia, as well as from Indigenous organisations, foster parents, state and territory government representatives, church representatives, other non-government agencies, former mission and government employees and individual members of the community. The calling of the National Inquiry, and the release of the *Bringing them Home* report, raised the awareness of the Australian public of the historical policies of forced removal, as well as the ongoing impacts.

On 26 May 1998, the first National Sorry Day was held to commemorate the anniversary of the report and remember the grief, suffering and injustice experienced by the stolen generations.

While the *Bringing them Home* report was published 25 years ago, it remains a significant document. Many of the report's recommendations are yet to be implemented, members of the Stolen Generations and their families continue to be affected by the trauma caused by forced removal and Aboriginal and Torres Strait Islander children are still removed from their families at a very high rate.

Previous Council resolutions have considered the work of the group Grandmothers Against Removals and 'STOP!! Blak Deaths in Custody' groups who correlate being 'stolen' with incarceration factors. This work continues to engage with current parliamentarians.

General Manager's comment

Council officers are supporting of lowering of the flags to half-mast on National Sorry Day on 26 May. This is significant national day that acknowledges the Stolen Generations and recognizes the ongoing impact of the forced removal of Aboriginal and Torres Strait Islander people from the families and communities. It is appropriate for Council to remember the grief, suffering and injustice experienced by the Stolen Generations.

28 September is 'John Pat Day', acknowledging the death in custody of young John Pat, and the subsequent campaign it sparked, provided impetus for the Royal Commission into Aboriginal Deaths in Custody, which handed down its final report on 15 April 1991. An annual ceremony of remembrance is held on this date in WA.

14 February 2004 was the date that Thomas Hickey was thrown from his bike and impaled on a fence in inner Sydney while being chased by two police cars. He died the following day, which sparked the Redfern Riots. An annual rally is held in Redfern.

Council officers recommend that Council endorses lowering of the flags to half-mast on National Sorry Day on 26 May and refers discussion of the 15 April and 28 September to the Reconciliation Action Plan Advisory Committee for consideration in the finalisation of the Cultural Protocols document, which includes commemoration of significant dates.

Sharon Cassidy

Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.2/22.06



Subject: Electric Vehicle Charging Station Plan

TRIM No: A11/0853

Submitted by: Councillor Murray
Councillor Gray

MOTION:

That Council:

1. Notes that:
 - (a) An Electric Vehicle Transportation Policy was approved in February 2022, which covers the installation of electric vehicle (EV) charging stations in Waverley.
 - (b) There will be approximately 13 public EV charging stations by the end of 2022.
 - (c) A Federal Labor Government was elected in May with a mandate to increase EV ownership and a policy for increasing public EV charging stations.
 - (d) Work has already been undertaken in collaboration with Randwick and Woollahra councils to roll out EV charging stations.
2. Officers prepare a report that investigates:
 - (a) The State and Federal government policy for EV charging stations and any schemes or subsidies available to Council to build or support the building of a network of EV charging stations.
 - (b) The successful roll-out of EV charging stations in countries with dense urban populations that face similar challenges as Council.
 - (c) The siting of strategic locations for EV charging stations with a roll-out to 2030 that includes estimated numbers of charging stations, timeline and financing options.

Background

We have an ambitious target to achieve net zero emissions for our community by 2035. Potentially half of our residents do not have off-street parking and the ability to charge an EV at home. Council should work with public and private sector groups to ensure that all residents can own and operate an EV if they choose to.

General Manager's comment

Council is working with Randwick and Woollahra councils on the provision of on-street EV charging points as part of the Regional Environment Program and is actively working to increase the number of locations as

outlined in the draft Environmental Action Plan. In addition to this, Council has responded resolutions on the provision of EV charge points in car parks such as at Eastgate, which are being implemented.

A report to Council can be prepared that investigates EV charger locations, possible timelines for implementation and financing.

