



OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING

A meeting of the OPERATIONS AND COMMUNITY SERVICES COMMITTEE will be held at Waverley Council Chambers, Cnr Paul Street and Bondi Road, Bondi Junction at:

7.00PM, TUESDAY 6 MARCH 2018

A handwritten signature in black ink that reads 'Peter Monks'.

Peter Monks
Acting General Manager

Waverley Council
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Delegations of the Waverley Operations and Community Services Committee

On 10 October 2017, Waverley Council delegated to the Waverley Operations and Community Services Committee the authority to determine any matter **other than**:

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

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

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

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

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

1. Apologies/Leaves of Absence

2. Declarations of Pecuniary and Non-Pecuniary Interests

3. Addresses to Council by Members of the Public

4. Confirmation of Minutes

| | | |
|--------------|---|---|
| OC/4.1/18.03 | Confirmation of Minutes - Operations and Community Services Committee Meeting - 6 February 2018 | 2 |
|--------------|---|---|

5. Reports

| | | |
|--------------|--|----|
| OC/5.1/18.03 | Market Operations in Oxford Street Mall, Bondi Junction - Interim Arrangements | 8 |
| OC/5.2/18.03 | New Councillor Expenses and Facilities Policy | 12 |
| OC/5.3/18.03 | Ocean Lovers Festival..... | 30 |
| OC/5.4/18.03 | Appointment of Councillor Members to Committees | 43 |

6. Urgent Business

7. Meeting Closure

CONFIRMATION OF MINUTES

OC/4.1/18.03



Subject: Confirmation of Minutes - Operations and Community Services Committee Meeting - 6 February 2018

TRIM No.: SF18/245

Author: Natalie Kirkup, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Operations and Community Services Committee Meeting held on 6 February 2018 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of the Operations and Community Services Committee meeting must be submitted to Operations and Community Services Committee for confirmation, in accordance with section 375 of the *Local Government Act 1993*.

Attachments

1. Operations and Community Services Committee Meeting Minutes - 6 February 2018 .



**MINUTES OF THE OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 6 FEBRUARY 2018**

Present:

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

Staff in attendance:

| | |
|-----------------|--------------------------------|
| Cathy Henderson | Acting General Manager |
| Rachel Jenkin | Acting Director, Waverley Life |
| Peter Monks | Director, Waverley Futures |
| Emily Scott | Director, Waverley Renewal |
| Jane Worthy | Internal Ombudsman |

At the commencement of proceedings at 7.01 pm, those present were as listed above.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

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

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

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

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING MOTION WAS MOVED BY CR GOLTSMAN AND SECONDED BY CR KEENAN:

That the recording of the meeting be made available on Council's website within a week of the meeting.

THE MOTION WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

1. Apologies/Leaves of Absence

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

3. Addresses to Council by Members of the Public

3.1 R Watts – OC/5.3/18.02 – Bondi Beach Public School Parking Request.

4. Confirmation of Minutes

OC/4.1/18.02 Confirmation of Minutes - Operations and Community Services Committee Meeting - 7 November 2017 (SF18/245)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Goltzman

That the minutes of the Operations and Community Services Committee Meeting held on 7 November 2017 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

OC/5.1/18.02 Parking Review - Cost and Benefits (A17/0529)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council

1. Receives and notes this report on the estimated costs and benefits of the following parking proposals in accordance with the resolution of Council dated 21 November 2017 prior to community consultation:
 - (a) Removing the fee for the first parking residential permit.
 - (b) Providing a free Beach Parking permit for residents.
 - (c) All meters in Bondi Junction turned off after 6 pm.
 - (d) All meters in Bondi Beach turned off after 7 pm.
 - (e) 15 minute free parking in metered zone.
 - (f) 15 minute free 'drop in' zones near/in local shopping strips.
2. Prepares a comprehensive cost, benefit, and implication analysis of each option as part of the material used by the external consultant during the community consultation, including:
 - (a) The administrative costs of processing applications.
 - (b) The cost of adjustments to parking meters, signage and other related costs.
 - (c) The effect on local businesses.
 - (d) The effect on residents.
 - (e) The effect on parking availability and parking turnover within contiguous residential areas.
 - (f) The effect on Council's service provision.
 - (g) The effect on Council's budgets.
 - (h) Implications for car ownership.
 - (i) Ensuring that all meter income foregone is part of the cost estimates, including Queen Elizabeth Drive and Park Drive North.
 - (j) Effects on car sharing in the local government area.

OC/5.2/18.02 Investment Portfolio Reports - November and December 2017 (A03/2211)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council:

1. Receives the Investment Portfolio Reports for November and December 2017.
2. Notes that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders and Council's Investment Policy.

OC/5.3/18.02 Bondi Beach Public School Parking Request (A17/0529)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That this item be deferred so the Mayor, Deputy Mayor and Ward Councillor Cr Goltsman can attend a meeting with the principal, parents and appropriate staff.

R Watts addressed the meeting.

OC/5.4/18.02 Capital Works Project Review Group (A07/1529-02)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Re-establishes the Capital Works Project Review Group.
2. Appoints the following members:
 - (a) Three Councillors, as nominated by Council, as well as the Mayor.
 - (b) General Manager.
 - (c) Director, Waverley Renewal.
 - (d) Executive Manager, Project Waverley.
 - (e) Executive Manager, Creating Waverley.
3. Nominates Councillors Kay, Copeland and Lewis as members for the period of this Council term.

6. Urgent Business

There were no items of urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 7.52 PM.

.....
SIGNED AND CONFIRMED
CHAIR
6 MARCH 2018

REPORT
OC/5.1/18.03

Subject: Market Operations in Oxford Street Mall, Bondi Junction - Interim Arrangements

TRIM No: A10/0384

Author: Andrew Best, Manager, Waverley Facilities
John Andrews, Property Coordinator

Director: Linda Bathur, Acting Director, Waverley Life

RECOMMENDATION:

That Council notes the progress in seeking alternative options for managing the Oxford Street Mall markets and that a further report detailing the proposed model for Council to assume direct control of the markets on an interim basis will be brought to the 20 March 2018 Council meeting.

1. Executive Summary

The current market operation at Oxford St Mall is operated by My Local Markets PTY Ltd Trading as *Your Local Markets*. The market operator recently gave notice to Council of its intention to cease trading on 2 March 2018.

At its meeting on February 20 Council resolved to investigate alternative options to keep the markets operating on an interim basis.

Investigations undertaken by officers have concluded that the only viable option to manage the markets as an interim arrangement is for Council to assume responsibility for operating the current markets. This report provides information on some challenges that need to be overcome to allow this. A further report will be presented to the 20 March Council meeting detailing how the interim management model will operate.

2. Introduction/Background

Markets have been operating in Oxford Street Mall for well over a decade. The current market operator (My Local Markets) has been operating the markets under license for eight years and the prior operator trading as Organic Food Markets was there for approximately six years.

The current operator was appointed following a tender process undertaken in 2010 and was allowed to go into holdover on its expiry. In 2017 Council Officers offered the operator a new one year license agreement to allow Council time to develop strategic documents relating to the markets which would in turn inform the tender specification. The current operator indicated that they did not want to enter into a new agreement and wished to remain in holdover.

Council resolved at its 20 February meeting, in part, to investigate alternative interim arrangements to allow for the current market operation to continue on a temporary basis until such time as a new operator can be appointed following an open tender process.