Mitchell Reid
Acting Director, Planning, Environment and Regulatory

NOTICE OF MOTION CM/8.3/22.06



Subject: Social Housing Plan

TRIM No: A14/0349

Submitted by: Councillor Murray
Councillor Gray

MOTION:

That Council:

1. Notes that:
 - (a) Council currently provides 70 affordable and social housing apartments and is presently considering strategies for how to increase affordable housing stock.
 - (b) Council endorsed the Affordable Housing Contributions Scheme, which identifies a specific percentage of 1% on all new residential apartment development to be affordable and 10% on sites receiving uplift through planning controls.
 - (c) Council dedicates 25% of voluntary planning agreement funds towards affordable housing.
 - (d) Council has \$6.5 million in funds for investing in social housing.
 - (e) That a Federal Labor Government was elected in May with a policy to create a \$10 billion Housing Australia Future Fund to build 30,000 new social and affordable housing properties in its first five years. A total of \$1.7 billion dollars will be allocated to women—\$1.6 billion for long-term housing and an additional \$100 million for crisis and transitional housing options for women and children fleeing domestic and family violence, and older women on low incomes who are at risk of homelessness.
2. Investigates:
 - (a) The State and Federal government policy and schemes for increasing social housing.
 - (b) Opportunities to co-operate with Federal and State Governments to use and supplement Council resources to increase the stock of social housing in Waverley.
3. Officers prepare a report to Council on the investigation findings.

Background

Council has 70 affordable and social housing apartments and money to acquire more. We need a plan to take action and to do so in conjunction with state and federal government to ensure vulnerable people in our community have the best access to accommodation.

General Manager's comment

Council's social and affordable housing portfolio consists of 24 affordable housing units and 46 social housing units Council owns outright. Tenancies in the portfolios are maintained according to the following program policies:

- The Housing for Older People Program offers secure lifetime tenancies for people over 55 on very low income with long term connection to Waverley. The program currently provides support for 48 people with a median age of 76 years, mainly single women.
- The Waverley Community Living Program provides tenancies for five people with intellectual disability, on very low incomes, and a median age of 48 years.
- The Affordable Housing Program supports working people on low to moderate incomes who can demonstrate a connection to Waverley with limited term tenure. Rents are set at 25-35% off Waverley median market. The program currently provides support for 35 people with a median age 42 years.

Council's program policies determine eligibility with criteria made up of a combination of income and residency requirements. These are due for review. A review and policy update aligns well with new initiatives proposed by both federal and state governments:

The new Federal government has committed to establishing a Housing Australia Future Fund and developing a National Housing and Homeless Plan in consultation with key stakeholders from across national, state and territory, local government, and private sectors.

Key targets for identified need include women and children escaping domestic and family violence, and older women at risk of homelessness. No detail is yet available about the process for developing the plan.

The NSW Minister for Water Property and Housing, the Hon Melinda Pavey, launched the NSW Housing Strategy Housing 2041 in March 2021, proposing a collaborative approach between government agencies, local government, community housing providers and key stakeholders in the private sector.

The plan is organised around four aspirations: to deliver housing supply in the right locations at the right time, to provide housing that is diverse and meets varied and changing needs, to provide housing that is affordable and secure, and to deliver enduring and resilient housing.

Council officers can investigate what opportunities may arise within these new frameworks for cooperation with Federal and State governments to increase the availability of housing stock to address needs identified in the Waverley local government area, and report back to Council.

Sharon Cassidy

Acting Director, Community, Assets and Operations

NOTICE OF MOTION

CM/8.4/22.06



Subject: Wellington Street and Bondi Road Intersection, Bondi -
Rejection of Right Turn Ban Proposal

TRIM No: A21/0430

Submitted by: Councillor Kay
Councillor Fabiano

MOTION:

That Council:

1. Strongly rejects in-principle the Transport for NSW (TfNSW) proposal to ban right turn traffic movements at the Wellington Street and Bondi Road intersection, Bondi.
2. Invites TfNSW to brief Councillors on the proposal, its impacts to the local road system and intersections, where, when and how community engagement will be conducted, and the intended timetable for implementation.
3. Calls on TfNSW to reassess alternative options to improve the pedestrian and vehicular safety at the intersection without undue impacts on the local road network, such as integrated traffic lights covering the intersections of Watson Street, Wellington Street and Bondi Road.
4. Requests the Mayor write to the NSW Minister for Metropolitan Roads, the Hon Natalie Ward MLC; the State Member for Coogee, Dr Marjorie O'Neill MP; and the State Member for Vaucluse, the Hon Gabrielle Upton MP, asking for their support in opposing the 'right turn ban' proposal and for TfNSW to explore an integrated traffic lights solution as an alternative.