Since this meeting officers have been investigating the options and this report provides an update on the progress made towards establishing alternative arrangements that will allow the current markets to continue on an interim basis.

3. Relevant Council Resolutions

| Council or Committee Meeting and Date | Minute No. | Decision |
|--|-------------------|---|
| 20 February 2018 | CM/7.3/18.02 | <p>That:</p> <ol style="list-style-type: none"> 1. Notes that the existing market operator in Oxford Street Mall, Bondi Junction, My Local Markets Pty Ltd, has given notice of its intention to cease trading from 2 March 2018. 2. Investigates long-term options for day time markets in Oxford Street Mall as a matter of urgency, taking into account the work currently being undertaken on Council's Night Time Activation Strategy. 3. Investigates options for Council to operate the current markets in the interim, with a report to come to the March Operations and Community Services Committee Meeting on 6 March 2018. 4. That until such time as Council has had an opportunity to consider long-term options for the day time markets in Oxford Street Mall, Council assumes responsibility for the market from 2 March 2018 such that the terms of trade with the stallholders continue on their current term, and that each stallholder maintains all public liability insurance and makes their payments directly to Council in a manner and form to be directed by Council; or a temporary operator be engaged; or other options be examined. |
| 16 March 2010 | 1003.16.1 | <p>That:</p> <ol style="list-style-type: none"> 1. The report be treated as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2) of the Local Government Act 1993. 2. Authority be granted for the General Manager in conjunction with the Mayor to enter into agreements on behalf of Council with Your Local Markets and Dialogue Public Relations to provide Outdoor Market operation services on Oxford Street Mall, Bondi Junction. |

| | | |
|--|--|---|
| | | 3. The unsuccessful applicants be notified of the result. |
|--|--|---|

4. Discussion

Following the resolution of Council at the 20 February meeting, officers contacted the current market operator to request that they consider continuing to operate the markets for a further period to allow officers time to put alternative arrangements for managing the markets in place.

The current operator has agreed to continue to operate the markets for a further two weeks with the license to be terminated on 16 March 2018. They made it clear that they would not be able to continue their management of the markets past this revised date.

Some options considered were not viable, including assignment of the expired license, offering the contract to a not-for-profit organisation and tendering for a new market operator.

Officers have therefore been considering the direct operation of the markets for the interim period as the only possible way to allow the existing stallholders to continue to operate.

Officers have contacted the current operator to request information relating to the operation of the existing markets to inform the interim management model. This includes stallholders contact information, insurances, fees currently being paid etc.

The last operating day under the existing license will be 16 March 2018, the next scheduled day the markets would trade would be Wednesday 21 March. Given that the Council decision on managing the markets will be made on the 20 March this will mean there will need to be a short break in the market operations to allow time for agreements with the stallholders to be finalised.

Regarding Council's resolution that "the terms of trade with the stallholders continue on their current term", it should be noted that the stallholder fees are significantly lower than currently provided for in Council's fees and charges policy and the policy will need to be amended to reflect the fees, with the associated legislative exhibition period. Officers are considering how to address this issue within the timeframe specified in the Council resolution.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

| | |
|--------------|--|
| Direction: | C2 The community is welcoming and inclusive and people feel they are connected and belong. |
| Strategy: | C2a Provide a broad range of relevant, affordable and accessible facilities, spaces, programs and activities that promote harmony, respect and togetherness. |
| Deliverable: | Arrange of venue hire places for and accessible to the local community and corporate sector |

6. Financial impact statement/Timeframe/Consultation

The current Market operation generates \$97,000 per annum for Council. While there will be costs related to Council assuming direct control of the markets though it is anticipated that the revenue generated from the stallholder fees will offset these costs. The information relating to current revenues generated from stallholder fees requested from the current operator will provide clarity around this.

The timeframe for Council assuming direct control of the markets is dependent on the resolution of the issue relating to the stallholders fees. Officers will work to address this issue and a clear time line for the change in operating model will be laid out in the 20 March report.

A communications plan will be developed to ensure that community and stallholders are kept up to date with developments in relation to the market operations.

7. Conclusion

After investigating all available options, it is proposed that Council take over the management of the markets on an interim basis. A report will be brought to 20 March Council meeting that will provide a clear timeline for the change in operational model plus details of how the markets will be managed from a staffing perspective, along with all financial considerations.

8. Attachments

Nil.

REPORT
OC/5.2/18.03**Subject:** New Councillor Expenses and Facilities Policy**TRIM No.:** A17/0452**Author:** Jane Worthy, Internal Ombudsman
Mary Shiner, Community Liaison Co-ordinator**Director:** Peter Monks, Acting General Manager

RECOMMENDATION:

That Council:

1. Adopts the attached draft Councillor Expenses and Facilities Policy for the purposes of public exhibition pursuant to s 253(1) of the *Local Government Act 1993*.
2. Receives a further report following the closure of the exhibition period.

1. Executive Summary

Under section 252 of the *Local Government Act 1993* (the Act), Council must adopt a Councillor Expenses and Facilities Policy within 12 months of the commencement of a new Council term.

At its meeting on 12 December 2017, Council considered a new draft Councillors and Expenses Facilities Policy and resolved to defer the matter to allow a working group of Councillors to discuss in more detail the ICT allowance, the ICT usage allowance, Carer expenses and the issue of hardware ownership. The working group met on 2 February and on 22 February 2018 and the outcomes of those meetings have been incorporated into the attached Draft Policy.

The purpose of this report is for Council to adopt a draft Policy outlining the expenses and facilities to be paid to Councillors, for the purposes of public exhibition. Section 253(1) of the Act requires Council to place the draft Policy on public exhibition for a minimum of 28 days. Following exhibition, the new draft Policy will be resubmitted to Council for adoption.

2. Introduction/Background

The new OLG Councillor Expenses and Facilities Policy template was issued in June 2017, and has been prepared to be consistent with the *Local Government Act 1993* (the Act), best practice and community expectations. For the purposes of this policy, 'expenses' refer to costs incurred by Councillors in the course of their civic duties, which are reimbursed by Council; and 'facilities' refer to a service provided by Council to assist Councillors in carrying out their civic duties.

In keeping with this model template, the draft Waverley Councillor Expenses and Facilities Policy includes maximum expenditure limits for specific expenses, which have been determined considering:

- Previous Councillor expenditure trends
- Limits set by several other Councils as a benchmark
- Community expectations

3. Relevant Council Resolutions

| Meeting and Date | Minute No. | Decision |
|-------------------------------------|--------------|-------------------------------|
| Council Meeting 12 December 2017 | CM/7.8/17.12 | That this matter be deferred. |

4. Discussion

The additional feedback received from the working group which has been incorporated (in mark-up), into the attached draft Councillor Expenses and Facilities Policy is summarised as follows:

1. The ICT allowance be set at \$8000 per term (not allocated on a per year basis but on a 4 year term basis)
2. The permissible ICT allowance expenditure in the final year of the term be a maximum of \$2500 and only for the replacement or repair of existing equipment
3. The ICT usage allowance be \$4200 per year
4. Carer expenses – to be set at \$35 per/hour for attendance at official business. ‘Official Business’ as referred to in s6.39 of the draft Policy is:
 - a. Attendance at statutory meetings i.e. Council meetings and Council Standing Committee meetings
 - b. Attendance at Councillor workshops
 - c. Attendance at advisory committee meetings but only if in the capacity as a Committee member
 - d. Attendance at Precinct meetings
 - e. Attendance at events as the Mayor or the Mayor’s delegate
 - f. Attendance at any other event with the permission of the General Manager in consultation with the Internal Ombudsman

The draft Policy attached to this report shows the proposed changes to the model template in mark-up to highlight the Waverley-specific amendments, and includes the further feedback (summarised above), received since the 12 December 2017 Council meeting.

Once exhibited and adopted, Council’s Policy must be on Council’s website. A report must be presented to Council every six months outlining expenditure per Councillor, and this information must also be available on Council’s website.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

- Direction: G1 Inspiring community leadership is achieved through decision making processes that are open, transparent, corruption resistant and based on sound integrated planning..
- Strategy: G1a Develop and maintain a framework of plans and policies that ensures open and transparent operations that facilitate equitable benefit sharing and progress towards sustainability.
- Deliverable: Significant governance policies developed and existing policies reviewed regularly and access to Council’s policy register provided.

6. Financial impact statement/Timeframe/Consultation

There will be some financial and budget implications flowing from this Policy if it is adopted, which will need to be quantified once the final Policy is adopted. There will be a need to increase the Councillors' budget to cover new upper limits for the various categories and the new professional development plan requirement. This will be done at the quarterly review prior to adoption.

The statutory exhibition period is 28 days.

Once adopted, the new Policy will apply and further information about transition arrangements will be provided in the next Report to Council following public exhibition.

7. Conclusion

Council needs to review the proposed draft Councillor Expenses and Facilities Policy, taking into account some of the specific issues further raised following the 12 December 2017 Council meeting, and noting their incorporation in the attached draft Policy. The version adopted at the meeting will be placed on public exhibition, as required by the Act.

8. Attachments:

1. New Councillor Expenses and Facilities Policy - REVISED DRAFT

Councillor Expenses and Facilities Policy

DRAFT

Contents

Policy summary

Part A – Introduction

1. Introduction
2. Policy objectives
3. Principles
4. Private or political benefit

Part B – Expenses

5. General expenses
6. Specific expenses
7. Insurances
8. Legal assistance

Part C – Facilities

9. General facilities for Councillors
10. Additional facilities for the Mayor

Part D – Processes

11. Approval, payment and reimbursement arrangements
12. Disputes
13. Return or retention of facilities
14. Publication
15. Reporting
16. Auditing
17. Breaches

Part E – Appendix

Appendix I – Related legislation, guidance and policies

Appendix II – Definitions

Policy summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST. Unexpended monetary amounts do not carry over unless otherwise specified in this policy. Where the frequency of the expense or facility is specified 'per term', this equates to a 4 year term. Any unforeseen changes to the term would result in a prorata allocation.

| Expense or facility | Maximum amount | Frequency |
|---|---|--|
| General travel expenses | \$(<u>insert 750</u>) per councillor \$(<u>insert 750</u>) for the Mayor | Per year |
| Interstate, overseas and long distance intrastate travel expenses | \$(<u>insert 12,000</u>) total for all councillors | Per year |
| Accommodation and meals | As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually | Per meal/night |
| Professional development | \$(<u>insert 2,500</u>) per councillor | Per year, <u>except for the first year following an election where the second year's allowance can be expended</u> |
| Conferences and seminars | \$(<u>insert 15,000</u>) total for all councillors | Per year |
| ICT <u>device (equipment)</u> expenses | \$(<u>insert 8,000</u>) per councillor | Per <u>year term</u> <u>The permissible ICT device allowance in the final year of the term is to be a maximum of \$2,500 and only for the replacement or repair of existing equipment</u> |
| <u>ICT usage expenses</u> | <u>\$4,200 per councillor</u> | <u>Per year</u> |
| Carer expenses | \$(<u>insert</u>) <u>\$35 per hour</u> per councillor | <u>Per year As required for</u> |

| Expense or facility | Maximum amount | Frequency |
|--|---|--|
| | | <u>attendance at official business</u> |
| Home office expenses | \$(<u>insert 1,000</u>) per councillor | Per year |
| Postage stamps | [insert] | Per year |
| Christmas or festive cards | [insert] per councillor [insert] for the mayor | Per year |
| Access to facilities in a councillor common room [where applicable Clause 9.1] | Provided to all councillors | Not relevant |
| Council vehicle and fuel card [where applicable Clause 10] | Provided to the mayor | Not relevant |
| Reserved parking space at Council offices | Provided to the mayor | Not relevant |
| Furnished office [where applicable Clause 10] | Provided to the mayor | Not relevant |
| Number of exclusive staff supporting Mayor and Councillors [where applicable Clause 10] | <u>Two full-time staff</u> | Not relevant |

Additional costs incurred by a councillor in excess of these limits are considered a personal expense that is the responsibility of the councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

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

Part A – Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of ~~[insert name] council~~ Waverley Council.
- 1.2. The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to councillors. The minimum and maximum fees a council may pay each councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

2. Policy objectives

- 2.1. The objectives of this policy are to:
 - enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties

- enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties
- ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors
- ensure facilities and expenses provided to councillors meet community expectations
- support a diversity of representation
- fulfil the council's statutory responsibilities.

3. Principles

- 3.1. Council commits to the following principles:
- **Proper conduct:** councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - **Reasonable expenses:** providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor
 - **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
 - **Equity:** there must be equitable access to expenses and facilities for all councillors
 - **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations
 - **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise that a council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of council facilities does occur, councillors must reimburse the council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
- production of election material
 - use of council resources and equipment for campaigning
 - use of official council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.

Part B – Expenses

5. General expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. Specific expenses

General travel arrangements and expenses

- 6.1. All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each councillor may be reimbursed up to a total of ~~\$(insert)750~~ per year, and the mayor may be reimbursed up to a total of ~~\$(insert)750~~ per year (in addition to the use of the mayoral vehicle; see Section 10 of this policy), for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
 - for public transport fares
 - for the use of a private vehicle or hire car
 - for parking costs for Council and other meetings
 - for tolls
 - by Cabcharge card or equivalent for taxi fares. Upon request, a maximum of four Cabcharge tickets will be issued by the Internal Ombudsman, Governance and Civic department to a Councillor at any one time. No further tickets will be issued until all receipts associated with previously issued tickets have been submitted to the Internal Ombudsman, Governance and Civic department.
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

Interstate, overseas and long distance intrastate travel expenses

- 6.5. ~~[Councils located on state borders may wish to include the following clause: Given Council's location [on or near] an interstate border, travel to [insert state name] will be considered as general travel. Arrangements and expenses for this travel will be governed by Clauses 6.1-6.4]. This clause does not apply to Waverley Council.~~
- 6.6. In accordance with Section 4 of this policy, Council will scrutinise the value and need for councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the council and the local community. This includes travel to sister and friendship cities.
- 6.7. Total interstate, overseas and long distance intrastate travel expenses for all councillors will be capped at a maximum of ~~\$(insert)12,000~~ per year. This amount will be set aside in Council's annual budget.
- 6.8. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the general manager prior to travel.
- 6.9. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full council meeting prior to travel.
- 6.10. The case should include:
 - objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the councillor's civic duties
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.