Background

The proposal is basically the same as that presented to Council and the community by the RMS/Transport for NSW (TfNSW) some years ago for there to be right turn bans at the intersection of Wellington Street and Bondi Road. TfNSW has authority over Bondi Road, it being a State Road.

Council and the community strongly opposed the previous proposal, as it significantly increased vehicles using local streets and would encourage vehicles to undertake dangerous movements such as u-turns. The proposal would make it difficult for parents picking up and dropping off at the schools, increase travelling movements and circulation, and appears to only improve children's safety marginally. It is understood that the two schools situated on Wellington Street, Bondi Public and Montessori East, are still strongly opposed to the proposal.

There is concern that TfNSW is not conducting consultation in the local community and with those that use the local road network, especially for residents living in streets that would be significantly impacted, such as Wellington Street, Edward Street, Martins Avenue, Ocean Street North, Penkivil Street, Henderson Street and Moore Street.

It does not appear that a detailed Local Area Traffic Study has been prepared together with assessment of the impacts on the LoS (Level of Service) at the Ocean Street and Penkivil Street traffic light intersections with Bondi Road.

Residents who live in Ocean Street North and Penkivil Street near to these traffic lights could be unduly impacted when they try to enter the road from their off-street parking spaces.

Instead of TfNSW continuing to pursue the current proposal, a TfNSW investigation is required to assess an integrated traffic lights solution for the intersections of Wellington Street, Watson Street and Bondi Road to improve vehicular and pedestrian safety but not impact the local road network. This holistic solution would be similar to that successfully implemented at the intersections of Penkivil Street, Bennett Street and Bondi Road some years ago.

For the reasons outlined above, it is important that Council pushes back against this TfNSW proposal.

General Manager's comment

Transport for NSW (TfNSW) is solely responsible for Bondi Road and restrictions at intersections along the roadway. It recently advised Council that it proposes to modify the intersection of Bondi Road and Wellington Street to ban right turns at the intersection. The existing pedestrian refuge in Wellington Street will be replaced with a new wider pedestrian refuge designed to reflect the right turn bans arrangement.

On 30 May 2022, TfNSW met and presented the proposal to the Bondi Public School and Montessori East School with a Council officer present. Both schools advised that the proposal was similar to that proposed a few years ago. They advised the proposal would make it difficult for parents dropping off and picking up at the schools. It would significantly increase travelling distances and manoeuvres in local streets. Both schools advised that they were strongly opposed to the proposal.

Council officers have subsequently advised TfNSW that:

The proposal is basically the same as that presented to Council and the community a few years ago. Council and the community strongly opposed the proposal as it did not improve safety for pedestrians at the intersection, significantly increased vehicles circulating in the local streets and would encourage vehicles to undertake dangerous movements such as u turns. From the meeting yesterday, the schools are still strongly opposed to the proposal, as is Council.

TfNSW has advised that it will be undertaking community notification shortly and that it will be proceeding with the proposal. Works will commence on 1 July and be undertaken during the school holidays.

Sharon Cassidy
Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.5/22.06



Subject: North Bondi Sea Level Rise Sign

TRIM No: A08/1036

Submitted by: Councillor Gray
Councillor Masselos

MOTION:

That Council reinstates the sea level rise sign at North Bondi with updated text in a suitable nearby location, funded from the signage budget in the 2022–23 Capital Works Program.

Background

In 2007, Council installed a sign at the North Bondi rock pool showing the expected sea level rise in 2040 and 2050 based on CSIRO data available at the time. This sign was significantly damaged by wave action in 2015 and had to be removed.