- 6.11. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.12. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.13. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.14. Bookings for approved air travel are to be made through the general manager's office.
- 6.15. For air travel that is reimbursed as council business, councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.16. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

Accommodation and meals

- 6.17. ~~[Rural and regional councils may wish to include the following clause:] In circumstances where it would introduce undue risk for a councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the general manager. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the councillor lives more than 50 kilometres from the meeting location. This clause does not apply to Waverley Council.~~
- 6.18. Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside ~~[insert relevant region e.g. metropolitan Sydney/the Hunter/the Murray metropolitan Sydney]~~.
- 6.19. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- 6.20. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the general manager, being mindful of Clause 6.19.
- 6.21. Councillors will not be reimbursed for alcoholic beverages.

Refreshments for council related meetings

- 6.22. Appropriate refreshments will be available for council meetings, council committee meetings, councillor briefings, approved meetings and engagements, and official council functions as approved by the general manager.
- 6.23. As an indicative guide for the standard of refreshments to be provided at council related meetings, the general manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional development

- 6.24. Council will set aside \$~~[insert]~~2,500 per councillor annually in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies. In the first year following a Council election, a Councillor may expend the first and second year allowance if required.
- 6.25. In the first year of a new council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.26. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.

- 6.27. Approval for professional development activities is subject to a prior written request to the general manager outlining the:
- details of the proposed professional development
 - relevance to council priorities and business
 - relevance to the exercise of the councillor's civic duties.
- 6.28. In assessing a councillor request for a professional development activity, the general manager must consider the factors set out in Clause 6.27, as well as the cost of the professional development in relation to the councillor's remaining budget.

Conferences and seminars

- 6.29. Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.
- 6.30. Council will set aside a total amount of ~~\$(insert)15,000~~ annually in its budget to facilitate councillor attendance at conferences and seminars ~~-, including the Local Government NSW Annual Conference.~~ This allocation is for all councillors. The general manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.31. Approval to attend a conference or seminar is subject to a written request to the general manager. In assessing a councillor request, the general manager must consider factors including the:
- relevance of the topics and presenters to current council priorities and business and the exercise of the councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.32. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the general manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.18-6.21.

Information and communications technology (ICT) expenses

- 6.33. Council will ~~provide or~~ reimburse councillors for expenses associated ~~with:~~
- ~~* appropriate ICT devices (equipment) and services up to a limit of \$(insert) 8,000 per year term for each councillor. This may include mobile phones and tablets, mobile phone and tablet services and data, home internet costs. Only the following ICT devices are covered by this clause: tablets, mobile phones, laptops, desktops, printers, keyboards, protective cases, styluses, headsets, filing cabinets, maintenance/support/insurance, software (including antivirus), digital storage/backup, and any ICT device approved by the general manager in consultation with the Internal Ombudsman. The permissible ICT allowance in the final year of the term is to be a maximum of \$2,500 and only for the replacement or repair of existing equipment.~~
- ~~* appropriate ICT usage up to a limit of \$4,200 per year for each councillor. Only the following ICT usage is covered by this clause: SIM cards (for mobile phones and tablets), telephone calls/plans, data/data plans and digital newspaper subscriptions.~~
- 6.34. Reimbursements will be made only for communications devices and services used for councillors to undertake their civic duties, such as:
- receiving and reading council business papers
 - relevant phone calls and correspondence
 - diary and appointment management.
- 6.35. ~~Councillors may seek reimbursement for applications on their mobile electronic communication device that are directly related to their duties as a councillor, within the maximum limit.~~

Special requirement and carer expenses

- 6.36. Council encourages wide participation and interest in civic office. It will seek to ensure council premises and associated facilities are accessible, including provision for sight or hearing impaired councillors and those with other disabilities.
- 6.37. Transportation provisions outlined in this policy will also assist councillors who may be unable to drive a vehicle.
- 6.38. In addition to the provisions above, the general manager may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with a disability to perform their civic duties.
- 6.39. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of ~~\$(insert)~~ \$35 per hour per year for attendance at official business ~~, plus reasonable travel from the principal place of residence.~~ Official business is:

* Attendance at statutory meetings i.e Council and Council Standing Committees

* Attendance at Councillor workshops

* Attendance at Advisory Committee meetings, but only if in the capacity as a committee member

* Attendance at precinct meetings

* Attendance at events as the Mayor or the Mayor's delegate

* Attendance at any other event with the permission of the General Manager in consultation with the Internal Ombudsman

- 6.40. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.41. In the event of caring for an adult person, councillors will need to provide suitable evidence to the general manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Home office expenses (including stationery)

- 6.42. In addition to ICT expenses (Clauses 6.33-6.35), Each each councillor may be reimbursed up to ~~\$(insert)~~ 1,000 per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery (including paper and pens) and printer ink cartridges.

7. Insurances

- 7.1. In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this policy.
- 7.2. Insurance protection is only provided if a claim arises out of or in connection with the councillor's performance of his or her civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3. Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- 7.4. Appropriate travel insurances will be provided for any councillors travelling on approved interstate and overseas travel on council business.

8. Legal assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:

- a councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the councillor
 - a councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the councillor
 - a councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the councillor.
- 8.2. In the case of a code of conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the general manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.
- 8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.
- 8.4. Council will not meet the legal costs:
- of legal proceedings initiated by a councillor under any circumstances
 - of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
 - for legal proceedings that do not involve a councillor performing their role as a councillor.
- 8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a council meeting prior to costs being incurred.

Part C – Facilities

9. General facilities for all councillors

Facilities

- 9.1. Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:
- ~~a councillor common room appropriately furnished to include telephone, photocopier, printer/scanner, desks, computer terminals, and pigeon holes and appropriate refreshments (excluding alcohol)~~
 - ~~one Councillor parking permit per Councillor~~
 - ~~access to shared car parking spaces while attending council offices on official business~~
 - ~~personal protective equipment for use during site visits~~
 - ~~a name badge which may be worn at official functions, indicating that the wearer holds the office of a councillor and/or mayor or deputy mayor.~~
- 9.2. Councillors may book meeting rooms for official business in a specified council building at no cost. Rooms may be booked through a specified officer in the mayor's office or other specified staff member.
- 9.3. The provision of facilities will be of a standard deemed by the general manager as appropriate for the purpose.

Stationery

- 9.4. Council will also provide the following **stationery** to councillors each year:
- e-letterhead, to be used only for correspondence associated with civic duties
 - business cards up to a value of \$150 per year
 - ~~up to [insert] ordinary postage stamps~~
 - ~~up to [insert] Christmas or festive cards per year for councillors and [insert] for the mayor.~~
- 9.5. ~~As per Section 4, stamps shall only be used to support a councillor's civic duties. Councillor mail will only be posted using the stamps provided. Any stamps not used will not be carried over to the next year's allocation.~~

Administrative support

- 9.6. Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support may be provided by staff in the mayor's office or by a member of council's administrative staff as arranged by the general manager or their delegate.
- 9.7. As per Section 4 of this policy, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

10. Additional facilities for the mayor

- 10.1. Council will provide to the mayor a maintained vehicle to a similar standard of other council vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at the mayor's office.
- 10.2. The mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The log book must be submitted to council on a monthly basis.
- 10.3. The mayoral allowance will be reduced to cover the cost of any private travel recorded in the log book, calculated on a per kilometre basis by the rate set by the Local Government (State) Award.
- 10.4. A parking space at council's offices will be reserved for the mayor's council-issued vehicle for use on official business, professional development and attendance at the mayor's office.
- 10.5. Council will provide the mayor with a furnished office incorporating a computer configured to council's standard operating environment, telephone and meeting space.
- 10.6. In performing his or her civic duties, the mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the general manager.
- 10.7. The number of exclusive staff provided to support the mayor and councillors will not exceed [insert numbertwo] full-time equivalents.
- 10.8. As per Section 4 of this policy, staff in the mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

Part D – Processes

11. Approval, payment and reimbursement arrangements

- 11.1. Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:

- local travel relating to the conduct of official business
- carer costs
- ICT expenditure.

11.4. Final approval for payments made under this policy will be granted by the general manager or their delegate.

Direct payment

11.5. Council may approve and directly pay expenses for Councillors attending approved conferences, seminars or professional development. Requests for direct payment must be submitted to the manager [insert relevant council division] General Manager for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

11.6. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices as evidence of goods/services purchased, payment and GST where applicable; and be submitted monthly, where possible, to the manager [insert relevant council division] Internal Ombudsman, Governance and Civic department (see also Clause 11.15).

Advance payment

- 11.7. ~~Council may pay a cash advance for councillors attending approved conferences, seminars or professional development.~~
- 11.8. ~~The maximum value of a cash advance is \$[insert] per day of the conference, seminar or professional development to a maximum of \$[insert].~~
- 11.9. ~~Requests for advance payment must be submitted to the manager [insert relevant council division] for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.~~
- 11.10. ~~Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to council:~~
- ~~a full reconciliation of all expenses including appropriate receipts and/or tax invoices~~
 - ~~reimbursement of any amount of the advance payment not spent in attending to official business or professional development. These clauses do not apply to Waverley Council.~~

Notification

- 11.11. If a claim is approved, council will ~~make payment directly or~~ reimburse the councillor through accounts payable.
- 11.12. If a claim is refused, council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to council

- 11.13. If council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- council will invoice the councillor for the expense
 - the councillor will reimburse council for that expense within 14 days of the invoice date.
- 11.14. If the councillor cannot reimburse council within 14 days of the invoice date, they are to submit a written explanation to the general manager. The general manager may elect to deduct the amount from the councillor's allowance.

Timeframe for reimbursement

11.15. Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

12. Disputes

- 12.1. If a councillor disputes a determination under this policy, the councillor should discuss the matter with the general manager.
- 12.2. If the councillor and the general manager cannot resolve the dispute, the councillor may submit a notice of motion to a council meeting seeking to have the dispute resolved.

13. Return or retention of facilities

- 13.1. All unexpended facilities ~~and/or~~ equipment supplied under this policy are to be relinquished immediately upon a councillor or mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2. Should a councillor desire to keep any equipment ~~allocated by council~~ obtained under this policy, then this policy enables the councillor to make application to the general manager to purchase any such equipment. The general manager will determine an agreed fair market price or written down value for the item of equipment.
- 13.3. The prices for all equipment purchased by councillors under Clause 13.2 will be recorded in Council's annual report.

14. Publication

- 14.1. This policy will be published on council's website.

15. Reporting

- 15.1. Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulations.
- 15.2. Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

16. Auditing

- 16.1. The operation of this policy, including claims made under the policy, will be included in council's audit program and an audit undertaken at least every two years.

17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the general manager.
- 17.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

PART E – Appendices

Appendix I: Related legislation, guidance and policies

Relevant legislation and guidance:

- Local Government Act 1993, Sections 252 and 253
- Local Government (General) Regulation 2005, Clauses 217 and 403
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009
- Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees.

Related Council policies:

- Code of Conduct
- ~~[insert others as relevant]~~ Code of Conduct Procedures for Councillors & General Manager

Appendix II: Definitions

The following definitions apply throughout this policy.

| Term | Definition |
|---------------------------------|---|
| accompanying person | Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor |
| appropriate refreshments | Means food and beverages, excluding alcohol, provided by council to support councillors undertaking official business |
| Act | Means the <i>Local Government Act 1993 (NSW)</i> |
| clause | Unless stated otherwise, a reference to a clause is a reference to a clause of this policy |
| Code of Conduct | Means the Code of Conduct adopted by Council or the Model Code if none is adopted |
| Councillor | Means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the mayor |
| General Manager | Means the general manager of Council and includes their delegate or authorised representative |
| incidental personal use | Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct |
| long distance intrastate travel | Means travel to other parts of NSW of more than three hours duration by private vehicle |
| maximum limit | Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1 |
| NSW | New South Wales |
| official business | Means functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for council or result in a direct benefit for council and/or for the local government area, and includes: <ul style="list-style-type: none"> meetings of council and committees of the whole meetings of committees facilitated by council civic receptions hosted or sponsored by council meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by council |
| professional development | Means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor |
| Regulation | Means the Local Government (General) Regulation 2005 (NSW) |
| year | Means the financial year, that is the 12 month period commencing on 1 July each year |

REPORT
OC/5.3/18.03

Subject: Ocean Lovers Festival

TRIM No: A17/0607

Author: Linda Bathur, Acting Director, Waverley Life

Director: Linda Bathur, Acting Director, Waverley Life

RECOMMENDATION:

That Council enters into an Event Venue Hire Agreement with Avisso Public Relations to hold the Ocean Lovers Festival at Bondi Beach, Bondi Park and Bondi Pavilion over four days in April 2019.

1. Executive Summary

The purpose of this report is to advise Council of a proposal received by Avisso Public Relations to hold a 4 day Ocean Lovers Festival at Bondi Beach in April 2019.

This report recommends an Event Venue Hire Agreement detailing Compliance measures required, be issued to enable the operator to secure the required finances and support in order to develop the event concept in compliance with the Bondi Beach DA and event guidelines.

2. Introduction/Background

As required under Council's Event Policy, Guidelines and Bondi Beach DA for the Use of Bondi Beach and Park for a variety of temporary events (DA-282/2015), the organisers of the proposed Ocean Lovers Festival (OLF), have submitted a Venue Hire Application for the use of Bondi Beach, Park and Pavilion for a 4-day festival in April 2019.

As per the Event Policy, the event has been classified as a high impact event as it potentially involves up to 10,000 patrons per day; water activities and amplified announcements and may possibly require traffic management measures including the provision of additional buses to and from the venue. Under Council's Event Policy and Guidelines, high impact event require a Venue Hire Agreement to be issued requiring an Event Management Plan being developed in consultation with relevant agencies and stakeholders meeting all compliance requirements. The resulting final Event Management Plan is required 4 weeks prior to the event commencing and all certification documents required before the site is able to be occupied by the organisers.

Meetings have been held with the organisers outlining Bondi's Beach and Park DA and consent and associated Event Guidelines detailing required compliance conditions applicable to holding an event in Bondi. In order for the organisers to proceed further with their concept they require an Event Venue Hire agreement to be issued to enable stakeholder meetings to commence to develop an Event Management Plan.

3. Relevant Council Resolutions

Nil.

4. Discussion

A proposed Event Venue Hire Agreement has been drawn up for Council's approval (Attachment 1) which, if approved by Council, will allow the OLF Organisers to proceed to secure the required partners and finances to enable the event to proceed.

Outline of the Ocean Lovers Festival event concept

The purpose of OLF is to build awareness of the global plight of oceans in a fun and assessable way through a festival featuring sporting and cultural events with the aim of building awareness and response to the global plight of oceans.