In April 2022, Sydney experienced a significant swell event, with Council assets damaged at Bronte Beach, Tamarama Beach, South Bondi coastal walk and North Bondi promenade. The impacts of these storms, and coastal processes in general, is exacerbated by sea level rise with the NSW coastline already recording the rate of sea level rise of 3.6 mm/year over the period 2006–2015. Future predicted sea level rise, in combination with storms and wave setup, will increase risks of damage for coastal infrastructure and coastal erosion, resulting in the reduction in the size of Waverley beaches and some park areas.

The future rate of sea level rise will be dependent on the global CO2e emissions pathway. If global greenhouse gas emissions can be drastically and urgently reduced, it is possible to reduce the rate of sea level rise that will occur. That is why Council has adopted a net zero by 2030 target for its own assets and a net zero 2035 target for the whole Waverley community. But to achieve this will require action by everyone, not just Council, to reduce our greenhouse gas emissions. This can be achieved by changing to 100% renewable energy, increasing the use of active transport such as walking and cycling and using electric vehicles and buses powered by 100% renewable energy.

Communicating on sea level rise plays an important role in showing the local community one aspect of how climate change impacts will be felt locally. It also reiterates the need for everyone to contribute to reducing our greenhouse gas emissions. As evidenced by the April 2022 storm, it is not appropriate to replace the sign in the same position as it would be likely to fail.

General Manager's comment

This sign has been identified for replacement and will be reinstated in 2022–23 at North Bondi in an appropriate location. The associated cost to replace the sign will be accommodated within existing signage budgets.

Sharon Cassidy
Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.6/22.06



Subject: North Bondi Shops and Bus Terminus - Upgrade

TRIM No: A22/0183

Submitted by: Councillor Masselos
Councillor Gray

MOTION:

That Council:

1. Notes that:
 - (a) The infrastructure in the vicinity of the North Bondi shops and bus terminus is in desperate need of an upgrade, such as the concrete road surface, footpaths, unsafe bus terminus and lack of greenery.
 - (b) Previous design concepts have already been developed that address these concerns.
2. Receives a report at the September 2022 Council meeting that:
 - (a) Outlines the infrastructure upgrade requirements, such as road and footpath repairs/renewal, safer bus terminus for pedestrians, pedestrian crossing improvements, beautification and residential, public and business amenity improvements.
 - (b) Identifies and reviews previous concept designs in meeting identified requirements.
 - (c) Estimates potential costs and timings and identifies budget cost centres and allocation to meet project costs.

Background

The North Bondi shops and bus terminus area bounded Campbell Parade, Brighton Boulevard, Hastings Parade and Military Road is in desperate need of attention. A thriving local shopping strip, this area is well patronised by locals doing their grocery shopping, getting a coffee and snacks, having beauty treatments and the like.

The concrete road and footpaths are in dire need of upgrades, while the pedestrian crossing needs urgent attention as interim patches and fixes are no longer effective.

There is also an urgent need for beautification and plantings to help soften the area and address heat island effects.

General Manager's comment

The North Bondi Shopping and bus terminus area was identified as part of the Campbell Parade Streetscape Upgrade concept design undertaken in 2019 as needing a holistic review and upgrade. Factors that were considered included the condition of assets, enhanced outdoor dining experiences, improved pedestrian spaces, improved pedestrian crossings and revitalisation through plantings and trees.

Council's draft Long Tern Financial Plan has an allocation of \$2 million in the 2025–26 financial year for the upgrade of this streetscape.

Officers will undertake a review of the condition of the assets within the vicinity and will report on overall condition, urgency or upgrades and how the existing concept designs address renewal and upgrade needs.

Any urgent works will also be documented and a plan presented to ensure these are addressed.

Officers will also report on any funding allocation required for further design development.

Sharon Cassidy

Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.7/22.06



Subject: Councillor Superannuation

TRIM No: SF20/1538

Submitted by: Councillor Kay
Councillor Burrill
Councillor Goltsman

MOTION

That Council:

1. Notes that Council has endorsed superannuation contribution payments to Councillors in accordance with section 254B of the *Local Government Act 1993*.
2. Makes superannuation contribution payments to Councillors from 1 October 2022.
3. Notes that the budget variation will be funded from the centralised reserve.