The types of activities proposed for OLF include:

| Event Date | 11-14 April 2019 | Impact considerations |
|---------------------------------|---|---|
| Activities and suggested venues | <ul style="list-style-type: none"> • Whale welcome and opening ceremony – Bondi Beach • Sunrise Yoga – Bondi Beach • Ocean Lovers Film festival featuring George Miler – Bondi Pavilion • Indigenous coastal walks and talks – Bondi Beach and surrounds • Eco Markets – Bondi Pavilion • Interactive totem sculpture workshop – Bondi Park • Seminars and workshops with respected environmentalist speakers and specialists • Professional water sport demonstrations – Bondi Beach • Soft sand run, swim and paddle competition – Bondi Beach | <p>Out of peak summer period. Weekend prior to 2019 Easter long weekend. Water still warm enough for water-based activities.</p> <p>All events organised on Bondi Beach or Park will be alcohol free and non-ticketed events that do not require fencing.</p> <p>Ticketed events (e.g. films screenings, award ceremonies) will be held in indoor venues e.g. Surf Clubs or the Bondi Pavilion depending on numbers and availability.</p> <p>Any infrastructures required will be minimal e.g. complying marquees for registration and inflatable competition start/finish structures.</p> <p>Any activities held outdoor will be held during daylight hours.</p> <p>Any amplification required will be minimal e.g. yoga, competition, sporting demonstration compering.</p> |

The organisers will be collaborating with The Prince Albert II of Monaco Foundation and the Blue Ocean Film Festival and local businesses and organisations including the National Surf Life Saving Association, Bondi Surf Clubs, Let's Go Surfing and Kadoo Aboriginal Cultural Tours.

The event content complies with required Event Purpose criteria in Council's Events Policy being:

- delivers either recreational, social, cultural, education or information opportunities for residents and visitors to participate
- supports and contributes to the well-being of residents and visitors
- supports and includes people from all sections of the community
- supports and respects the unique identity of Waverley and its culture
- recognises occasions of historical, social or cultural significance
- contributes to the local economy, businesses and tourism

Summary

On review of the proposal and subsequent meetings held with the Organisers to fully understand the potential impact of the proposed event, the event has been classified as a high impact event requiring a Council approved Venue Hire Agreement (Attachment 1) to allow the concept to be further developed with relevant agencies and stakeholders to ensure compliance with Bondi's DA and Council's Event Policy and Guidelines prior to approval of the final Event Management Plan.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: C6 Arts and cultural activities foster an involved community and a creative environment.
 Strategy: C6a Enrich the community's cultural life and support life long learning through a variety of cultural events and activities, balancing the needs of residents and visitors.
 Deliverable: A diverse and exciting range of arts and cultural events across Waverley.

6. Financial impact statement/Timeframe/Consultation

A venue hire fee will be charged in line with Council's Fees and Charges Policy as follows:

3-day high Impact Event in off season on Bondi Beach \$17,000 (2017/18 fees and charges).

Consultation

| <i>Event</i> | <i>Timeline</i> |
|---|----------------------------------|
| Finalisation of Venue Hire Agreement & payment of deposit | March 2018 |
| Stakeholder meetings with relevant agencies, Council Officers, Council Life Guards and event operator to develop an Event Management Plan for final approval. | March 2018 – April 2018 |
| Final Event Management Plan submitted | 4 weeks prior to site occupation |
| Compliance documents submitted – final sign off | Prior to site occupation |
| Debrief Meeting | Within 1 month of the event |

7. Conclusion

The Ocean Lovers Festival, to be held over 4 days in April 2019, meets all criteria under Event Purpose in Council's Event Policy. Council is asked to approve an Event Venue Hire Agreement for the festival.

8. Attachments

1. Waverley Council event management Plan Ocean Lovers Festival .

ATTACHMENT 1 – EVENT PROPOSAL**OCEAN LOVERS FESTIVAL****Event Management Plan**

Initial submission to Waverley Council
February 2017

Provided by:
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Current Public Liability Insurance: CGU Policy 15T2017315

EVENT CONCEPT OVERVIEW

The Ocean Lovers Festival is proposed as a uniquely Australian response to the global plight of the oceans – focused on our love of water sport and recreation, alongside seaside culture – bundled in a fun festival to influence change and action on the greatest emerging issue in global human consciousness.

Conceived as an annual community sporting and cultural event to focus attention and action on nurturing and saving the world's oceans - the inaugural festival is proposed at Bondi – one of the world's iconic waterfront playgrounds, where a combination of fun and competitive water sports alongside cool cultural activities and engaged activism will culminate over four days with a celebration of legends of ocean rescue and a community commitment to "love our oceans more".

On shore live music, art, photography and film presentations, workshops and practical demonstrations and information sessions will inspire and engage festival audiences. Conservation and sustainability will be the driving themes – showcasing global alliances as well as local best practice.

On the sand and on the sea exhibition sports, competitive events and fun participatory challenges will find a fit for everyone who wants to demonstrate their love for the ocean and get wet at the Ocean Lovers Festival. From wind and kite surfing to surf life saving, a great sunrise yoga session or creating a large scale totem artwork on the beach from natural materials to symbolise their Love of the Ocean, (Think Burning Man) – there will be levels to join and spectacle to enjoy for all.

Two highlight collaborations will be The Prince Albert II of Monaco Foundation and the Blue Ocean Film Festival – curating a powerful film program from their world-class conservation

and exploration film collections. Australia's own film and conservation legend George Miller is our Ocean Lovers Ambassador to the film program.

A special indigenous strand, understanding our particular Australian coastline and conservation through first people's perspective, conservation practice and art will define the Bondi Ocean Lovers Festival. A world first re-enactment for the festival opening spectacle will reprise the Indigenous Whale Welcome ceremony with cliff-top bonfires and a ceremonial bullroarer performance to call and protect the migrating whales and calves.

Leaders and luminaries of ocean conservation will feature throughout the festival at talks and events and the final afternoon will witness the inaugural **Ocean Lovers Awards Ceremony**. Select individuals who have focused their life purpose on creating awareness, innovating and finding solutions for our environment will be nominated to receive an **Ocean Lovers Award**.

The Festival proposes to have both free and ticketed events and entertainment. There would be a fundraising multi task challenge consisting of a soft sand run, swim and paddle, to be taken on by registered participants.

Sponsorship and partnerships will deliver the core of the program. Merchandise and part of entry fees will be directed for donations to key organisations leading stewardship of ocean recovery practice, headlined by Australia's focal effort through the Citizens of the Great Barrier Reef alliance in the first year. A portion of funds would be directed expressly to the Bondi Surf Lifesaving Clubs for their support of the festival.

PROPOSED DAILY PROGRAM

Through consultations with Australian Surf Lifesaving Association and the local SLSA clubs the proposed dates for the festival that best accommodate their timetables and Waverley Council's calendar of events for Bondi are from April 11 to 14, 2019.