Background

This notice of motion was signed by Crs Kay, Burrill and Goltsman in accordance with clause 17.7 of the Code of Meeting Practice.

In March 2022 (CM/7.1/22.03), Council received a report that recommended Council makes superannuation contribution payments to Councillors from 1 July 2022. Instead, Council resolved to defer superannuation contribution payments to Councillors until 1 July 2023.

To ensure equity, fairness and choice for councillors, this motion asks Councillors to support superannuation contribution payments from 1 October 2022. The new starting date will ensure that Council's Operating Performance Ratio for the 2022–23 financial year remains above the Office of Local Government's benchmark of 0%.

The legislation allows individual Councillors to opt out of receiving superannuation contribution payments or opt to receive reduced payments if they choose to do so.

General Manager's comment

Section 254B of the *Local Government Act 1993* has several conditions to be met before it authorises superannuation contribution payments. Specifically, s 254(4) has three conditions:

- (a) Unless the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors, or
- (b) If the councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or
- (c) To the extent the councillor has agreed in writing to forgo or reduce the payment.

In accordance with resolution CM/7.1/22.03 passed at the Council meeting in March 2022, Council will only commence the payment of superannuation from 1 July 2023, subsections 4(b) and (c) above will also need to be addressed by individual Councillors before payments can be made.

If Council were to amend its previous resolution, then superannuation contribution payment could commence from the new date as outlined in the motion.

Richard Sheridan
Interim Director, Finance and Governance

URGENT BUSINESS
CM/10/22.06**W A V E R L E Y**
COUNCIL**Subject:** Urgent Business**Author:** Emily Scott, General Manager

In accordance with clause 9.3 of the Waverley Code of Meeting Practice, business may be considered at a meeting of Council even though due notice of the business has not been given to councillors. However, this can happen only if:

1. The business to be considered is ruled by the chair to be of great urgency on the grounds that it requires a decision by Council before the next scheduled ordinary meeting of Council, and
2. A motion is passed to have the business considered at the meeting.

Such a motion can be moved without notice.

Only the mover of the motion can speak to the motion before it is put. A motion to have urgent business transacted at the meeting requires a seconder.

For business to be considered urgent, it must require a decision by Council before the next scheduled ordinary meeting of Council.

The mover of the motion must, when speaking to the motion, explain why he or she believes it requires a decision by Council before the next scheduled ordinary meeting of Council.

CLOSED SESSION
CM/11/22.06

Subject: Moving into Closed Session

Author: Emily Scott, General Manager

RECOMMENDATION:

That:

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

CM/11.1/22.06 CONFIDENTIAL REPORT - Trade Debtors - Debt Write Off

This matter is considered to be confidential in accordance with Section 10A(2)(b) of the Local Government Act, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

CM/11.2/22.06 CONFIDENTIAL REPORT - City2Surf Beach Marquee Program 2022 and 2023 - Procurement Exemption

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

CM/11.3/22.06 CONFIDENTIAL REPORT - Bronte Surf Club and Community Facilities Building Upgrade - Updated Heads of Agreement

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

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

Introduction/Background

In accordance with section 10A(2) of the Act, Council may close part of its meeting to deal with business of the following kind:

- (a) Personnel matters concerning particular individuals (other than councillors).
- (b) Personal hardship of any resident or ratepayer.
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of a person who supplied it: or
 - (ii) Confer a commercial advantage on a competitor of Council;
 - (iii) Reveal a trade secret.
- (e) Information that would, if disclosed, prejudice the maintenance of law.
- (f) Matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440.

It is my opinion that the business listed in the recommendation is of a kind referred to in section 10A(2) of the *Local Government Act 1993* and, under the provisions of the Act and the *Local Government (General) Regulation 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/12/22.06

Subject: Resuming in Open Session
Author: Emily Scott, General Manager



RECOMMENDATION:

That Council resumes in open session.

Introduction/Background

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