At a glance:

Thursday, April 11

- Welcome the Whales Opening Ceremony – 5.30pm - free
(Potentially at Ben Buckler and Mackenzies Point)
- Live music – local venues – evening - ticketed

Friday, April 12

- Talks & workshops – indoor venues – 12 noon – 4pm – free & ticketed
- Live music – local venues – evening - ticketed
- Ocean Lovers film program – indoor venues – 6pm – 8pm - ticketed

Saturday, April 13

- Sunrise Yoga – Bondi Beach – 6am - 7am - free
- Talks & workshops – indoor venues – 10am – 4pm - free and ticketed
- Eco Markets – Bondi Pavilion – 10am – 4pm
- Demo Sports on water – South Bondi – 10am – 4pm - free
- Indigenous Ocean Care walks and talks – 10am – 4pm – ticketed
- Sandstone whale carving by Aboriginal elder Tim Ella - free
- Kids workshops and activities – Bondi Pavilion – 10am – 4pm -free
- SLSA photographic exhibition and demos – 10am – 4pm - free

- Live music – local venues – evening - ticketed
- Ocean Lovers film program – indoor venues – 6pm – 8pm – ticketed

Sunday, April 14

- Totem Recycled Art team competition – Pavilion south – 10am – 4pm
- Talks & workshops – indoor venues – 10am – 4pm - free and ticketed
- Eco Markets – Bondi Pavilion – 10am – 4pm
- Indigenous Ocean Care walks and talks – 10am – 4pm – ticketed
- Sandstone whale carving by Aboriginal elder Tim Ella – free
- Kids workshops and activities – Bondi Pavilion – 10am – 4pm - free
- SLSA photographic exhibition – 10am – 4pm - free
- Tri-event challenge – North Bondi SLSC – 11am – 12noon Registered fundraiser
- Demo Sports on water – South Bondi – 1pm – 4pm - free
- Ocean Lovers Awards Ceremony – indoor venue – 5pm – 8pm - ticketed

DAILY EVENT DETAILS:**DAY ONE**

Thursday, April 11

Events:

Welcome the Whales Opening Ceremony - free

NB – desirable to replicate in two locations but not necessary.

Live music – local venues - ticketed

| Time | Location | Action | Impact |
|-------------------------------|---|---|--|
| 3.00pm | Mark's Park/ Mackenzies Point/ Ray O'Keefe Reserve | Close designated event site to public for bump in - staff on site | Redirect foot traffic public – area still accessible |
| | | Drop off signage, VIP cordon, bonfire and performance materials | |
| 4.00pm | MacKenzies Point/ Ray O'Keefe Reserve | Performance rehearsal, fire authority in position at toilet block | Staff safety briefing review |
| 4.45pm | Marks Park/ Ray O'Keefe Reserve | Public Access for seating | Designated area used for event viewing |
| 5.00pm | Marks Park | Designated VIP and media arrival - section managed by staff | Some limited access to area, drop-offs on road access |
| 5.30pm | Mark's Park/ Mackenzies Point/ Ray O'Keefe Reserve | Sunset – ceremony begins with lighting and performance | No amplified sounds, restricted access to area, visual spectacle |
| 6.30pm | Mark's Park/ Mackenzies Point/ Ray O'Keefe Reserve | Conclusion of ceremony, Public and VIP departure | Egress of VIP and public – staff managed, some noise and foot traffic |
| 7.30pm | Mark's Park/ Mackenzies Point/ Ray O'Keefe Reserve | Bump out completed, site cleaned, crowds clear | Rubbish removal, signage and event clearance, vehicle access required to clear |
| NB: Weather contingency | Relocate for wind or storm danger. (limited options) | Can cancel bonfire, proceed with performance and song. | Push back timetable (limited) |

DAY TWO

Friday, April 12

Events:

Talks & workshops – indoor venues – 12 noon – 4pm – free & ticketed

Live music – local venues – evening - ticketed

Ocean Lovers film program – indoor venues – 6pm – 8pm - ticketed

| Time | Location | Action | Impact |
|-----------------|-----------------------------------|--------------------------------|----------------------------|
| 12 – noon – 4pm | Bondi Pavilion, RSL, local venues | Talks and workshops for public | Signage, directional staff |
| 6pm – 8pm | RSL and Surf Clubs | Film Sessions | Signage, directional staff |
| 6.00pm onwards | Local club/bar venues | Ticketed and free live music | Signage |

DAY THREE

Saturday, April 13

Events:

Sunrise Yoga – Bondi Beach – 6am - 7am - free

Talks & workshops + kids – indoor venues – 10am – 4pm - free and ticketed

Eco Markets – Bondi Pavilion – 10am – 4pm

Demo Sports on water – South Bondi – 10am – 4pm - free

Indigenous Ocean Care walks and talks – 10am – 4pm – ticketed

Sandstone whale carving by Aboriginal elder Tim Ella - free

SLSA photographic exhibition and demos – 10am – 4pm - free

Live music – local venues – evening - ticketed

Ocean Lovers film program – indoor venues – 6pm – 8pm – ticketed

| Time | Location | Action | Impact |
|----------------|--|--|--|
| 6am – 7am | Beach in front of Pavilion | Sunrise Yoga | Beach area designated, signage |
| 8am – 10am | Rear Bondi pavilion | Bump in for Eco markets | Managed traffic entry to rear of pavilion |
| 9.00am | Adjacent South Bondi Skate Park | Demo Sports staging bump in via Campbell Parade | 2x2mtr marquee, signage, meet and greet area, small PA system |
| 10am – 4pm | Adjacent South Bondi Skate Park, South Bondi ocean and beach | Staged demo sports with profile athletes plus meet a greet | Shoreside commentary, meet and greet – no closures |
| 10am - 4pm | Bondi Pavilion, RSL, local venues | Talks and workshops for public - including kids | Signage, directional staff |
| 10am – 4pm | Bondi Pavilion rear garden courtyard | Eco markets | Signage, bell tents, staff, rear parking x 20 vehicles, Overnight security |
| 10am – 4pm | Pavilion meet – walks via Mackenzies Point Ben Buckler | Indigenous Walks and talks – small registered groups | None |
| 12noon | North Bondi SC / Bondi SC | SLSA exhibitions and demos TBC | None |
| TBC | Site TBC with council | TBC Sandstone Whale Carving by Tim Ella | New authentic rock carving |
| 6pm – 8pm | RSL and Surf Club – TBC Pavilion | Film Sessions | Signage, directional staff |
| 6.00pm onwards | Local club/bar venues | Ticketed and free live music | Signage |

DAY FOUR

Sunday, April 14

Events:

Totem Recycled Art team competition – Pavilion south – 10am – 4pm

Talks & workshops – indoor venues – 10am – 4pm - free and ticketed

Eco Markets – Bondi Pavilion – 10am – 4pm

Indigenous Ocean Care walks and talks – 10am – 4pm – ticketed

Sandstone whale carving by Aboriginal elder Tim Ella – free

Kids workshops and activities – Bondi Pavilion – 10am – 4pm - free

SLSA photographic exhibition – 10am – 4pm - free

Tri-event challenge – Bondi and North Bondi SLSC – 11am – 12noon Registered fundraiser

Demo Sports on water – South Bondi – 1pm – 4pm - free

Ocean Lovers Awards Ceremony – indoor venue – 5pm – 8pm – ticketed

| Time | Location | Action | Impact |
|--------------|--|---|--|
| 6am – 7am | Beach in front of Pavilion | Sunrise Yoga | Beach area designated, signage |
| 9am – 10am | Rear Bondi pavilion | Bump in for Eco markets | Managed traffic entry to rear of pavilion |
| 9am – 10am | Adjacent Bondi Pavilion South | Recycled materials delivery for Totem Art competition | Vehicle and materials delivery |
| 9am – 10am | North Bondi SLSC | Registration check-in for Tri Event participants | |
| 10am - 4pm | Adjacent Bondi Pavilion South | Totem recycled art team competition & judging | Limited access area |
| 10am - 4pm | Bondi Pavilion, RSL, local venues | Talks and workshops for public - including kids | Signage, directional staff |
| 10am – 4pm | Bondi Pavilion rear garden courtyard | Eco markets | Signage, bell tents, staff, rear parking x 20 vehicles, Overnight security |
| 10am – 4pm | Pavilion meet – walks via Mackenzies Point Ben Buckler | Indigenous Walks and talks – small registered groups | None |
| TBC | Site TBC with council | TBC Sandstone Whale Carving by Tim Ella | New authentic rock carving |
| 11am – 12pm | North Bondi - beach and ocean | Tri-event challenge start and race | Managed area on sand and water – not closed |
| 1pm – 1.30pm | North Bondi SLSC | Prize giving ceremony | Open to public |
| 1pm – 4pm | Adjacent South Bondi Skate Park, | Staged demo sports with profile athletes plus meet a | Shoreside commentary, meet |

| | | | |
|-----------|-----------------------------|------------------------------|------------------------------|
| | South Bondi ocean and beach | greet | Meet and greet – no closures |
| 5pm – 8pm | Bondi Icebergs | Ocean Lovers Awards Ceremony | None |

Potential Waverley Council involvement:

Opening Whale Welcome performance and ceremony
 Recycled art and totem competition
 Eco Markets exhibit
 Talks and workshops
 Venues for exhibitions and hosted events
 New aboriginal art carving offered by Tim Ella created on site for permanent installation
 Awards Ceremony
 Marketing and information communications

Additional Information:

Marketing

A comprehensive marketing and communications plan, to include PR and media partnerships, media management at the event, social media and promotions will be developed to promote and communicate key information.
 The marketing and PR Plans would include specific local resident and local business notifications and invitations.

Traffic Control

A Traffic Management plan would be developed with Council and provided for the entire event in advance and coordinated with professional staff. Our aim with the Festival is to minimize traffic needs, encourage eco friendly travel and minimize local disruption. Crowd marshals and info officers will also be deployed to assist event goers and manage inbound and egress crowds.

Rubbish and recycling

A waste management plan would seek to showcase the council's recycling credentials in action, including special provision of materials for the recycled Totem Art competition. We will be seeking event partners who are leaders in ocean and beach clean-up to demonstrate the Ocean Lovers commitment to healing our embattled oceans.

Structures

The following types of structures are being considered for the festival infrastructure.

- Inflatable course markers, start arch and buoys for tri-event
- Flags and banners to mark event areas such as demo sports official area, SLSA demos, Totem Art competition and Tri-event fundraiser
- Event info tent for meet and greet at Demo Sports and Tri Event
- Directional/ wayfinding signage for event sites

- Market stall hockers or bell tents for Eco Market
- Rope bollards for crowd control access to ticketed or registered events

Security

Specialised event security will be engaged, particularly for stalls and info area. This will be supplemented with event volunteers with professional volunteer management for briefing, uniforms, shift management, etc.

Safety

An OH&S plan will be prepared and managed. OLF intends to work with the SLSA for the water and beach events to provide professional health and safety management. We anticipate a specialist support with NSW fire for the bonfire component of the ceremony and St John's or similar first aid service dedicated to the outdoor event components.

Communications

Event management and volunteer staff would be managed through a closed radio network, which would include safety and traffic, clean-up and event management. A full logistics plan would drive the administration of the event including weather options and an issues and crisis plan.

Toilets

It is anticipated the numbers to attend the festival would be easily managed with existing public facilities. The Festival can support additional cleaning to maximise the usage during the festival period.

Storage

The Festival would appreciate access to an administration area in the Bondi Pavilion that could be utilized as an operational HQ that can be locked and secured overnight. All other events should be managed on the day and not require overnight. The Eco Markets would ideally require structures to remain overnight with security however all products would be removed.

REPORT

OC/5.4/18.03



Subject: Appointment of Councillor Members to Committees

TRIM No: A04/0335

Author: Jane Worthy, Internal Ombudsman

Director: Peter Monks, Acting General Manager

RECOMMENDATION:

That Council appoints the following councillors to replace Cr Kay on the groups below for the remainder of the term ending on 27 September 2018:

1. Cr <INSERT CR'S NAME> as alternate member of the Sydney Coastal Council Group.
2. Cr <INSERT CR'S NAME> as member of the Waverley Surf Life Saving Club Committee.
3. Cr <INSERT CR'S NAME> as Deputy Chair of the Waverley Access Committee.

1. Executive Summary

Cr Kay has advised that he is unable to fulfil his roles as alternate member of the Sydney Coastal Council Group, member of the Waverley Surf Life Saving Club Committee and the Deputy Chair of the Waverley Access Committee.

It is recommended that Council appoints a Councillor to each of these groups to replace Cr Kay for the remainder of the term ending on 27 September 2018.

2. Introduction/Background

Council appoints councillors to various committees and organisations each year. The last appointments were made at the Mayoral Election on 26 September 2017, and the term of each appointment was one year from that date. The next appointments will be made at the Council Meeting on 27 September 2018. Details of the new appointments required are shown below in section 3.

3. Relevant Council Resolutions

| Council or Committee Meeting and Date | Minute No. | Decision |
|---|--------------|--|
| Council Meeting (Mayoral Election) 26 September 2017 | ME/3.6/17.09 | That Council: 4. Appoints the Chair, Deputy Chair and members of each committee that the Mayor declines to chair for a term of one year as follows: Committee name: Waverley Surf Life Saving Club Committee No. of Councillors to be appointed: Mayor (or Mayor's nominee) and two Councillors. |

| | | |
|--|--|--|
| | | <p>Chair of Committee: The Mayor, or if the Mayor declines the position, the Mayor shall nominate a Councillor to chair the Committee for the Mayoral term. Appointments: Crs O'Neill (Chair), Wy Kanak (Deputy Chair), Kay.</p> <p>Committee name: Waverley Access Committee No. of Councillors to be appointed: All Councillors are members of this committee. Chair of Committee: The Mayor, or if the Mayor declines the position, the Mayor shall nominate a Councillor to chair the Committee for the Mayoral term. Appointments: Crs Keenan (Chair), Kay (Deputy Chair) and all other Councillors.</p> <p>Name: Sydney Coastal Council Group No. of Councillors to be appointed: Two and an alternate. Appointments: Crs Copeland and Masselos (Alternate: Cr Kay).</p> |
|--|--|--|

4. Discussion

Any changes to Council's appointment of members to committees and the other groups need to be made by Council resolution.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: G1 Inspiring community leadership is achieved through decision making processes that are open, transparent, corruption resistant and based on sound integrated planning.
Strategy: G1c Our leaders advocate on our behalf to promote the area's interests and win resources.
Deliverable: Mayor's role in advocating the provision of resources for the Waverley local government area.

6. Financial impact statement/Time frame/Consultation

There is no unbudgeted cost to Council in appointing different members of each group.

The term of the new appointments expire on 27 September 2018.

7. Conclusion

Cr Kay has advised that he is unable to fulfil his roles as alternate member of the Sydney Coastal Council Group, member of the Waverley Surf Life Saving Club Committee and the Deputy Chair of the Waverley Access Committee.

This report recommends that Council appoints a councillor to each of these groups to replace Cr Kay for the remainder of the term ending on 27 September 2018.

8. Attachments

Nil.